

**DAWSON COUNTY BOARD OF COMMISSIONERS
VOTING SESSION AGENDA – THURSDAY, FEBRUARY 4, 2021
DAWSON COUNTY GOVERNMENT CENTER ASSEMBLY ROOM
25 JUSTICE WAY, DAWSONVILLE, GEORGIA 30534
TO IMMEDIATELY FOLLOW THE 4:00 PM WORK SESSION**

A. ROLL CALL

B. OPENING PRESENTATION

Development Authority of Dawson County (DADC) Update- DADC Chairman Tony Passarello

C. INVOCATION

D. PLEDGE OF ALLEGIANCE

E. ANNOUNCEMENTS

F. APPROVAL OF MINUTES

1. Minutes of the Work Session held on January 21, 2021
2. Minutes of the Voting Session held on January 21, 2021

G. APPROVAL OF AGENDA

H. PUBLIC COMMENT

I. ALCOHOL LICENSE

1. Alcohol License Transfer (*Retail Package Sale of Beer and Wine*) – Akshar Priya LLC dba Bo's Food Mart

J. NEW BUSINESS

1. Consideration of Review of Dawson County Employee Handbook's Paid Time Off Policy (Section 14.3)
2. Consideration of Request to Accept Georgia Child Passenger Safety Mini-Grant
3. Consideration of IFB #357-19 - Rock Creek Park Berm Construction - Change Order / Funding Request
4. Consideration of Harry Sosebee Road Right-of-Way and Development Agreement Acceptance
5. Consideration of Green Infrastructure and Low Impact Development Program
6. Consideration of Elected Official Salaries
7. Consideration of 2021 Board of Commissioners Vice Chair Appointment
8. Consideration of Study Concerning Cost of Services by Land Use Type (Residential / Commercial / Agriculture)
9. Consideration of a Revised Resolution Requesting the Calling of a Special Election to Impose a County One Percent Special Purpose Local Option Sales and Use Tax

K. PUBLIC COMMENT

L. ADJOURNMENT

****Executive Session may follow the Voting Session meeting.***

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 – JANUARY 21, 2021
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 Emory Dooley, District 4; County Attorney Angela Davis; County Clerk Kristen Cloud; and interested citizens of Dawson County. County Manager David Headley was not present.

UNFINISHED BUSINESS

1. Presentation of Review of Dawson County Employee Handbook's Paid Time Off Policy (Section 14.3) (*Tabled from the July 2, 2020, Voting Session*)- Human Resources Director Brad Gould
This item will be placed on the February 4, 2021, Voting Session Agenda.

NEW BUSINESS

1. Presentation of Request to Accept 2021 Criminal Justice Coordinating Council K9 Grant- Sheriff's Office Chief Deputy Greg Rowan
This item, presented by Ray Goodie of the Sheriff's Office, will be added to the January 21, 2021, Voting Session Agenda.
2. Presentation of Center for Tech and Civic Life COVID-19 Response Grant Funding Approval Request- Chief Registrar / Board of Elections and Registration Chair Glenda Ferguson
This item will be added to the January 21, 2021, Voting Session Agenda.
3. Presentation of Request to Accept Georgia Child Passenger Safety Mini-Grant- Emergency Services Director Danny Thompson
This item will be placed on the February 4, 2021, Voting Session Agenda.
4. Presentation of IFB #357-19 - Rock Creek Park Berm Construction - Change Order / Funding Request- Public Works Director David McKee / Purchasing Manager Melissa Hawk
This item will be placed on the February 4, 2021, Voting Session Agenda.
5. Presentation of Harry Sosebee Road Right-of-Way and Development Agreement Acceptance- Public Works Director David McKee
This item will be placed on the February 4, 2021, Voting Session Agenda.
6. Presentation of Green Infrastructure and Low Impact Development Program- Public Works Director David McKee
This item will be placed on the February 4, 2021, Voting Session Agenda.
7. Presentation of Elected Official Salaries- Human Resources Director Brad Gould
This item will be placed on the February 4, 2021, Voting Session Agenda.

8. Presentation of an Intergovernmental Agreement with the City of Dawsonville and the Dawson County Board of Elections and Registration Relating to the 2021 Municipal Elections for the City of Dawsonville- County Attorney Angela Davis
This item will be added to the January 21, 2021, Voting Session Agenda.
9. Presentation of Board Appointments:
 - a. **EMS Advisory Council**
 - i. **Danny Thompson- reappointment (Term: January 2021 through December 2022)**
 - ii. **Robby Lee- reappointment (Term: January 2021 through December 2022)**
 - b. **Health Board**
 - i. **Billy Thurmond- reappointment (Term: January 2021 through December 2024)**
 - c. **Planning Commission (District 3 Alternate)**
 - i. **Jean Maryanski- appointment (Term: January 2021 through December 2021)***This item will be added to the January 21, 2021, Voting Session Agenda.*
10. Presentation of 2021 Board of Commissioners Vice Chair Appointment- Chairman Billy Thurmond
This item will be placed on the February 4, 2021, Voting Session Agenda.
11. Discussion of Financing Options for Purchase of Ladder Truck- Chief Financial Officer Vickie Neikirk
This item will be added to the January 21, 2021, Voting Session Agenda.
12. Discussion of Study Concerning Cost of Services by Land Use Type (Residential / Commercial / Agriculture)- Commissioner Chris Gaines
This item will be placed on the February 4, 2021, Voting Session Agenda.
13. Discussion of City Impact Fees- Commissioner Tim Satterfield
This item was for information only; Commissioner Satterfield plans to coordinate a time to meet with the city and its representative(s).
14. County Manager Report
This item, presented by Chief Financial Officer Vickie Neikirk, was for information only.
15. County Attorney Report
County Attorney Davis had no information to report.

APPROVE:

ATTEST:

Billy Thurmond, Chairman

Kristen Cloud, County Clerk

**DAWSON COUNTY BOARD OF COMMISSIONERS
VOTING SESSION MINUTES – JANUARY 21, 2021
DAWSON COUNTY GOVERNMENT CENTER ASSEMBLY ROOM
25 JUSTICE WAY, DAWSONVILLE, GEORGIA 30534
IMMEDIATELY FOLLOWING THE 4:00 PM WORK SESSION**

ROLL CALL: Those present were Chairman Billy Thurmond; Commissioner Sharon Fausett, District 1; Commissioner Chris Gaines, District 2; Commissioner Tim Satterfield, District 3; Commissioner Emory Dooley, District 4; County Attorney Angela Davis; County Clerk Kristen Cloud; and interested citizens of Dawson County. County Manager David Headley was not present.

OPENING PRESENTATION:

Proclamation Recognizing Elections and Voter Registration

Chairman Thurmond read aloud a Proclamation Recognizing Elections and Voter Registration. Motion passed 4-0 to approve the Proclamation recognizing Elections and Voter Registration. Fausett/Gaines

INVOCATION: Chairman Thurmond

PLEDGE OF ALLEGIANCE: Chairman Thurmond

ANNOUNCEMENTS:

Commissioner Gaines welcomed Commissioner Dooley to the board.

APPROVAL OF MINUTES:

Motion passed 3-2 to approve the Minutes of the Work Session held on December 17, 2020. Satterfield/Gaines- Commissioner Fausett and Commissioner Dooley abstained and Chairman Thurmond voted in order for the item to pass

Motion passed 3-2 to approve the Minutes of the Voting Session held on December 17, 2020. Gaines/Satterfield- Commissioner Fausett and Commissioner Dooley abstained and Chairman Thurmond voted in order for the item to pass

APPROVAL OF AGENDA:

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

- Addition of Nos. 5-9 under New Business:
 - Request to Accept 2021 Criminal Justice Coordinating Council K9 Grant
 - Center for Tech and Civic Life COVID-19 Response Grant Funding Approval Request
 - Intergovernmental Agreement with the City of Dawsonville and the Dawson County Board of Elections and Registration Relating to the 2021 Municipal Elections for the City of Dawsonville
 - Board Appointments:
 - EMS Advisory Council
 - Danny Thompson- *reappointment* (Term: January 2021 through December 2022)

- Robby Lee- *reappointment* (Term: January 2021 through December 2022)
- Health Board
 - Billy Thurmond- *reappointment* (Term: January 2021 through December 2024)
- Planning Commission (District 3 Alternate)
 - Jean Maryanski- *appointment* (Term: January 2021 through December 2021)
- Discussion of Financing Options for Purchase of Ladder Truck
- Removal of ZA 20-27 from the agenda for postponement

Satterfield/Dooley

PUBLIC COMMENT:

Sheriff Jeff Johnson spoke about New Business items No. 1: Request for Funding for Comprehensive Security System Upgrade; and No. 4: A Resolution Requesting the Calling of a Special Election to Impose a County One Percent Special Purpose Local Option Sales and Use Tax (SPLOST).

Johnson said he was unable to attend a previous Board of Commissioners meeting during which item No. 1 was discussed and wished to answer some questions that were asked during that meeting. He said, “This was not a new project. This is something that’s been going on for some time ... So ultimately...we have two systems that operate the courthouse and that operate the jail. The system at the jail is currently functioning. It’s operating. We do have issues with the current maintenance contract ... When [Purchasing Manager Melissa Hawk] was revisiting these maintenance contracts, we were having more issues with the courthouse system. Therefore, in the discussion, they said, ‘Well, why don’t we look at things from a total perspective and see what it costs?’ So, again, I tell you this is not anything new.” In addition, Johnson said, “We want to talk about whose responsibility it is, and that’s where I’ll submit to you that I have no control over the courthouse. I have control over a security plan, but I have no control over the courthouse ... We do operate it. We do run it, but it’s not a piece of equipment for us.” He said he has “no objections to the system being upgraded. I think it needs upgrading...”

Concerning SPLOST, Johnson mentioned the Sheriff’s Office radio system. “I know there’s \$3 million allocated or proposed for a radio system; puts us on the same VHF system,” which he said is an upgrade but does not allow Dawson County to communicate with its neighbors like Forsyth County. Johnson expressed concern with \$1.5 million allocated for vehicle replacement. “I’ll be coming back to you to ask for cars if we don’t address it in this,” he said. Johnson said he also would like a new roof for the law enforcement center. “The chairman and I have talked a lot about things,” said Johnson. “I want to support the county. I want to support SPLOST, but I also know that we have needs in the Sheriff’s Office and that’s the reason I’m here voicing that now. Obviously, there are some things of concern for me - just from a county resident perspective of it; I won’t go into that, air that here, but I do ask for your consideration with our SPLOST allocations.”

PUBLIC HEARING:

Land Use Resolution Update – Residential Planned Community Zoning District Road Maintenance (2nd of 2 hearings; 1st hearing was held at the January 19, 2021, Planning Commission meeting)

Planning & Development Director Jameson Kinley and Public Works Director David McKee reviewed the Land Use Resolution update concerning Residential Planned Community zoning district road maintenance.

Chairman Thurmond opened the hearing by asking if there was anyone present who wished to be heard on the Land Use Resolution Update - Residential Planned Community Zoning District Road Maintenance and, hearing none, closed the hearing.

Motion passed 4-0 to approve the Land Use Resolution Update - Residential Planned Community Zoning District Road Maintenance. Satterfield/Dooley

ZONINGS:

Chairman Thurmond announced that if anyone contributed more than \$250 to the commissioners or chairman in the past two years and wished to speak they would have to fill out a disclosure form, which would be made available to them. Under normal program, 10 minutes is given to those who wish to speak in favor of or opposition to with some redirect, time permitting.

ZA 20-21 - George Butler as agent for owners requests to rezone TMP 097-099 from RA (Residential Agriculture) to RS2 (Residential Suburban 2) for the purpose of developing a 194 residential-lot subdivision (Dawson Forest Road East).

Concerning ZA 20-21, Commissioner Fausett recused herself from discussion and abstained from any vote due to a personal interest through inheritance.

Planning & Development Director Jameson Kinley said the property is located to the west of Black's Mill Elementary and spans to the west to Blacks Mill Road. In 2004, the property was rezoned to Commercial Planned Community Development, but reverted to RA in 2014 through a county-initiated rezoning, according to Kinley. "Our comprehensive plan shows this property as Residential Planned Community," he said. "RPC is our only zoning classification designated for subdivisions, requiring a HOA. Because this is more than 125 proposed lots, a DRI study was done. The findings show that there were no regional concerns, but we should pay close attention to development near Blacks Mill Creek. This area is a part of the upper Etowah River Watershed; it is of great importance that the biodiversity of species in the area that this be protected. This site plan shows these critical areas as conservation." Kinley said the Planning Commission recommends denial of the application.

Applicant George Butler, a Dhlonega, Georgia-based attorney, detailed his history and his becoming involved in representing the proposed project. Butler discussed "why I believe your Planning director reached the right conclusion when he said, 'This is consistent with the comprehensive plan...'" Butler added, "...When all is told, we'll have 59 percent open space; 45 percent of that will be in perpetual conservation." Butler said he and the owners met with Etowah Water & Sewer Authority and the school system to discuss the project in regards to connections, a pedestrian crossing, etc. He said they also met with Parks & Recreation's Matt Payne and "walked it." Butler said the project's developers reported work on a similar project and noted that, "if you have an elementary school with the ability of families to be able to access it off the road through the same back door, it will sell like hotcakes. The values will be much higher." Butler also said they met with neighbors. "So then, in response to all the comments that we got, we have formulated these conditions..." Butler read aloud more than two dozen proposed stipulations for the project. He added, "...Only nine of our 194 lots back up to other

houses because we are an out-of-sight out-of-mind, rural-by-design subdivision. That's what conservation is all about. So we are buffered, except for those nine houses, by Blacks Mill, by the school, by Dawson Forest..."

Chairman Thurmond opened the hearing by asking if there was anyone present who wished to speak either for or against the application.

None spoke in favor of the application.

The following spoke in opposition of the application:

- Beth Martin, Dawsonville, Georgia
- Tyler Carpenter, Dawsonville, Georgia
- Yianna Manolakis, Dawsonville Georgia

Chairman Thurmond asked if there was anyone else present who wished to speak on the application and, hearing none, closed the hearing.

Commissioner Satterfield made a motion to approve ZA 20-21 with stipulations and Commissioner Dooley seconded the motion. Commissioner Satterfield amended the motion with edited stipulations and Commissioner Dooley seconded the amended motion. Commissioner Satterfield withdrew the amended motion and initial motion and Commissioner Dooley seconded the withdrawal of the amended motion and initial motion.

Commissioner Satterfield made a motion to approve ZA 20-21 with 29 stipulations. Chairman Thurmond seconded the motion for further discussion. The motion failed to pass 2-2, with Commissioner Gaines and Commissioner Dooley voting against the motion.

Motion passed 3-1 to table ZA 20-21 until February 18, 2021. Gaines/Dooley- Commissioner Satterfield opposed the motion

ZA 20-23 - Miles, Hansford & Tallant requests to rezone TMP 113-044-006 from COI (Commercial Office Institutional) to CHI (Commercial Highway Intensive) for the purpose of developing a garden center (Prominence Court and Kilough Church Road).

Planning & Development Director Jameson Kinley said the applicant requests to rezone a 2.4-acre parcel for the purpose of opening a garden center. The property is located along the corner of Prominence Court and Kilough Church Road with frontage along Highway 400, according to Kinley. "This property was most recently used by GDOT when they were developing the continuous flow intersection. Other than that, it was vacant. It was rezoned to COI in 2005 for the purpose of a doctor's office. Our comprehensive plan shows this site as being Commercial Highway Business, which would incorporate this type of use." He added that the property falls within the 400 Corridor and will have to follow all 400 Corridor guidelines. Kinley said the Planning Commission recommends approval of the application.

Applicant Jonathan Beard of Miles, Hansford & Tallant said, "...The new zoning classification to CHI is more conducive to what the proposed use is." Beard added, "We're proposing a 5,000-square-foot building with a pole barn..." The garden center, he said, will primarily include lawn sculptures, accessory landscape supplies and plants. "It will be kind of mixed. It won't be one or the other - it will be a mix," he said.

Chairman Thurmond opened the hearing by asking if there was anyone present who wished to speak either for or against the application and, hearing none, closed the hearing.

Motion passed 4-0 to approve ZA 20-23. Fausett/Dooley

NEW BUSINESS:

Consideration of Request for Funding for Comprehensive Security System Upgrade

Motion passed 4-0 to release a Request for Proposal Concerning a Comprehensive Security System Upgrade. Satterfield/Dooley

Consideration of Family Connection Fiscal Agent Request

Motion passed 4-0 to approve the Family Connection Fiscal Agent Request. Fausett/Gaines

Consideration of Veterans Memorial Park Pavilion Rental Fee

Motion passed 4-0 to approve a Veterans Memorial Park Pavilion Rental Fee - \$200 per day for Dawson County residents and \$300 for non-Dawson County residents. Satterfield/Fausett

Consideration of a Resolution Requesting the Calling of a Special Election to Impose a County One Percent Special Purpose Local Option Sales and Use Tax

Motion passed 4-0 to approve a Resolution Requesting the Calling of a Special Election to Impose a County One Percent Special Purpose Local Option Sales and Use Tax. Gaines/Satterfield

Consideration of Request to Accept 2021 Criminal Justice Coordinating Council K9 Grant

Motion passed 4-0 to approve the Request to Accept the 2021 Criminal Justice Coordinating Council K9 Grant. Fausett/Satterfield

Consideration of Center for Tech and Civic Life COVID-19 Response Grant Funding Approval Request

Motion passed 4-0 to approve the Center for Tech and Civic Life COVID-19 Response Grant Funding Request. Gaines/Fausett

Consideration of an Intergovernmental Agreement with the City of Dawsonville and the Dawson County Board of Elections and Registration Relating to the 2021 Municipal Elections for the City of Dawsonville

Motion passed 4-0 to approve an Intergovernmental Agreement with the City of Dawsonville and the Dawson County Board of Elections and Registration Relating to the 2021 Municipal Elections for the City of Dawsonville. Satterfield/Dooley

Presentation of Board Appointments:

- EMS Advisory Council
 - Danny Thompson- reappointment (Term: January 2021 through December 2022)
 - Robby Lee- reappointment (Term: January 2021 through December 2022)
- Health Board
 - Billy Thurmond- reappointment (Term: January 2021 through December 2024)
- Planning Commission (District 3 Alternate)
 - Jean Maryanski- appointment (Term: January 2021 through December 2021)

Motion passed 4-0 to approve the reappointments of Danny Thompson and Robby Lee to the EMS Advisory Council for terms of January 2021 through December 2022. Fausett/Dooley

Motion passed 4-0 to approve the reappointment of Billy Thurmond to the Health Board for a term of January 2021 through December 2024. Fausett/Gaines

Motion passed 4-0 to approve the appointment of Jean Maryanski to the Planning Commission as the District 3 Alternate for a term of January 2021 through December 2021. Satterfield/Fausett

Consideration of Financing Options for Purchase of Ladder Truck

Commissioner Fausett made a motion to approve to fund the purchase of a ladder truck with SPLOST VI funds and Commissioner Satterfield seconded the motion. Commissioner Fausett withdrew the motion and Commissioner Satterfield seconded the withdrawal of the motion.

Motion passed 4-0 to approve the purchase of a ladder truck with SPLOST VI funds in an amount not to exceed \$1.2 million. Fausett/Satterfield

PUBLIC COMMENT:

None

ADJOURNMENT:

APPROVE:

ATTEST:

Billy Thurmond, Chairman

Kristen Cloud, County Clerk

DAWSON COUNTY PLANNING AND DEVELOPMENT

ALCOHOL LICENSING

Location & Mailing Address:

25 JUSTICE WAY, SUITE 2322
DAWSONVILLE, GA 30534

Phone: 706/344-3500 x 42335

APPLICATION FOR ALCOHOLIC BEVERAGE LICENSE

This application must be signed by the applicant and notarized. Every question must be fully answered with the answer typewritten or printed. If the space provided is not sufficient, answer on a separate sheet and indicate in the space provided that a separate sheet is attached. When completed, the application must be dated, signed, and verified under oath by the applicant and submitted to Planning and Development, together with the license fee(s) and the administrative/investigative fee (separate checks). All fees are payable to Dawson County in certified funds (bank check, certified check, or money order). **The applicant must be not less than 21 years of age.**

NOTICE: Any false answer to any question could result in the denial of a license, or in the event a license is issued, in the revocation or suspension of the license. *****KEEP A COPY OF ALL FORMS SUBMITTED*****

FOR OFFICIAL USE ONLY:

Name of Business:

Bio Foodmart / Akshar Priya, LLC

Date Received: _____

License Fee Enclosed: \$ _____

Approved: _____

Denied: _____

State License Number: _____

Local License Number: _____

Administrative/Investigative Fee Enclosed : \$ _____ Advertising Fee Enclosed: \$ _____

1. TYPE OF LICENSE: (check one):

☐ NEW

☒ AMENDMENT (TRANSFER)

2. ADMINISTRATIVE AND INVESTIGATIVE FEE:

☐ \$250.00 (Consumption on Premises)

ADMINISTRATIVE AND INVESTIGATIVE FEE:

☒ \$250.00 (Retail Package)

ADMINISTRATIVE AND INVESTIGATIVE FEE:

☐ \$250.00 (Transfer of License)

Note: Administrative/Investigative fees may be higher depending on the number of persons for which we conduct a federal and state background check.

ADVERTISING FEE:

☐ \$ 40.00 (Distilled Spirits)
(Consumption on Premises & Retail Package)

3. TYPE OF BUSINESS:

☐ Bona Fide Eating Establishment

☐ Indoor Commercial Recreation Facility

☐ Super Market

☐ Hotel/Motel

☒ Convenience Store

☐ Caterer (must have alcohol by the drink license)

☐ Package Liquor Store (*see Item 14, Page 5*)

☐ Other

Explain: _____

Will live entertainment be offered? NO If Yes, Explain: _____

APPLICATION FOR ALCOHOLIC BEVERAGE LICENSE

4. TYPE OF LICENSE AND FEES:
(Check all that apply)

PAYMENT BY CERTIFIED FUNDS ONLY!!

Note: If license is issued after July 1st, fees are one half.

RETAIL PACKAGE: (Total: Beer - Wine - Distilled Spirits = \$5,800)
(Total: Beer - Wine = \$1,300)

☒ Beer \$650

☒ Wine \$650

☐ Distilled Spirits \$4,500

GROCERY & CONVENIENCE STORES: ATTACH COPY OF DEPT. OF AGRICULTURE FOOD ESTABLISHMENT LICENSE.

RETAIL CONSUMPTION ON PREMISES: (Total: Beer - Wine - Distilled Spirits = \$4,800)
(Total: Beer - Wine = \$1,500)

☐ Distilled Spirits \$3,300

☐ Beer \$ 750

☐ Wine \$ 750

☐ Add'l Fixed Bars # _____ \$ 500 (each bar)

☐ Movable Bars # _____ \$ 250 (each bar)

PRIVATE CLUB:

☐ Beer \$750

Note: Must obtain a retail consumption on the premises license.

☐ Wine \$750

☐ Distilled Spirits \$3,300

HOTEL IN-ROOM SERVICE:

☐ Beer \$750

Note: Must obtain a retail consumption on the premises license before Hotel In-Service License is issued.

☐ Wine \$750

☐ Hotel In-Service \$250

**SPECIAL EVENT
ALCOHOL PERMIT:**

☐ \$25 Per Day

Note: Must complete additional Special Event Alcohol Permit Form # 2-B.

5. BUSINESS

(a) Business Name: Bo's Food Mart / Akshar Priya LLC.

(b) Location: 2360 Dawson Forest Rd E.
Street Number Street Name

Dawsonville GA 30534 _____
City State Zip Code Phone Number

(c) Mailing Address: _____
For Renewals: Street Number Street Name

City State Zip Code Phone Number

APPLICATION FOR ALCOHOLIC BEVERAGE LICENSE

6. OWNER:

(a) Full Name: Brijeshkumar P. Patel Social Security # _____

(b) Corporation or LLC Name (if applicable): AKshar Priya LLC.

(c) Location: 2360 Dawson forest Rd E.
Street Number Street Name

Dawsonville	GA	30534	
City	State	Zip Code	Phone Number

(d) Mailing Address: _____

 Street Number Street Name

City	State	Zip Code	Phone Number
San Francisco	CA	94102	415-555-1212
San Jose	CA	95128	408-555-3434
San Diego	CA	92101	619-555-7878
San Antonio	TX	78205	214-555-9090
San Antonio	TX	78201	214-555-1010
San Antonio	TX	78201	214-555-2020
San Antonio	TX	78201	214-555-3030
San Antonio	TX	78201	214-555-4040
San Antonio	TX	78201	214-555-5050
San Antonio	TX	78201	214-555-6060
San Antonio	TX	78201	214-555-7070
San Antonio	TX	78201	214-555-8080
San Antonio	TX	78201	214-555-9090
San Antonio	TX	78201	214-555-0101
San Antonio	TX	78201	214-555-1111
San Antonio	TX	78201	214-555-2222
San Antonio	TX	78201	214-555-3333
San Antonio	TX	78201	214-555-4444
San Antonio	TX	78201	214-555-5555
San Antonio	TX	78201	214-555-6666
San Antonio	TX	78201	214-555-7777
San Antonio	TX	78201	214-555-8888
San Antonio	TX	78201	214-555-9999
San Antonio	TX	78201	214-555-0000
San Antonio	TX	78201	214-555-1010
San Antonio	TX	78201	214-555-2020
San Antonio	TX	78201	214-555-3030
San Antonio	TX	78201	214-555-4040
San Antonio	TX	78201	214-555-5050
San Antonio	TX	78201	214-555-6060
San Antonio	TX	78201	214-555-7070
San Antonio	TX	78201	214-555-8080
San Antonio	TX	78201	214-555-9090
San Antonio	TX	78201	214-555-0101
San Antonio	TX	78201	214-555-1111
San Antonio	TX	78201	214-555-2222
San Antonio	TX	78201	214-555-3333
San Antonio	TX	78201	214-555-4444
San Antonio	TX	78201	214-555-5555
San Antonio	TX	78201	214-555-6666
San Antonio	TX	78201	214-555-7777
San Antonio	TX	78201	214-555-8888
San Antonio	TX	78201	214-555-9999
San Antonio	TX	78201	214-555-0000
San Antonio	TX	78201	214-555-1010
San Antonio	TX	78201	214-555-2020
San Antonio	TX	78201	214-555-3030
San Antonio	TX	78201	214-555-4040
San Antonio	TX	78201	214-555-5050
San Antonio	TX	78201	214-555-6060
San Antonio	TX	78201	214-555-7070
San Antonio	TX	78201	214-555-8080
San Antonio	TX	78201	214-555-9090
San Antonio	TX	78201	214-555-0101
San Antonio	TX	78201	214-555-1111
San Antonio	TX	78201	214-555-2222
San Antonio	TX	78201	214-555-3333
San Antonio	TX	78201	214-555-4444
San Antonio	TX	78201	214-555-5555
San Antonio	TX	78201	214-555-6666
San Antonio	TX	78201	214-555-7777
San Antonio	TX	78201	214-555-8888
San Antonio	TX	78201	214-555-9999
San Antonio	TX	78201	214-555-0000
San Antonio	TX	78201	214-555-1010
San Antonio	TX	78201	214-555-2020
San Antonio	TX	78201	214-555-3030
San Antonio	TX	78201	214-555-4040
San Antonio	TX	78201	214-555-5050
San Antonio	TX	78201	214-555-6060
San Antonio	TX	78201	214-555-7070
San Antonio	TX	78201	214-555-8080
San Antonio	TX	78201	214-555-9090
San Antonio	TX	78201	214-555-0101
San Antonio	TX	78201	214-555-1111
San Antonio	TX	78201	214-555-2222
San Antonio	TX	78201	214-555-3333
San Antonio	TX	78201	214-555-4444
San Antonio	TX	78201	214-555-5555
San Antonio	TX		

7. REGISTERED AGENT: *(Applicant may name a registered agent - attach Registered Agent Consent Form #2-A.)*

(a) Full Name: _____ Social Security # _____

(b) Address: _____
 Street Number Street Name

City	State	Zip Code	Phone Number
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8. TYPE OF OWNERSHIP:

☐ Sole Proprietorship ☐ Legally Registered Partnership

☐ Private Held Corporation ☐ Public Held Corporation

☐ Public Held Corporation Subject to S.E.C. Regulations ☒ Limited Liability Company

☐ Other; explain _____

9. FOR PARTNERSHIP ONLY:

(a) Date the Partnership was formed: _____

(b) Attach Partnership Agreement

(c) List Partners:

Name & Resident Address	Social Security Number	G - General	Interest Investment	Participation
(Attach separate sheet if necessary)		L - Limited	\$	%
		S - Silent		

APPLICATION FOR ALCOHOLIC BEVERAGE LICENSE

10. FOR CORPORATION or LLC ONLY: (Attach Articles & Certificate of Incorporation/ Organization)

- (a) Date of Incorporation/Organization: 09/18/2019
(b) Place of Incorporation/Organization: Georgia
(c) State Parent Corporation, if applicable: Georgia
(d) Number of Shares of Capital Stock Authorized, if applicable: _____
(e) Number of Shares of Outstanding Stock, if applicable: _____
(f) For Corporations or LLC's, list officers, directors, members, and/or principal shareholders with 20% or more of the stock:

Name	Social Security #	Position	Interest %
<u>Brijeshkumar Patel</u>		<u>owner</u>	<u>100%</u>

- (g) Is the corporation owned by a parent corporation or held by a holding company? _____
If yes, explain: _____

11. FOR PRIVATE CLUBS ONLY:

- (a) Date of organization under the laws of the State of Georgia: _____
(b) State the total number of regular dues paying members: _____
(c) Is any member, officer, agent, or employee compensated directly or indirectly from the profits of the sale of distilled spirits beyond a fixed salary as established by its members at any annual meeting or by its governing board out of the general revenue of the club? _____

- (d) **Attach minutes of the annual meeting setting salaries.** For private club, list officers, directors and/or principal shareholders with 20% or more of the stock.

Name	Social Security #	Position

12. FINANCING:

- (a) Bank to be used by business, include branch: _____
(b) State total amount of capital that is or will be invested in the business by any party or parties: _____
(c) State total amount of funds invested by the owner: _____
(d) State total amount of funds invested by parties other than the owner: _____
(e) If any capital is borrowed:

Name of Lender	Date	Amount	Interest Rate

APPLICATION FOR ALCOHOLIC BEVERAGE LICENSE

13. GENERAL INFORMATION:

(a) Has owner and/or individual partner, shareholder, director, officer or member any interest in any manufacturer or wholesaler of alcoholic beverage? NO

(b) Has owner and/or individual partner, shareholder, director, officer or member received any financial aid or assistance from any manufacturer or wholesaler of alcoholic beverages? NO

(c) If answer is "Yes" to either of immediate foregoing, explain: _____

(d) Show hereunder any and all persons, corporations, partnerships, limited liability companies or associations (other than persons stated herein as owner(s), directors, officers or members) who have received or will receive, as a result of your operation under the requested license, any financial gain or payment derived from any interest or income from the operation. Financial gain or payment shall include payment or gain from any interest in the land, fixtures, building, stock, and any other asset of the proposed operation under the license. In the event any corporation or limited liability company is listed as receiving an interest or income from this operation, show the names of the officers, directors or members of said corporation together with the names of the principal stockholders.

NO

(e) List all other businesses engaged in the sale of alcohol beverages that you the owner, or any individual, partner, shareholder, officer, director or member has interest in, is employed by or is associated with in any way whatsoever, or has had interest in, has been employed by, or has been associated with in the past.

Name	Name or Business	Interest %
------	------------------	------------

NA

14. FOR PACKAGE LIQUOR STORE APPLICANTS: *State of Georgia Regulations*****

The State of Georgia will not issue a State Alcohol License to any person who has more than two (2) retail package liquor licenses. See official language below. Do not apply for a Dawson County License if you already have (or have interest in) two (2) package liquor store licenses in the State of Georgia.

O.C.G.A. 3-4-21 and Regulation 560-2-2-40.

No person shall be issued more than two retail package liquor licenses, nor shall any person be permitted to have a beneficial interest in more than two retail package liquor licenses issued by the Department regardless of the degree of such interest.

For the purposes of explanation and applicability of the Code:

"Beneficial interest" as used here means: when a person holds the retail package liquor license in his own name, or when he has a legal, equitable or other ownership interest in, or has any legally enforceable interest or financial interest in, or derives any economic benefit from, or has control over a retail package liquor business.

The term "person" shall include all members of a retail package liquor dealer licensee's family; and the term "family" shall include any person related to the holder of the license within the first degree of consanguinity and affinity as computed according to the canon law which includes the following: spouse, parents, step-parents, parents-in-law, brothers and sisters, step-brothers and step-sisters, brothers-in-law and sisters-in-law, children, step-children and children-in-law.

Do you currently hold any package liquor licenses in your own name or have a beneficial interest in any package liquor licenses as described above? _____ Yes _____ No If yes, attach a separate sheet listing names, addresses, and license numbers.

APPLICATION FOR ALCOHOLIC BEVERAGE LICENSE

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, Brijeshkumar P. Patel, DO SOLEMNLY SWEAR, SUBJECT TO THE PENALTIES OF FALSE SWEARING, THAT THE STATEMENTS AND ANSWERS MADE BY ME AS THE APPLICANT IN THE FOREGOING APPLICATION ARE TRUE AND CORRECT.

Brijeshkumar P. Patel
APPLICANT'S SIGNATURE

I HEREBY CERTIFY THAT Brijeshkumar P. Patel SIGNED HIS 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 9 DAY OF December, 2020



Lugena Weese
NOTARY PUBLIC

FOR OFFICIAL USE ONLY:

PLANNING AND DEVELOPMENT REVIEW:

APPLICANT HAS OBTAINED ALL NECESSARY PERMITS AND LICENSES. (Building Permit / Business License)

APPLICANT HAS COMPLETED ALL NECESSARY INSPECTIONS. (Fire Dept. / Health Dept. / Dept. of Agriculture-Retail Package only)

APPLICANT HAS COMPLETED **PREMISE & STRUCTURE FORM # 3** AND ATTACHED ALL REQUIRED INFORMATION IN ITEMS 10 through 15.

Date: _____

Planning and Development Director

Planning and Development Director

Planning and Development Director

FOR OFFICIAL USE ONLY:

SHERIFF DEPARTMENT REVIEW:

APPLICANT HAS COMPLETED ALL REQUIREMENTS FOR FEDERAL AND STATE BACKGROUND CHECK AND IS APPROVED FOR THIS APPLICATION PROCESS.

Date: _____

Sheriff

DAWSON COUNTY PLANNING AND DEVELOPMENT

ALCOHOL LICENSING

Locating & Mailing Address:

25 JUSTICE WAY, SUITE 2322
Dawsonville, GA 30534

Phone: 706.344.3500 x 42335

PREMISE AND STRUCTURE FORM

INSTRUCTION: THIS STATEMENT MUST BE TYPEWRITTEN OR PRINTED AND EXECUTED UNDER OATH. EACH QUESTION MUST BE FULLY ANSWERED. IF SPACE PROVIDED IS NOT SUFFICIENT, ANSWER ON A SEPARATE SHEET AND INDICATE IN THE SPACE PROVIDED THAT A SEPARATE SHEET IS ATTACHED.

1. **TYPE OF BUSINESS:**

- ☐ EATING ESTABLISHMENT
☐ INDOOR COMMERCIAL RECREATION ESTABLISHMENT
☒ CONVENIENCE STORE
☐ SUPER MARKET
☐ PACKAGE LIQUOR STORE
☐ HOTEL OR MOTEL
☐ OTHER (DESCRIBE) _____

2. **TRADE NAME OF BUSINESS:** Bo's Food store

LOCATION: 2360 Dawson Forest Rd E.
Street Number Street Name

Dawsonville GA 30534
City State Zip Code Phone Number

Land Lot

Map & Parcel Number

3. **IS THIS LOCATION WITHIN A COMMERCIAL ZONING DISTRICT?** _____ yes _____ no
PROOF OF ZONING IS REQUIRED FROM PLANNING AND DEVELOPMENT

For package liquor stores, is this zoned Commercial Highway Business (C-HB) or Commercial Planned Comprehensive Development (CPCD) as required by the ordinance?

_____ yes _____ no.

PROOF OF C-HB or CPCD ZONING IS REQUIRED FROM PLANNING AND DEVELOPMENT.

4. **DOES THE COMPLETED BUILDING OR THE PROPOSED BUILDING COMPLY WITH ORDINANCES OF DAWSON COUNTY, REGULATIONS OF THE STATE REVENUE COMMISSIONER, AND THE LAWS OF THE STATE OF GEORGIA?** Yes. IF NO, EXPLAIN NON-COMPLIANCE AND PROPOSED METHODS

TO RECTIFY SAME: _____

PREMISE AND STRUCTURE FORM

5. (a) DOES THE BUILDING IN WHICH THE BUSINESS IS TO BE LOCATED CONTAIN SUFFICIENT LIGHTING SO THAT THE BUILDING ITSELF AND THE PREMISES ON ALL SIDES OF THE BUILDING ARE READILY VISIBLE AT ALL TIMES FROM THE FRONT OF THE STREET ON WHICH THE BUILDING IS LOCATED AS TO REVEAL ALL OF THE OUTSIDE PREMISES OF SUCH BUILDING? Yes

(b) IS THE BUILDING SO ILLUMINATED SO THAT ALL HALLWAYS, PASSAGE WAYS, AND OPEN AREAS MAY BE CLEARLY SEEN BY THE CUSTOMER THEREIN? Yes

IF THE ANSWER IS NO TO EITHER OR BOTH (a) OR (b) ABOVE, PLEASE EXPLAIN PROPOSED METHODS TO RECTIFY THE INSUFFICIENT LIGHTING. _____

6. **FOR CONSUMPTION ON PREMISES AND RETAIL PACKAGE APPLICATIONS:**

(Answer "N/A" for items that are not applicable to your business)

(a) NUMBER OF SQUARE FEET OF TOTAL FLOOR AREA: _____

(b) NUMBER OF SQUARE FEET DEVOTED TO DINING AREA: _____

(c) SEATING CAPACITY EXCLUDING BAR AREA: _____

(d) DO YOU HAVE A FULL SERVICE KITCHEN? _____

DOES THE FULL SERVICE KITCHEN CONTAIN A THREE (3) COMPARTMENT SINK? _____

IS THE STOVE AND/OR GRILL PERMANENTLY INSTALLED AND APPROVED BY THE HEALTH AND FIRE DEPARTMENTS? _____

IF THE ANSWER TO ANY OF THE IMMEDIATE FOREGOING IS NO, PLEASE EXPLAIN: _____

(e) HOURS PREPARED MEALS OR FOODS ARE SERVED: _____

(f) HOURS THAT ALCOHOLIC BEVERAGES ARE SERVED or SOLD: _____

(g) HOURS OF OPERATION: _____

(h) MAXIMUM NUMBER OF EMPLOYEES ON HIGHEST SHIFT: _____

(i) NUMBER OF PARKING SPACES: _____

(j) NUMBER OF PARKING SPACES DEVOTED TO HANDICAPPED PERSONS: _____

(k) **PACKAGE LIQUOR STORES:**

DO YOU COMPLY WITH ORDINANCE ARTICLE 5 SECTION 503 - POSTING OF LICENSE NUMBER?

Every licensee shall have posted on the front of the licensed premises the name of the licensee together with the following inscription, "County Retail Package Sales of Distilled Spirits License No. _____"

DO YOU COMPLY WITH ORDINANCE ARTICLE 5 SECTION 505 A) (2) - TYPES OF OUTLETS WHERE PACKAGE SALES ARE PERMITTED? _____

Outlets that are devoted exclusively to the retail sale of distilled spirits, malt beverages and/or wine by the package with ingress and egress provided directly to and only to the exterior of the building and not to any other enclosed part of the building or adjoining building.

PREMISE AND STRUCTURE

7. **FOR HOTEL/MOTEL ONLY:**

- (a) NUMBER OF ROOMS AVAILABLE FOR HIRE TO GENERAL PUBLIC: _____
- (b) NUMBER OF SQUARE FEET OF FLOOR SPACE DEVOTED TO RESTAURANT: _____
- (c) NUMBER OF SQUARE FEET OF FLOOR SPACE DEVOTED TO DINING AREA: _____
- (d) SEATING CAPACITY EXCLUDING BAR AREA: _____
EXPLAIN IF MORE THAN ONE DINING AREA: _____

- (e) DO YOU HAVE A FULL SERVICE KITCHEN? _____
DOES THE FULL SERVICE KITCHEN CONTAIN A THREE (3) COMPARTMENT SINK? _____
IS THE STOVE AND/OR GRILL PERMANENTLY INSTALLED AND APPROVED BY THE HEALTH AND FIRE DEPARTMENTS? _____
IF THE ANSWER TO ANY OF THE IMMEDIATE FOREGOING IS NO, PLEASE EXPLAIN: _____

- (f) HOURS PREPARED MEALS OR FOODS ARE SERVED: _____
- (g) HOURS THAT ALCOHOLIC BEVERAGES ARE SERVED: _____
- (h) MAXIMUM NUMBER OF EMPLOYEES ON THE HIGHEST SHIFT DEVOTED TO THE OPERATION OTHER THAN THE RESTAURANT: _____
- (i) MAXIMUM NUMBER OF EMPLOYEES ON HIGHEST SHIFT DEVOTED TO THE RESTAURANT OPERATION: _____
- (j) NUMBER OF PARKING SPACES: _____
- (k) NUMBER OF PARKING SPACES DEVOTED TO HANDICAPPED PERSONS: _____

FOR ALL APPLICATIONS:

8. **ATTACH A CERTIFIED SCALE DRAWING OF THE PROPOSED PREMISES BY A REGISTERED LAND SURVEYOR OR PROFESSIONAL ENGINEER, SHOWING THE DISTANCE REQUIREMENT FROM CHURCH, SCHOOL, DAYCARE FACILITY, OR ALCOHOL TREATMENT CENTER.**
(See Survey Form # 3-A)
9. **ATTACH APPLICANT'S CERTIFICATION THAT THE LOCATION COMPLIES WITH THE DISTANCE REQUIREMENT FROM CHURCH, SCHOOL, DAYCARE FACILITY OR ALCOHOL TREATMENT CENTER.**
(See Survey Form 3-A)
10. **ATTACH EVIDENCE OF OWNERSHIP (DEED, LEASE, SALES AGREEMENT, LETTER OF INTENT).**

PREMISE AND STRUCTURE FORM

11. IF THE APPLICANT IS A FRANCHISE, ATTACH A COPY OF THE FRANCHISE AGREEMENT OR CONTRACT.
12. IF THE APPLICANT IS AN EATING ESTABLISHMENT, ATTACH A COPY OF THE MENU(S).
13. (a) IF THE BUILDING IS COMPLETE, ATTACH COPIES OF DETAILED SITE PLANS OF SAID BUILDING INCLUDING OUTSIDE PREMISES AND FLOOR PLAN.

(b) IF THE BUILDING IS PROPOSED, ATTACH COPIES OF PROPOSED SITE PLAN AND SPECIFICATIONS AND BUILDING PERMIT OF THE PROPOSED BUILDING.

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, Brijeshkumar Patel, DO SOLEMNLY SWEAR, SUBJECT TO THE PENALTIES OF FALSE SWEARING, THAT THE STATEMENTS AND ANSWERS MADE BY ME AS THE APPLICANT IN THE FOREGOING PREMISE AND STRUCTURE STATEMENT ARE TRUE AND CORRECT.

BSPatel
APPLICANT'S SIGNATURE

I HEREBY CERTIFY THAT Brijeshkumar Patel SIGNED HIS/HER NAME TO THE FOREGOING APPLICATION STATING TO ME THAT HE/SHE 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, THE 9 DAY OF December, 2020.



Lugena Weese
NOTARY PUBLIC

DAWSON COUNTY PLANNING AND DEVELOPMENT

ALCOHOL LICENSING

Location & Mailing Address:

25 JUSTICE WAY, SUITE 2322
DAWSONVILLE, GA 30534

Phone: 706/344-3500 x 42335

STATEMENT OF PERSONAL HISTORY

Instruction: This statement must be typed or neatly printed and executed under oath. Each question must be fully answered. If space provided is not sufficient, answer on a separate sheet and indicate in the space if a separate sheet is attached.

1. NAME: Patel Brijeshkumar Prakashbhai
Last First Middle

RESIDENCE: _____
Street Number Street Name

City State Zip Code Telephone Number

2. CHECK: (all that apply)

☒ Sole Owner/Proprietor ☐ Partner: ☐ General ☐ Limited ☐ Silent

☐ Director ☐ Principal Stockholder (20% or more)

☐ Registered Agent ☐ Officer: _____

☐ Manager ☐ Employee: _____

3. TRADE NAME OF BUSINESS FOR WHICH THIS STATEMENT IS MADE:

NAME OF BUSINESS: Akshar Priya LLC

LOCATION: 2360 Dawson Forest Rd
Street Number Street Name P. O. Box

Dawsonville GA 30534
City State Zip Code Telephone Number

4. STATE THE PERCENTAGE OF OWNERSHIP OR INTEREST, IF ANY, IN THIS BUSINESS: 100%

5. STATE METHOD AND AMOUNT OF COMPENSATION, IF ANY, DIRECTLY OR INDIRECTLY: NA

6. DATE OF BIRTH: _____ PLACE OF BIRTH: India

SSN: _____ SEX: ☒ MALE ☐ FEMALE RACE: Asian

COLOR OF HAIR: Black COLOR OF EYES: Brown

7. ☒ U.S. CITIZEN ☐ LEGAL PERMANENT RESIDENT ☐ QUALIFIED ALIEN OR NON-IMMIGRANT

Requirements:

Affidavit for Issuance of a Public Benefit and a Secure & Verifiable Document

E-Verify Private Employer Affidavit of Compliance or E-Verify Private Employer Exemption Affidavit

STATEMENT OF PERSONAL HISTORY

8. ☐ SINGLE ☒ MARRIED ☐ WIDOWED ☐ DIVORCED ☐ SEPARATED

IF MARRIED OR SEPARATED, COMPLETE INFORMATION LISTED BELOW:

FULL NAME OF SPOUSE: Vanitaben P. Patel SSN# _____

MAIDEN NAME: _____ PLACE OF BIRTH: _____

DATE OF BIRTH: India. NAME AND ADDRESS OF SPOUSE'S EMPLOYER: _____

9. STATE ANY OTHER NAMES THAT YOU HAVE USED: MAIDEN NAME, NAMES BY FORMER MARRIAGES, FORMER NAMES CHANGED LEGALLY OR OTHERWISE, ALIASES, NICKNAMES, ETC. SPECIFY WHICH, SHOW DATES, ETC.: _____

10. EMPLOYMENT RECORD FOR THE PAST TEN (10) YEARS. (LIST THE MOST RECENT EXPERIENCE FIRST).

From Mo/Yr	To Mo/Yr	Occupation & Duties Performed	Salary Received	Employer (Business Name)	Reason for Leaving
04/2015	11/2020	Maintenance		Aeldale Farms	BS.

11. LIST IN REVERSE CHRONOLOGICAL ORDER ALL OF YOUR RESIDENCES FOR THE PAST TEN (10) YEARS:

From	To	Street	City	State

STATEMENT OF PERSONAL HISTORY

12. DO YOU HAVE ANY FINANCIAL INTEREST, OR ARE YOU EMPLOYED IN ANY OTHER WHOLESALE OR RETAIL BUSINESS ENGAGED IN DISTILLING, BOTTLING, RECTIFYING, OR SELLING ALCOHOLIC BEVERAGES? No.

IF YOUR ANSWER IS "YES" TO NUMBER 14, GIVE NAMES, LOCATIONS, AND AMOUNT OF INTEREST IN EACH: _____

13. HAVE YOU EVER HAD ANY FINANCIAL INTEREST IN AN ALCOHOLIC BEVERAGE BUSINESS THAT WAS DENIED A LICENSE? No.

IF SO, GIVE DETAILS: _____

14. HAS ANY ALCOHOLIC BEVERAGE LICENSE IN WHICH YOU HOLD, OR HAVE HELD, ANY FINANCIAL INTEREST OF, OR EMPLOYED, OR HAVE BEEN EMPLOYED, EVER BEEN CITED FOR ANY VIOLATIONS OF THE RULES AND REGULATIONS OF THE STATE REVENUE COMMISSIONER RELATING TO THE SALE AND DISTRIBUTION OF ALCOHOLIC BEVERAGES? No.

IF SO, GIVE DETAILS: _____

15. IF DURING THE PAST TEN YEARS YOU HAVE BOUGHT OR SOLD ANY BUSINESS ASSOCIATED WITH ALCOHOL, GIVE DETAILS. (DATE, LICENSE NUMBER, PERSONS, AND CONSIDERATIONS INVOLVED):

No.

16. HAVE YOU EVER BEEN DENIED BOND BY A COMMERCIAL SECURITY COMPANY? No.

IF SO, GIVE DETAILS: _____

17. ARE YOU A REGISTERED VOTER? Yes. IN WHAT STATE? Georgia

18. HAVE YOU EVER BEEN ARRESTED, OR HELD BY FEDERAL, STATE OR OTHER LAW ENFORCEMENT AUTHORITIES, FOR ANY VIOLATION OF ANY FEDERAL LAW, STATE LAW, COUNTY OR MUNICIPAL LAW, REGULATION OR ORDINANCES? (Do not include traffic violations. All other charges must be included even if they were dismissed. Give reason charged or held, date, place where charged and disposition. If no arrest, write no arrest. After last arrest is listed, please write no other arrest):

1. No Arrest

2. _____

3. _____

4. _____

STATEMENT OF PERSONAL HISTORY

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 attachments submitted herewith.

STATE OF GEORGIA, DAWSON COUNTY.

I, Brijesh Kumar Patel, DO SOLEMNLY SWEAR, SUBJECT TO THE PENALTIES OF FALSE SWEARING, THAT THE STATEMENT AND ANSWERS MADE BY ME AS THE APPLICANT IN THE FOREGOING PERSONAL STATEMENT ARE TRUE AND CORRECT. FURTHER, AS PART OF THE PROCESS RESULTING FROM MY APPLICATION FOR BACKGROUND INVESTIGATION, FOR AN ALCOHOLIC BEVERAGE LICENSE. I HEREBY AUTHORIZE PERSONNEL OF THE DAWSON COUNTY SHERIFF'S DEPARTMENT OR DAWSON COUNTY MARSHAL'S OFFICE TO RECEIVE, VERIFY, AND DISSEMINATE ANY CRIMINAL HISTORY INFORMATION WHICH MAY BE IN THE FILES OF ANY LOCAL, STATE, OR FEDERAL CRIMINAL JUSTICE AGENCY FOR INVESTIGATIVE PURPOSES, DENIAL, OR APPEALS.

BPP

APPLICANT'S SIGNATURE

I HEREBY CERTIFY THAT Brijesh Kumar Patel SIGNED HIS/HER NAME TO THE FOREGOING APPLICATION STATING TO ME THAT HE/SHE 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, THE 9 DAY OF December, 2020



Lugena Weese

NOTARY PUBLIC

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.

Signature of Exempt Private Employer

Printed Name of Exempt Private Employer

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

Executed on _____, _____, 20__ in _____ (city), _____ (state).

Signature of Authorized Officer or Agent

Printed Name and Title of Authorized Officer or Agent

SUBSCRIBED AND SWORN BEFORE ME
ON THIS THE 9 DAY OF December, 2020

Lugena Weese
NOTARY PUBLIC

My Commission Expires: 12/04/2023



Note:

A scale drawing (by a Georgia Registered Land Surveyor/Engineer) of the location of the premises to be licensed, showing the closest prohibited structures and identifying the minimum distance, must be attached hereto.

THE LICENSE APPLICANT COMPLETES THE FOLLOWING CERTIFICATION:

The undersigned certifies that subject location is in compliance or non-compliance with the distance requirements set forth above. I have found: (check one)

_____ The above listed structures are inside the minimum distance restrictions stated above

OR

X The premises to be licensed meets the minimum distance requirements for licensing stated above.

Brijeshkumar Patel
Applicant's Printed Name

BP Patel
Applicant's Signature

12/07/2020
Date of Signature

Lugena Weese
Notary Signature

12/9/2020
Date of Signature



STATE OF GEORGIA

Secretary of State

Corporations Division

313 West Tower

2 Martin Luther King, Jr. Dr.

Atlanta, Georgia 30334-1530

CERTIFICATE OF ORGANIZATION

I, **Brad Raffensperger**, the Secretary of State and the Corporation Commissioner of the State of Georgia, hereby certify under the seal of my office that

AKSHAR PRIYA LLC

a Domestic Limited Liability Company

has been duly organized under the laws of the State of Georgia on **09/18/2019** by the filing of articles of organization in the Office of the Secretary of State and by the paying of fees as provided by Title 14 of the Official Code of Georgia Annotated.

WITNESS my hand and official seal in the City of Atlanta
and the State of Georgia on **09/27/2019**.



Brad Raffensperger

Brad Raffensperger
Secretary of State

ARTICLES OF ORGANIZATION

Electronically Filed
Secretary of State
Filing Date: 9/18/2019 10:49:45 AM

BUSINESS INFORMATION

CONTROL NUMBER	19126871
BUSINESS NAME	AKSHAR PRIYA LLC
BUSINESS TYPE	Domestic Limited Liability Company
EFFECTIVE DATE	09/18/2019

PRINCIPAL OFFICE ADDRESS

ADDRESS

REGISTERED AGENT

NAME	ADDRESS	COUNTY
Brijeshkumar P Patel		Dawson

ORGANIZER(S)

NAME	TITLE	ADDRESS
Brijeshkumar P Patel	ORGANIZER	

OPTIONAL PROVISIONS

THE PRIVATE PROPERTY OF THE STOCK HOLDERS SHALL NOT BE SUBJECT TO THE PAYMENT OF CORPORATE DEBT.

AUTHORIZER INFORMATION

AUTHORIZER SIGNATURE	Brijeshkumar Patel
AUTHORIZER TITLE	Organizer



DAWSON COUNTY BOARD OF COMMISSIONERS AGENDA FORM

Department: Human Resources

Work Session: 01.21.2021

Prepared By: Brad Gould

Voting Session: 02.4.2021

Presenter: Brad Gould

Public Hearing: Yes _____ No X

Agenda Item Title: To address the One-time pay out of up to 40 hours of PTO per year.

Background Information:

When adopting the new hand book, the BOC approved the handbook with the stipulation that section 14.3 One-Time Pay out of up to 40 hours of PTO per year be removed and presented again during the June 18, 2020, BOC meeting. This was moved to the July voting session and subsequently tabled until January 2021.

Current Information:

The county currently does not have any type of PTO "pay-out" program in place.

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

Fund	Dept.	Acct No.	Budget	Balance	Requested	Remaining

Recommendation/Motion: _____

Department Head Authorization: Brad Gould

Date: 1/13/2021

Finance Dept. Authorization: Vickie Neikirk

Date: 1/13/21

County Manager Authorization: David Headley

Date: 1/13/2021

County Attorney Authorization: _____

Date: _____

Comments/Attachments:

See Attached for language that was removed.

14.3. Paid Time Off (PTO)

The purpose of paid time off (PTO) is to provide paid time away from work for any reason, to include but is not limited to vacation, doctor or dental Appointments, family/individual sickness, hazardous weather conditions, and other events that may occur during an employee's scheduled work day. Individual Departments and divisions may establish a more restrictive policy regarding usage of PTO due to Departmental operating necessities.

Employees may receive a one-time pay out of up to 40 PTO hours each calendar year, for any unused PTO.



DAWSON COUNTY BOARD OF COMMISSIONERS AGENDA FORM

Department: **Emergency Services**

Work Session: **01.21.21**

Prepared By: **Danny Thompson**

Voting Session: **2.4.21**

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 a 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: **12.31.20**

Finance Dept. Authorization: **Vickie Neikirk**

Date: **1/5/21**

County Manager Authorization: **David Headley**

Date: **01/05/21**

County Attorney Authorization: _____

Date: _____

Comments/Attachments:

--



DAWSON COUNTY BOARD OF COMMISSIONERS AGENDA FORM

Department: Public Works

Work Session: 01/21/2021

Prepared By: Melissa Hawk

Voting Session: 02/04/2021

Presenter: David McKee

Public Hearing: Yes ☒ No ☐

Agenda Item Title: IFB #357-19 Rock Creek Park Berm Construction – Change Order/Funding Request

Background Information:

The stream from the Etowah River overflows at Rock Creek Park during heaving rains. This causes the soccer fields, the walking path and the area around the pavilion to flood with each event.

An IFB to construct a berm received 6 offers, with an award being made to Townley Construction for \$56,156.60, with budgeted SPLOST VI funds.

Current Information:

A change order has been created at the request of the county for additional work for the berm's construction. This cost is \$66,586.00 for 506 linear feet being added to the berm's length and the cost of asphalt paving.

Budget Information: Applicable: XX Not Applicable: ☐ Budgeted: Yes ☐ No XX

Fund	Dept.	Acct No.	Budget	Balance	Requested	Remaining
					\$66,586.00	

Recommendation/Motion: To accept the bids approve the work within the change order and to fund the additional \$66,586.00 from SPLOST VI Funds.

Department Head Authorization: David McKee

Date: 01/08/2021

Finance Dept. Authorization: Vickie Neikirk

Date: 1/14/21

County Manager Authorization: David Headley

Date: 01/14/2021

County Attorney Authorization: ☐

Date: ☐

Comments/Attachments:

Presentation

**CHANGE
ORDER**

AIA DOCUMENT G701

OWNER	<input type="checkbox"/>
ARCHITECT	<input type="checkbox"/>
CONTRACTOR	<input type="checkbox"/>
FIELD	<input type="checkbox"/>
OTHER	<input type="checkbox"/>

PROJECT:Rock Creek Park
Berm Construction

CHANGE ORDER NUMBER: 1

DATE: 3/25/20

TO CONTRACTOR:

Townley Construction

ARCHITECT'S PROJECT NO.: 357-19

CONTRACT DATE: 11/19/19

CONTRACT FOR: Rock Creek Park Berm

The Contract is changed as follows:

 --Additional Cost For 506 LF of Berm @ 51,536.00
 ---Additional Cost For Asphalt Paving @ 19,050.00
APPROVED:

Construction Management

Not valid until signed by the Owner, Architect and Contractor.

The original (Contract Sum) (Guaranteed maximum Price) was

56,156.80

Net change by previously authorized Change orders

The (Contract Sum) (Guaranteed maximum Price) prior to this Change order was

58,156.80

The (Contract Sum) (Guaranteed maximum price) will be (increased) by this Change Order in the amount of 66,586.00

The new (Contract Sum) (Guaranteed maximum Price) including this Change order will be

70,586.00
126,742.60

The Contract Time will be

The date of Substantial Completion as of the date of this Change Order therefore is

NOTE: This summary does not reflect changes in the Contract Sum, Contract Time or Guaranteed Maximum Price which have been authorized by Construction Change Directive.

Ensite Civil Consulting
 ARCHITECT

3384 E. 11th Family Pl
 Address
Dawsonville, GA 30534BY CADATE 1-18-21
Townley Construction
 CONTRACTOR

1061 Wax Hill Park Rd
 Address
Dawsonville, GA 30534BY Frankie PowellDATE 1-18-21
Di...
 OWNER

25 Justice Way
 Address
Dawsonville, GA 30534

BY

DATE 1-19-21



War Hill Park

Photo by: Michelle Wittmer Grabowski

IFB #357-19 ROCK CREEK PARK BERM CONSTRUCTION – CHANGE ORDER/FUNDING REQUEST

WORK SESSION – JANUARY 21, 2021



Background and Overview



- ❖ The stream from the Etowah River overflows at Rock Creek Park during heavy rains. This causes the soccer fields, the walking path and the area around the pavilion to flood with each event.
- ❖ It was decided to utilize the budgeted SLOST VI Funds allocated to the Park and Recreation Department to construct a new 304 LF berm near the stream bank.
- ❖ Six offers were received for the IFB, with a contract being awarded to Townley Construction, approved by County Manager at a value of \$56,156.60.
- ❖ Prior to bidding and in compliance with the Georgia Erosion and Sedimentation Act, the County's Storm Water Manager, Bryan Young, received a variance for the berm from the Georgia Environmental Protection Division's Watershed Protection Branch on October 4, 2019.
- ❖ Pursuant to DNR Rule 391-3-7-.05(2)(a), the approved authorization allows the county to encroach within the 25-foot buffer adjacent to State waters as shown in on the map within this presentation.

EPD Approved Variance Stipulations

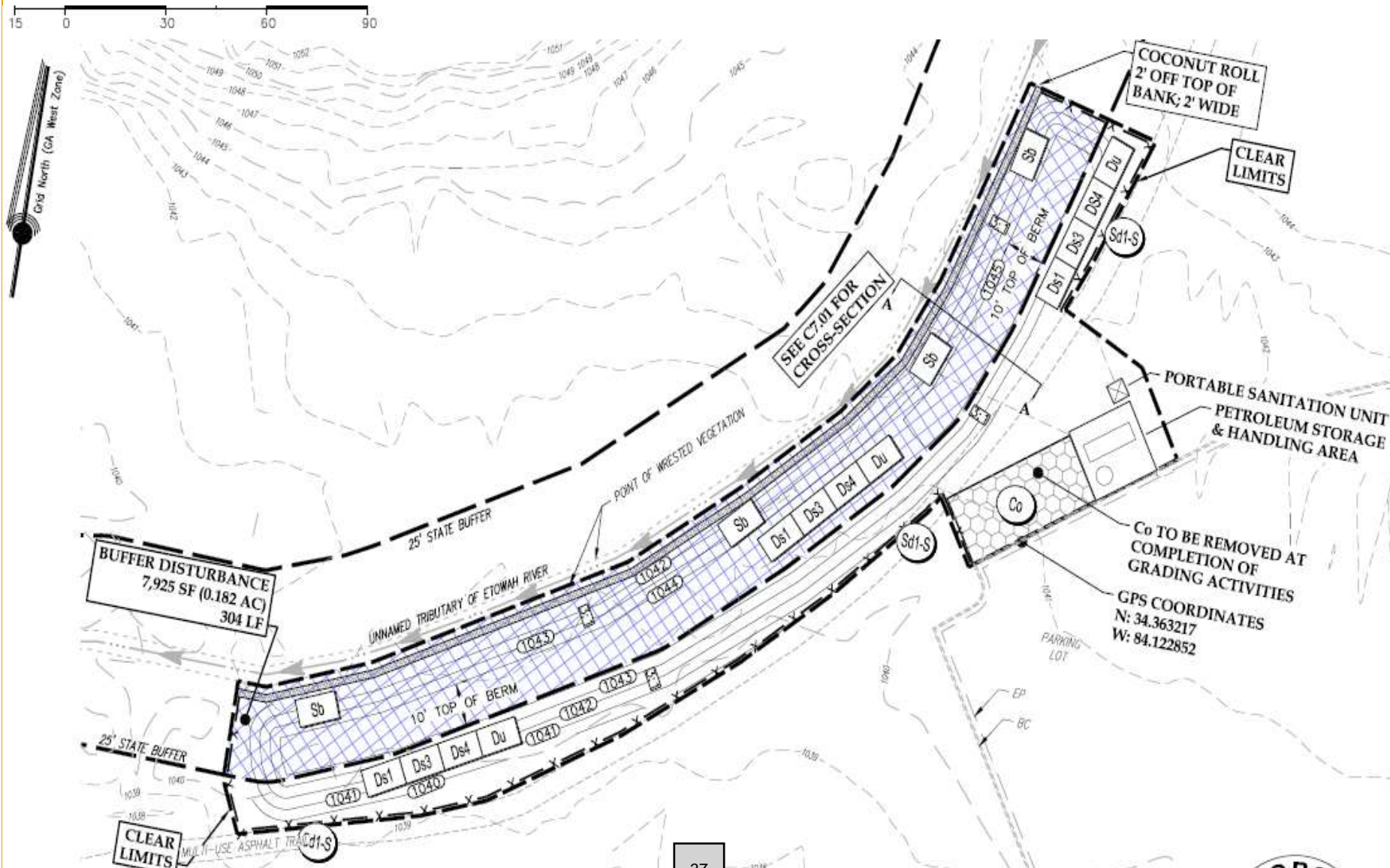


- ❖ The authorization approval stipulates the work must be completed by October 3, 2024 and is subject to the following conditions:
 - All graded slopes 3:1 or greater must be hydroseeded and covered with GA DOT approved wood fiber matting or coconut fiber matting. GA DOT approved matting incorporated with seed and fertilizer is approved as an alternate. All slopes must be properly protected until permanent vegetative stand is established;
 - The amount of land cleared during construction must be kept to a minimum;
 - All disturbed areas must be seeded, fertilized and mulched ASA final grade is achieved and protected until permanent vegetation is established;
 - A double row of GA DOT type “C” silt fence must be used between activities and State waters;
 - Buffer variance conditions must be incorporated into any Land Disturbing Activity Permit issued by Dawson County;
 - This project must be conducted in strict adherence to the approved erosion and sedimentation control plan and any Land Disturbing Activity Permit issued by Dawson County.

Aerial View of Location



Berm Construction Original Drawing

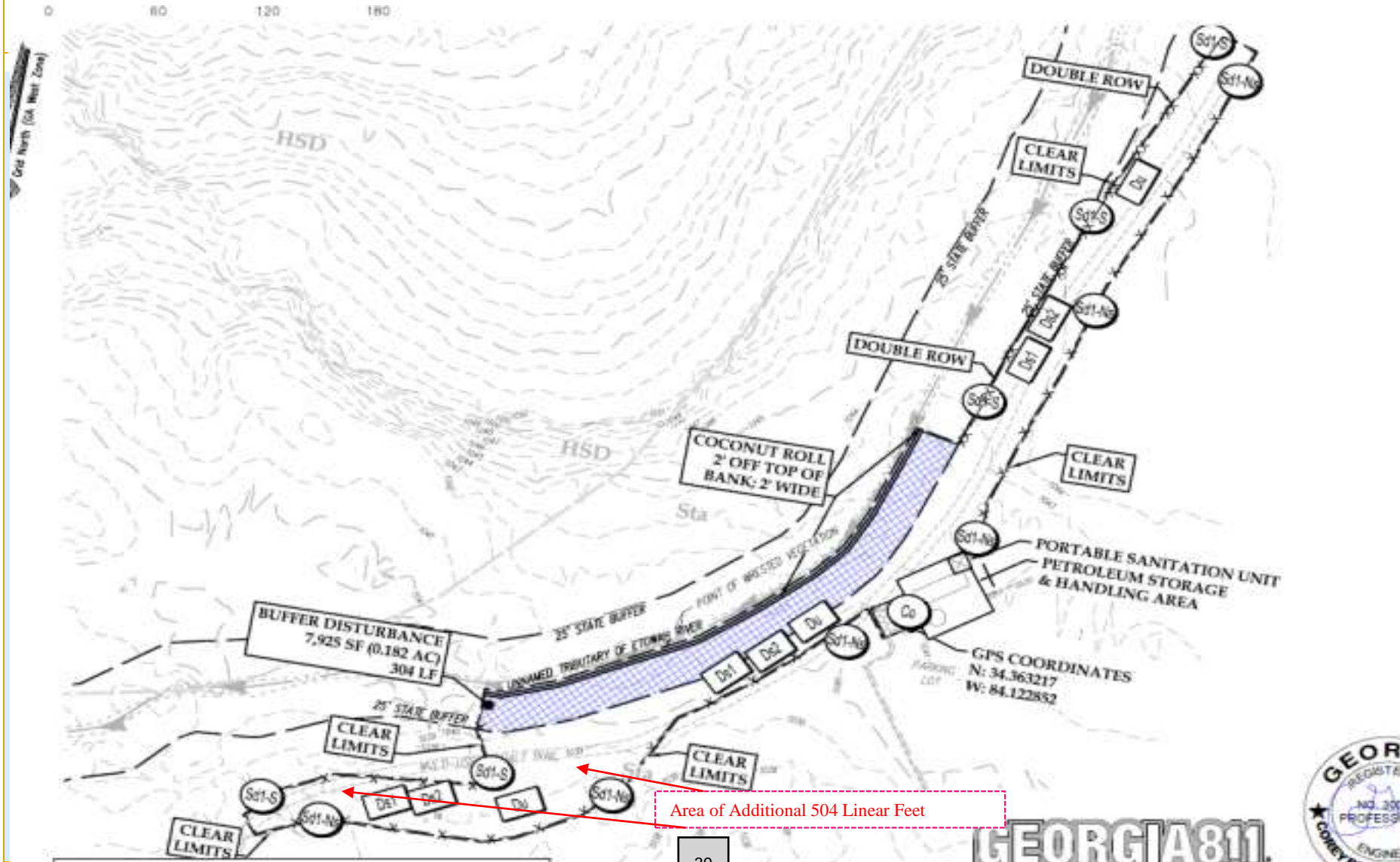


Change Order Explanation



- ❖ Events experienced in 2020 revealed that the length of the berm as is would not remedy the flooding.
- ❖ The project was placed on hold until new drawings containing a solution could be received from Ensite Civil Consulting, LLC.
- ❖ An additional 506 linear feet has been added to the berm length for a total of 810 linear feet.

Berm Construction Amended Drawing



Staff Recommendation



Staff recommends to approve the work within the change order and to fund the additional \$70,586.00 from SPLOST VI Funds.

THANK YOU



DAWSON COUNTY BOARD OF COMMISSIONERS AGENDA FORM

Department: Public Works

Work Session: 1-21-21

Prepared By: David McKee

Voting Session: 1-21-21

Presenter: David McKee

Public Hearing: Yes No

Agenda Item Title: Harry Sosebee Road ROW Acceptance and Development Agreement

Background Information:

On June 20, 2019, the Board approved the master plan and zoning conditions for a residential planned community at the corner of Harry Sosebee Road and Lumpkin Campground Road. One of the zoning conditions stipulated that the developer was to construct a new road to replace Harry Sosebee Road beginning at the westernmost corner along Harry Sosebee Road and continuing to a roundabout at the intersection of Lumpkin Campground Road and Lee Castleberry Road.

Current Information:

The contractor has completed the road construction with the exception of one storm water crossing and the tie-in to the existing Harry Sosebee Road. The road will be closed for this last step. It is requested that the ROW be accepted to allow for Harry Sosebee Road to be opened to the traveling public. All work will be completed when the roadway is open. The developer will provide a standard one-year warranty from defects in workmanship or materials. County attorney's office has reviewed and revised the documents for approval.

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

Fund	Dept.	Acct No.	Budget	Balance	Requested	Remaining

Recommendation/Motion: Staff recommends approval of the acceptance of Harry Sosebee road and Development agreement.

Department Head Authorization: David McKee

Date: 1-12-21

Finance Dept. Authorization: Vickie Neikirk

Date: 1/12/21

County Manager Authorization: David Headley

Date: 1/12/2021

County Attorney Authorization:

Date:

Comments/Attachments:

Development agreement, ROW deed, plats

**DEVELOPMENT AGREEMENT FOR THE CONSTRUCTION OF THE
REALIGNMENT OF HARRY SOSEBEE ROAD**

THIS DEVELOPMENT AGREEMENT (“**Agreement**”) is made and entered into as of ____ day of January 2021 (the “**Effective Date**”), by and among **PR LAND INVESTMENTS, LLC**, a Georgia limited liability company (“**PR Land**”), **FORESTAR (USA) REAL ESTATE GROUP, INC.**, a Delaware corporation (“**Forestar**”) and **DAWSON COUNTY**, a political subdivision of the State of Georgia (the “**County**”).

RECITALS:

WHEREAS, PR Land is the owner of certain real property located in Dawson County, Georgia, more particularly described in **Exhibit “A”** attached hereto (the “**PR Land Tract**”); and

WHEREAS, Forestar is the owner of certain real property located in Dawson County, Georgia, more particularly described in **Exhibit “B”** attached hereto (the “**Forestar Tract**”); and

WHEREAS, PR Land is also the owner of certain real property located in Dawson County, Georgia, more particularly described in **Exhibit “C”** attached hereto (the “**ROW Tract**”); and

WHEREAS, PR Land has developed the PR Land Tract as a residential subdivision in accordance with the CONSTRUCTION PLANS for: PIEDMONT TRACT (POD A) SUBDIVISION, PIEDMONT TRACT (POD B) SUBDIVISION, HARRY SOSEBEE ROAD REALIGNMENT prepared by Ensite Civil Consulting , LLC and approved by the County on or about November 14, 2019 (the “**Approved Plans**”); and

WHEREAS, Forestar has developed the Forestar Tract as a residential subdivision in accordance with the Approved Plans; and

WHEREAS, PR Land and Forestar (collectively, the “**Developers**”) have commenced construction of the realigned section of Harry Sosebee Road (the “**New Road**”) within the ROW Tract in accordance with the Approved Plans and in compliance with the conditions of zoning case ZA 19-06 (the “**Zoning**”); and

WHEREAS, the parties desire to provide for the terms and conditions upon which: (i) the New Road shall be completed and accepted by the County into the County’s system of maintained roadways; and (ii) PR Land and Forestar shall receive approval of final plats for the subdivisions constructed within the PR Land Tract and the Forestar Tract (each, a “**Final Plat**”).

NOW THEREFORE, for and in consideration of the Ten Dollars (\$10.00) in hand paid by the parties, one to the other, and other good and valuable consideration, the receipt, adequacy and sufficiency of which are hereby acknowledged, the parties hereto hereby agree as follows:

ARTICLE 1

CONSTRUCTION AND ACCEPTANCE OF THE REALIGNED SECTION OF HARRY SOSEBEE ROAD

1.1 Construction. Developers shall complete construction of the New Road within the ROW Tract, including the temporary connection to Lumpkin Campground Road as a four-way stop, it being the parties' understanding that the County is constructing of a roundabout in this location, in accordance with the Approved Plans and the Zoning (the "New Road Construction").

1.2 Right of Way Acceptance. In conjunction with the submittal of the first Final Plat for approval by the County, PR Land shall submit to the County a Right-of-Way Deed for the ROW Tract in the form attached hereto as **Exhibit "D"** (the "ROW Deed"). Acceptance of the ROW Deed by the County shall not signify acceptance of the New Road into the County's system of maintained roadways. However, submission of the ROW Deed shall be deemed by the County as sufficient to meet the requirement of Section 303 (Public Access) of the Dawson County Subdivision Regulations.

1.3 Construction, Maintenance, and Acceptance of the New Road. This Agreement authorizes Developers to enter upon and disturb the ROW Tract following acceptance of the ROW Deed for purposes of installing and maintaining the New Road, subject to requirements of this Agreement and the direction of the Public Works Director or his authorized designee. In accordance with Section 909.1 of the Dawson County Subdivision Regulations, final approval of the New Road Construction shall be granted and the New Road shall be accepted for maintenance by the County in accordance with the following provisions:

(a) Developers will provide the Public Works Director with soil compaction reports and proof roll approvals before filling and for the subgrade. Four (4) out of five (5) tests shall exceed 95% standard proctor type testing. Compaction tests shall be performed at every utility crossing and must pass Dawson County requirements. Copies of all reports will be provided to the Public Works Director and Director of Planning and Development.

(b) Developers will hire a Licensed Testing and Engineering Facility to carry out the testing required in this paragraph when inspections are not provided by the County.

(c) All testing will be done in accordance with Georgia Department of Transportation specifications and standards.

(d) Developers shall coordinate the timing and progress of the New Road Construction with the Public Works Director. Representatives of the County shall be entitled to inspect the progress of the New Road Construction at all reasonable times. Developers shall provide the County with written notice of substantial completion of the New Road Construction. Absent the County's reasonable objection that the work is defective or not substantially complete, the 12-month Warranty Period referenced in Section 1.4 below shall begin on the date such notice was issued.

(e) Developers' contractor(s) for the New Road Construction shall be required to maintain commercially reasonable liability insurance.

(f) Developers shall keep the ROW Tract free from accumulation of waste materials or rubbish. At completion of the New Road Construction, Developers shall leave the ROW Tract in a clean condition and shall promptly remove from and about the ROW Tract any waste materials, rubbish, tools, construction equipment, machinery, and surplus materials.

(g) Developers, their consultants, agents, servants, partners, employees, heirs, successors, assigns, other representatives, and/or any other person acting on their behalf, hereby agree to indemnify and hold the County, its consultants, agents, servants, partners, employees, heirs, successors, assigns, elected officials, other representatives, and/or any other person acting on its behalf, harmless from and against any and all rights, claims, warranties, demands, debts, damages, accounts, agreements, obligations, liabilities, liens, costs, expenses, charges, losses, judgments, and claims for attorneys' fees and/or expenses of litigation, and causes of action of any kind or nature, at law or in equity, irrespective of any judicial or administrative determination of ownership, control, or maintenance (collectively, "Losses"), arising from any Defects, as defined in Section 1.4 below, until Final Acceptance of the New Road Construction as set forth more particularly in Section 1.4 below.

(h) Developers shall replace or repair any portion of the public rights of way or public facilities damaged or destroyed directly or indirectly, arising out of the Developers' performance or wrongful non-performance of its duties with respect to the New Road Construction. The County reserves the right to perform any necessary replacement/repair and charge the cost to Developers.

(i) Developers shall post with the County a maintenance bond substantially in the form attached hereto as **Exhibit "E"**.

1.4 **Warranty and Final Acceptance.** Developers hereby warrant that the New Road Construction shall have been completed and in place for a period of twelve (12) months (the "Warranty Period") and shall, upon inspection at the end of the Warranty Period, be found to be free from defective workmanship or material and from sink-holes or other settling (collectively, "Defects"). If, in the County's sole but reasonable discretion, Defects are determined to exist at the end of the Warranty Period, then Developers shall repair such Defects within sixty (60) days of notice of such Defects from the County. If the New Road Construction is determined to be free from Defects at the end of the Warranty Period, the County shall provide written confirmation of its final acceptance of the work ("Final Acceptance").

ARTICLE 2

MISCELLANEOUS

2.1 **Notices.** Any notices which may be permitted or required hereunder shall be in writing and shall be deemed to have been duly given as of the date and time the same are actually received, whether same are personally delivered, transmitted by electronic email or sent by, sent by FedEx or other overnight delivery service from which a receipt may be obtained evidencing the

date and time delivery was made; provided, however, if sent by electronic mail, such notice shall be deemed to have been received if sent p.m. on a business day; otherwise, on the next business day. Any notice of default hereunder that is sent via email must also be delivered via an overnight delivery service. Notice given in any other manner shall not be effective, even if actually received by the party to be notified. The addresses of the signatories to this Agreement are set forth below:

To PR Land: PR Land Investments, LLC
Attention: JD Espana, Jr., Manager and Michael Miller
285 Parkway 515
Woodstock, Georgia 30188
Email: jdespana@piedmontresidential.com
dmm@piedmontinv.com

With copies to: The Abram Law Group, LLC
Attention: Richard S. Abram, Esq.
1200 Ashwood Parkway, Suite 560
Atlanta, Georgia 30338
Email: rich@abramlawgroup.com

To Forestar: Forestar (USA) Real Estate Group, INC.
3330 Cumberland Boulevard, Suite 275
Atlanta, Georgia 30339
Attn: Brian M. Blythe
E-Mail: brianblythe@forestargroup.com

With copies to: GREENFIELD BOST & KLIROS, P.C.
980 Hammond Drive, Suite 740
Atlanta, GA 30328
Attn: William L. Bost III
E-Mail: wbost@gbklaw.com

To County: Dawson County, Georgia
Attention: David McKee, Public Works Director
60 Transportation Lane
Dawsonville, GA 30534
Email: dmckee@dawsoncounty.org

With copies to: Jarrard & Davis, LLP
Attention: Sarah VanVolkenburgh, Esq.
222 Webb Street
Cumming, GA 30040
Email: sarahv@jarrard-davis.com

or to such other address as either party hereto shall from time to time designate to the other party by five (5) days' notice in writing as herein provided.

2.2 Singular and Plural. Whenever required by the context of this Agreement, the singular shall include the plural, and vice versa, and the masculine shall include the feminine and neuter genders, and vice versa.

2.3 Negation of Partnership. None of the terms or provisions of this Agreement shall be deemed to create a partnership between or among the parties hereto in their respective businesses or otherwise, nor shall it cause them to be considered joint venturers or members of any joint enterprise.

2.4 Captions and Capitalized Terms. The captions preceding the text of each article and section are included only for convenience of reference. Captions shall be disregarded in the construction and interpretation of this Agreement. Capitalized terms are also selected only for convenience of reference and do not necessarily have any connection to the meaning that might otherwise be attached to such term in a context outside of this Agreement.

2.5 Time. Time is of the essence of this Agreement.

2.6 Nonwaiver. The failure of any party to insist upon strict performance of any of the terms, covenants or conditions hereof shall not be deemed a waiver of any rights or remedies which that party may have hereunder or at law or equity and shall not be deemed a waiver of any subsequent breach or default in any of such terms, covenants or conditions.

2.7 Governing Law. This Agreement shall be construed and interpreted under the laws of the State of Georgia without regard to its conflict of laws rules.

2.8 Assignment. This Agreement shall be binding upon and inure to the benefit of the successors and assigns of the parties hereto, provided that except as hereinafter provided, none of the parties hereto may assign their rights or delegate their duties and responsibilities under this Agreement without the prior written consent of the other parties.

2.9 Dates. If the date for performance of any action under this Agreement shall fall on a Saturday, Sunday or legal holiday, such date for performance automatically shall be extended to the next succeeding business day which is not a Saturday, Sunday or legal holiday. TIME IS OF THE ESSENCE with respect to the performance and observance of any of the obligations under this Agreement by each Owner.

2.10 Exhibits. Each and every exhibit referred to or otherwise mentioned in this Agreement and attached to this Agreement is and shall be construed to be made a part of this Agreement by such reference or other mention at each point at which such reference or other mention occurs, in the same manner and with the same effect as if each such exhibit were set forth in full and at length every time it is referred to or otherwise mentioned.

2.11 Counterparts. This Agreement may be executed in several counterparts, each of which shall constitute an original and all of which together shall constitute one and the same instrument.

2.12 References. All references to Sections shall be deemed to refer to the appropriate Section of this Agreement. Unless otherwise specified in this Agreement, the terms "herein,"

“hereof,” “hereunder” and other terms of like or similar import, shall be deemed to refer to this Agreement as a whole, and not to any particular Section or Sections hereof.

2.13 No Obligations to Third Parties. None of the obligations and duties of the parties under this Agreement shall in any way or in any manner be deemed to create any obligation of the parties to, or any rights in, any person or entity other than the parties hereto.

[SIGNATURES BEGIN ON FOLLOWING PAGE]

IN WITNESS WHEREOF the parties hereto have set their hands the day and year first above written.

PR LAND INVESTMENTS, LLC, a
Georgia limited liability company

By: _____(SEAL)

Name: _____

Title: _____

**FORESTAR (USA) REAL ESTATE
GROUP, INC. , a Delaware corporation**

By: _____(SEAL)

Name: _____

Title: _____

DAWSON COUNTY, a political
subdivision of the State of Georgia

By: _____(SEAL)

Name: _____

Title: _____

LIST OF EXHIBITS

Exhibit “A” – PR Land Tract

Exhibit “B” – Forestar Tract

Exhibit “C” – ROW Tract

Exhibit “D” – ROW Deed

Exhibit “E” – Maintenance Bond

Exhibit “A”

PR Land Tract

Exhibit “B”

Forestar Tract

Exhibit “C”

ROW Tract

COUNTY: Dawson

PROJECT: Realigned Harry Sosebee Rd

TAX ID#: a portion of 107 013

Fee Simple Right of Way

ALL THAT TRACT OF LAND LYING IN LAND LOT 496 OF THE 13TH DISTRICT, SOUTH SECTION OF DAWSON COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2-INCH REBAR WITH CAP SET AT THE INTERSECTION OF THE LAND LOT LINE COMMON TO LAND LOTS 495 AND 496 OF SAID DISTRICT WITH THE EXISTING NORTHERLY RIGHT-OF-WAY LINE OF HARRY SOSEBEE ROAD (60-FOOT RIGHT-OF-WAY); THENCE LEAVING SAID EXISTING RIGHT-OF-WAY LINE AND RUNNING ALONG SAID LAND LOT LINE AND THE PROPOSED NORTHERLY RIGHT-OF-WAY LINE OF HARRY SOSEBEE ROAD (VARIABLE RIGHT-OF-WAY), NORTH 00°48'54" WEST A DISTANCE OF 28.30 FEET TO A 1/2-INCH REBAR WITH CAP SET; THENCE LEAVING SAID LAND LOT LINE AND CONTINUING ALONG SAID PROPOSED RIGHT-OF-WAY LINE, NORTH 89°12'50" EAST A DISTANCE OF 49.83 FEET TO A 1/2-INCH REBAR WITH CAP SET; THENCE CONTINUING ALONG SAID PROPOSED RIGHT-OF-WAY LINE SOUTH 00°47'10" EAST A DISTANCE OF 14.37 FEET TO A 1/2-INCH REBAR WITH CAP SET; THENCE CONTINUING ALONG SAID PROPOSED RIGHT-OF-WAY LINE AND FOLLOWING THE ARC OF A CURVE TO THE LEFT A DISTANCE OF 216.89 FEET (SAID ARC HAVING A RADIUS OF 310.00 FEET AND BEING SUBTENDED BY A CHORD OF NORTH 49°59'51" EAST A DISTANCE OF 212.49 FEET) TO A 1/2-INCH REBAR WITH CAP SET; THENCE CONTINUING ALONG SAID PROPOSED RIGHT-OF-WAY LINE, NORTH 29°57'16" EAST A DISTANCE OF 215.23 FEET TO A 1/2-INCH REBAR WITH CAP SET; THENCE CONTINUING ALONG SAID PROPOSED RIGHT-OF-WAY LINE AND FOLLOWING THE ARC OF A CURVE TO THE RIGHT A DISTANCE OF 334.86 FEET (SAID ARC HAVING A RADIUS OF 370.00 FEET AND BEING SUBTENDED BY A CHORD OF NORTH 55°52'53" EAST A DISTANCE OF 323.55 FEET) TO A 1/2-INCH REBAR WITH CAP SET; THENCE CONTINUING ALONG SAID PROPOSED RIGHT-OF-WAY LINE, NORTH 05°26'53" EAST A DISTANCE OF 35.28 FEET TO A 1/2-INCH REBAR WITH CAP SET; THENCE CONTINUING ALONG SAID PROPOSED RIGHT-OF-WAY LINE, SOUTH 84°33'07" EAST A DISTANCE OF 96.10 FEET TO A 1/2-INCH REBAR WITH CAP SET; THENCE CONTINUING ALONG SAID PROPOSED RIGHT-OF-WAY LINE, SOUTH 10°21'39" WEST A DISTANCE OF 25.00 FEET TO A 1/2-INCH REBAR WITH CAP SET; THENCE CONTINUING ALONG SAID PROPOSED RIGHT-OF-WAY LINE AND FOLLOWING THE ARC OF A CURVE TO THE RIGHT A DISTANCE OF 76.02 FEET (SAID ARC HAVING A RADIUS OF 370.00 FEET AND BEING SUBTENDED BY A CHORD OF SOUTH 77°37'40" EAST A DISTANCE OF 75.88 FEET) TO A 1/2-INCH REBAR WITH CAP SET; THENCE CONTINUING ALONG SAID PROPOSED RIGHT-OF-WAY LINE, SOUTH 71°44'31" EAST A DISTANCE OF 426.88 FEET TO A 1/2-INCH REBAR WITH CAP SET;

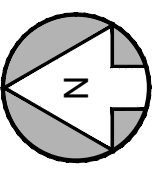
THENCE CONTINUING ALONG SAID PROPOSED RIGHT-OF-WAY LINE, NORTH 75°18'53" EAST A DISTANCE OF 32.45 FEET TO A 1/2-INCH REBAR WITH CAP SET; THENCE CONTINUING ALONG SAID PROPOSED RIGHT-OF-WAY LINE, NORTH 14°41'07" WEST A DISTANCE OF 18.95 FEET TO A 1/2-INCH REBAR WITH CAP SET; THENCE CONTINUING ALONG SAID PROPOSED RIGHT-OF-WAY LINE, NORTH 75°18'53" EAST A DISTANCE OF 20.00 FEET TO A 1/2-INCH REBAR WITH CAP SET; THENCE CONTINUING ALONG SAID PROPOSED RIGHT-OF-WAY LINE, SOUTH 14°41'07" EAST A DISTANCE OF 18.95 FEET TO A 1/2-INCH REBAR WITH CAP SET; THENCE CONTINUING ALONG SAID PROPOSED RIGHT-OF-WAY LINE, NORTH 75°18'53" EAST A DISTANCE OF 47.21 FEET TO A 1/2-INCH REBAR WITH CAP SET ON THE NORTHWESTERLY RIGHT-OF-WAY LINE OF LUMPKIN CAMPGROUND ROAD (80-FOOT RIGHT-OF-WAY); THENCE ALONG SAID RIGHT-OF-WAY LINE SOUTH 27°17'03" WEST A DISTANCE OF 208.82 FEET TO A POINT; THENCE LEAVING SAID RIGHT-OF-WAY LINE AND FOLLOWING THE PROPOSED SOUTHERLY RIGHT-OF-WAY LINE OF HARRY SOSEBEE ROAD (VARIABLE RIGHT-OF-WAY), NORTH 62°39'02" WEST A DISTANCE OF 60.62 FEET TO A POINT; THENCE CONTINUING ALONG SAID PROPOSED RIGHT-OF-WAY LINE, NORTH 18°15'29" EAST A DISTANCE OF 82.46 FEET TO A POINT; THENCE CONTINUING ALONG SAID PROPOSED RIGHT-OF-WAY LINE, NORTH 71°44'31" WEST A DISTANCE OF 380.77 FEET TO A POINT; THENCE CONTINUING ALONG SAID PROPOSED RIGHT-OF-WAY LINE, NORTH 89°10'28" WEST A DISTANCE OF 172.61 FEET TO A POINT; THENCE CONTINUING ALONG SAID PROPOSED RIGHT-OF-WAY LINE, SOUTH 61°57'05" WEST A DISTANCE OF 249.78 FEET TO A POINT; THENCE CONTINUING ALONG SAID PROPOSED RIGHT-OF-WAY LINE AND FOLLOWING THE ARC OF A CURVE TO THE LEFT A DISTANCE OF 15.24 FEET (SAID ARC HAVING A RADIUS OF 310.00 FEET AND BEING SUBTENDED BY A CHORD OF SOUTH 31°21'46" WEST A DISTANCE OF 15.24 FEET) TO A POINT; THENCE CONTINUING ALONG SAID PROPOSED RIGHT-OF-WAY LINE, SOUTH 29°57'16" WEST A DISTANCE OF 215.23 FEET TO A POINT; THENCE CONTINUING ALONG SAID PROPOSED RIGHT-OF-WAY LINE AND FOLLOWING THE ARC OF A CURVE TO THE RIGHT A DISTANCE OF 156.14 FEET (SAID ARC HAVING A RADIUS OF 370.00 FEET AND BEING SUBTENDED BY A CHORD OF SOUTH 42°02'39" WEST A DISTANCE OF 154.99 FEET) TO A POINT ON THE EXISTING NORTHERLY RIGHT-OF-WAY LINE OF HARRY SOSEBEE ROAD (60-FOOT RIGHT-OF-WAY); THENCE ALONG SAID RIGHT-OF-WAY LINE AND FOLLOWING THE ARC OF A CURVE TO THE LEFT A DISTANCE OF 160.74 FEET (SAID ARC HAVING A RADIUS OF 2130.00 FEET AND BEING SUBTENDED BY A CHORD OF SOUTH 87°48'24" WEST A DISTANCE OF 160.70 FEET) BACK TO THE **POINT OF BEGINNING**.

CONTAINING 105,192 SQUARE FEET OR 2.415 ACRES AS DEPICTED ON THE ATTACHED EXHIBIT "A-1".

13

14

57



NORTH ARROW
NAD '83
GA WEST

N/F
PR ACQUISITIONS LLC
DB 1247, PG. 257
DB 1247, PG. 253
PN: 107 013

N/F
PR ACQUISITIONS LLC
A PORTION OF
DB 1247, PG 257
DB 1247, PG 253
PN: 107 013

HARRY SOSEBEE
ROAD REALIGNMENT
AREA=
2,415 AC. OR
105,192 SQ. FT.

PINE FOREST
SUBDIVISION
PB 11, PG. 227

APPROXIMATE LOCATION
LAND LOT LINE

L.L. 495

L.L. 496

P.O.B.
1/2" RB
W/CAP
HARRY SOSEBEE ROAD
(60' RW)

L20

L4

C4

L6

L5

C3

L8

L17

L18

L12

L13

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Exhibit “D”

ROW Deed

Please return to:
Sarah VanVolkenburgh
Jarrard & Davis, LLP
222 Webb Street
Cumming, GA 30040

STATE OF GEORGIA
COUNTY OF DAWSON

RIGHT OF WAY WARRANTY DEED

THIS INDENTURE, made this ____ day of December, 2020, between **PR LAND INVESTMENTS, LLC**, hereinafter called "Grantor," and **DAWSON COUNTY**, a political subdivision of the State of Georgia, hereinafter called "Grantee;"

WITNESSETH, that Grantor, for and in consideration of Ten Dollars (\$10.00) and other good and valuable consideration, in hand paid at and before the sealing and delivery of these presents, the receipt and sufficiency of which are hereby acknowledged, has granted, bargained, sold, and conveyed, and by these presents does grant, bargain, sell, and convey unto Grantee, all that tract or parcel of land lying and being in Land Lot 496 and of the 13th District, 1st Section, Black GMD of Dawson County, Georgia, as more particularly described on the attached Exhibit A:

TO HAVE AND TO HOLD the said bargained premises, together with all and singular the rights, members, and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit, and behoof of Grantee, forever, in fee simple. Grantor shall warrant and forever defend the right, title and interest in and to said property unto Grantee, their successors and assigns, against the claims of all persons whomsoever. Where the context requires or permits, "Grantor" and "Grantee" shall include their respective heirs, successors and assigns.

IN WITNESS WHEREOF, Grantor has executed this Deed under Seal on the date above written.

Signed, sealed, and delivered this ____ day of _____, 2020 in the presence of:

Grantor:
PR LAND INVESTMENTS, LLC

Unofficial Witness

by: _____
J D España, Jr., Manager

Notary Public
My commission expires:

EXHIBIT "A"

COUNTY: Dawson

PROJECT: Realigned Harry Sosebee Rd

TAX ID#: a portion of 107 013

Fee Simple Right of Way

ALL THAT TRACT OF LAND LYING IN LAND LOT 496 OF THE 13TH DISTRICT, SOUTH SECTION OF DAWSON COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2-INCH REBAR WITH CAP SET AT THE INTERSECTION OF THE LAND LOT LINE COMMON TO LAND LOTS 495 AND 496 OF SAID DISTRICT WITH THE EXISTING NORTHERLY RIGHT-OF-WAY LINE OF HARRY SOSEBEE ROAD (60-FOOT RIGHT-OF-WAY); THENCE LEAVING SAID EXISTING RIGHT-OF-WAY LINE AND RUNNING ALONG SAID LAND LOT LINE AND THE PROPOSED NORTHERLY RIGHT-OF-WAY LINE OF HARRY SOSEBEE ROAD (VARIABLE RIGHT-OF-WAY), NORTH 00°48'54" WEST A DISTANCE OF 28.30 FEET TO A 1/2-INCH REBAR WITH CAP SET; THENCE LEAVING SAID LAND LOT LINE AND CONTINUING ALONG SAID PROPOSED RIGHT-OF-WAY LINE, NORTH 89°12'50" EAST A DISTANCE OF 49.83 FEET TO A 1/2-INCH REBAR WITH CAP SET; THENCE CONTINUING ALONG SAID PROPOSED RIGHT-OF-WAY LINE SOUTH 00°47'10" EAST A DISTANCE OF 14.37 FEET TO A 1/2-INCH REBAR WITH CAP SET; THENCE CONTINUING ALONG SAID PROPOSED RIGHT-OF-WAY LINE AND FOLLOWING THE ARC OF A CURVE TO THE LEFT A DISTANCE OF 216.89 FEET (SAID ARC HAVING A RADIUS OF 310.00 FEET AND BEING SUBTENDED BY A CHORD OF NORTH 49°59'51" EAST A DISTANCE OF 212.49 FEET) TO A 1/2-INCH REBAR WITH CAP SET; THENCE CONTINUING ALONG SAID PROPOSED RIGHT-OF-WAY LINE, NORTH 29°57'16" EAST A DISTANCE OF 215.23 FEET TO A 1/2-INCH REBAR WITH CAP SET; THENCE CONTINUING ALONG SAID PROPOSED RIGHT-OF-WAY LINE AND FOLLOWING THE ARC OF A CURVE TO THE RIGHT A DISTANCE OF 334.86 FEET (SAID ARC HAVING A RADIUS OF 370.00 FEET AND BEING SUBTENDED BY A CHORD OF NORTH 55°52'53" EAST A DISTANCE OF 323.55 FEET) TO A 1/2-INCH REBAR WITH CAP SET; THENCE CONTINUING ALONG SAID PROPOSED RIGHT-OF-WAY LINE, NORTH 05°26'53" EAST A DISTANCE OF 35.28 FEET TO A 1/2-INCH REBAR WITH CAP SET; THENCE CONTINUING ALONG SAID PROPOSED RIGHT-OF-WAY LINE, SOUTH 84°33'07" EAST A DISTANCE OF 96.10 FEET TO A 1/2-INCH REBAR WITH CAP SET; THENCE CONTINUING ALONG SAID PROPOSED RIGHT-OF-WAY LINE, SOUTH 10°21'39" WEST A DISTANCE OF 25.00 FEET TO A 1/2-INCH REBAR WITH CAP SET; THENCE CONTINUING ALONG SAID PROPOSED RIGHT-OF-WAY LINE AND FOLLOWING THE ARC OF A CURVE TO THE RIGHT A DISTANCE OF 76.02 FEET (SAID ARC HAVING A RADIUS OF 370.00 FEET AND BEING SUBTENDED BY A CHORD OF SOUTH 77°37'40" EAST A DISTANCE OF 75.88 FEET) TO A 1/2-INCH REBAR WITH CAP SET; THENCE CONTINUING ALONG SAID PROPOSED RIGHT-OF-WAY LINE, SOUTH 71°44'31" EAST A DISTANCE OF 426.88 FEET TO A 1/2-INCH REBAR WITH CAP SET;

EXHIBIT "A" (continued)

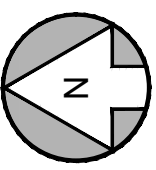
THENCE CONTINUING ALONG SAID PROPOSED RIGHT-OF-WAY LINE, NORTH 75°18'53" EAST A DISTANCE OF 32.45 FEET TO A 1/2-INCH REBAR WITH CAP SET; THENCE CONTINUING ALONG SAID PROPOSED RIGHT-OF-WAY LINE, NORTH 14°41'07" WEST A DISTANCE OF 18.95 FEET TO A 1/2-INCH REBAR WITH CAP SET; THENCE CONTINUING ALONG SAID PROPOSED RIGHT-OF-WAY LINE, NORTH 75°18'53" EAST A DISTANCE OF 20.00 FEET TO A 1/2-INCH REBAR WITH CAP SET; THENCE CONTINUING ALONG SAID PROPOSED RIGHT-OF-WAY LINE, SOUTH 14°41'07" EAST A DISTANCE OF 18.95 FEET TO A 1/2-INCH REBAR WITH CAP SET; THENCE CONTINUING ALONG SAID PROPOSED RIGHT-OF-WAY LINE, NORTH 75°18'53" EAST A DISTANCE OF 47.21 FEET TO A 1/2-INCH REBAR WITH CAP SET ON THE NORTHWESTERLY RIGHT-OF-WAY LINE OF LUMPKIN CAMPGROUND ROAD (80-FOOT RIGHT-OF-WAY); THENCE ALONG SAID RIGHT-OF-WAY LINE SOUTH 27°17'03" WEST A DISTANCE OF 208.82 FEET TO A POINT; THENCE LEAVING SAID RIGHT-OF-WAY LINE AND FOLLOWING THE PROPOSED SOUTHERLY RIGHT-OF-WAY LINE OF HARRY SOSEBEE ROAD (VARIABLE RIGHT-OF-WAY), NORTH 62°39'02" WEST A DISTANCE OF 60.62 FEET TO A POINT; THENCE CONTINUING ALONG SAID PROPOSED RIGHT-OF-WAY LINE, NORTH 18°15'29" EAST A DISTANCE OF 82.46 FEET TO A POINT; THENCE CONTINUING ALONG SAID PROPOSED RIGHT-OF-WAY LINE, NORTH 71°44'31" WEST A DISTANCE OF 380.77 FEET TO A POINT; THENCE CONTINUING ALONG SAID PROPOSED RIGHT-OF-WAY LINE, NORTH 89°10'28" WEST A DISTANCE OF 172.61 FEET TO A POINT; THENCE CONTINUING ALONG SAID PROPOSED RIGHT-OF-WAY LINE, SOUTH 61°57'05" WEST A DISTANCE OF 249.78 FEET TO A POINT; THENCE CONTINUING ALONG SAID PROPOSED RIGHT-OF-WAY LINE AND FOLLOWING THE ARC OF A CURVE TO THE LEFT A DISTANCE OF 15.24 FEET (SAID ARC HAVING A RADIUS OF 310.00 FEET AND BEING SUBTENDED BY A CHORD OF SOUTH 31°21'46" WEST A DISTANCE OF 15.24 FEET) TO A POINT; THENCE CONTINUING ALONG SAID PROPOSED RIGHT-OF-WAY LINE, SOUTH 29°57'16" WEST A DISTANCE OF 215.23 FEET TO A POINT; THENCE CONTINUING ALONG SAID PROPOSED RIGHT-OF-WAY LINE AND FOLLOWING THE ARC OF A CURVE TO THE RIGHT A DISTANCE OF 156.14 FEET (SAID ARC HAVING A RADIUS OF 370.00 FEET AND BEING SUBTENDED BY A CHORD OF SOUTH 42°02'39" WEST A DISTANCE OF 154.99 FEET) TO A POINT ON THE EXISTING NORTHERLY RIGHT-OF-WAY LINE OF HARRY SOSEBEE ROAD (60-FOOT RIGHT-OF-WAY); THENCE ALONG SAID RIGHT-OF-WAY LINE AND FOLLOWING THE ARC OF A CURVE TO THE LEFT A DISTANCE OF 160.74 FEET (SAID ARC HAVING A RADIUS OF 2130.00 FEET AND BEING SUBTENDED BY A CHORD OF SOUTH 87°48'24" WEST A DISTANCE OF 160.70 FEET) BACK TO THE **POINT OF BEGINNING**.

CONTAINING 105,192 SQUARE FEET OR 2.415 ACRES AS DEPICTED ON THE ATTACHED EXHIBIT "A-1".

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NORTH ARROW
NAD '83
GA WEST

N/F
PR ACQUISITIONS LLC
DB 1247, PG. 257
DB 1247, PG. 253
PN: 107 013

N/F
PR ACQUISITIONS LLC
A PORTION OF
DB 1247, PG 257
DB 1247, PG 253
PN: 107 013

HARRY SOSEBEE
ROAD REALIGNMENT
AREA=
2,415 AC. OR
105,192 SQ. FT.

PINE FOREST
SUBDIVISION
PB 11, PG. 227

APPROXIMATE LOCATION
LAND LOT LINE

N/F
PR ACQUISITIONS LLC
DB 1247, PG. 257
DB 1247, PG. 253
PN: 107 013

L.L. 495

L.L. 496

P.O.B.
1/2" RB
W/CAP

HARRY SOSEBEE ROAD
(60' RW)

LUMPKIN
CAMPGROUND ROAD
(80' RW)

LINE	BEARING	DISTANCE
L1	N 00°48'54" W	28.30'
L2	N 89°12'50" E	49.83'
L3	S 00°47'10" E	14.37'
L4	N 29°57'16" E	215.23'
L5	N 05°26'53" E	35.28'
L6	S 84°33'07" E	96.10'
L7	S 10°21'39" W	25.00'
L8	S 71°44'31" E	426.88'
L9	N 75°18'53" E	32.45'
L10	N 14°41'07" W	18.95'
L11	N 75°18'53" E	20.00'
L12	S 14°41'07" E	18.95'
L13	N 75°18'53" E	47.21'
L14	S 27°17'03" W	208.82'
L15	N 62°39'02" W	60.62'
L16	N 18°15'29" E	82.46'
L17	N 71°44'31" W	380.78'
L18	N 89°10'28" W	172.61'
L19	S 61°57'05" W	249.78'
L20	S 29°57'16" W	215.23'

CURVE	ARC LENGTH	RADIUS	CHORD BEARING	CHORD LENGTH
C1	216.89'	310.00'	N 49°59'51" E	212.49'
C2	334.86'	370.00'	N 55°52'53" E	323.55'
C3	76.02'	370.00'	S 77°37'40" E	75.88'
C4	15.24'	310.00'	S 31°21'46" W	15.24'
C5	156.14'	370.00'	S 42°02'39" W	154.99'
C6	160.74'	2130.00'	S 87°48'24" W	160.70'

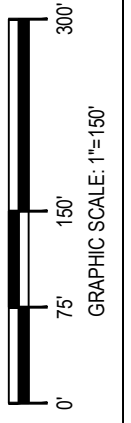
LECRAW
ENGINEERING
3475 CORPORATE WAY, SUITE A
BIRMINGHAM, AL 35243
PHONE: 678.548.8100 FAX: 770.441.0298
©2020 LSF 001160

RIGHT-OF-WAY EXHIBIT
LOCATED IN LAND LOT 496, 13TH DISTRICT,
SOUTH HALF, DAWSON COUNTY, GEORGIA

JOB NUMBER: 103161 DATE: 12/24/2020 SCALE: 1" = 150'

DRAWN BY: AU
DESIGNED BY:
CHECKED BY: JAC

CLIENT:
DR HORTON, INC.
8800 ROSWELL RD.
BLDG. B, SUITE 100
SANDY SPRINGS, GA. 30350



“Exhibit E”

Maintenance Bond

MAINTENANCE BOND

DAWSON COUNTY, GEORGIA

KNOW ALL MEN BY THESE PRESENTS THAT _____ (as DEVELOPER, hereinafter referred to as the “Principal”), and _____ (as SURETY COMPANY, hereinafter referred to as the “Developer’s Surety”), are held and firmly bound unto Dawson County, Georgia (as OWNER, hereinafter referred to as the “County”), for the use and benefit of the County for maintenance of Infrastructure as described below in the sum of _____ Dollars (\$_____), lawful money of the United States of America, for the payment of which the Principal and the Developer’s Surety bind themselves, their heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the Principal has entered, or is about to enter, into a certain written development agreement with the County, dated _____, which is incorporated herein by reference in its entirety (hereinafter referred to as the “Contract”), for the construction and maintenance of a realigned section Harry Sosebee Road (hereinafter referred to as the “Infrastructure”) within the area more particularly described in Exhibit A attached hereto and incorporated herein by reference (hereinafter referred to as the “ROW Tract”); and

WHEREAS, the Infrastructure contemplated by the development agreement is to be approved by the Dawson County Public Works Director, subject to ratification by the Dawson County Board of Commissioners, under the terms that a maintenance bond is required of said Principal and good and sufficient surety payable to Dawson County, and conditioned that the Principal shall maintain the Infrastructure in accordance with all applicable federal and state laws

and with all applicable County regulations, including but not limited to the Dawson County Subdivision Regulations, as well as the Contract.

NOW THEREFORE, the conditions of this obligation are as follows:

1. That if the Principal shall fully and completely maintain and repair the Infrastructure as described above; and if the Principal and the Developer's Surety shall indemnify and hold harmless the County from any and all losses, liability and damages, claims, judgments, liens, costs, and fees of every description, including but not limited to any damages for delay and costs of maintenance and repair of the Infrastructure, which the County may incur, sustain or suffer by reason of the failure or default on the part of the Principal in the performance of any and all of the terms, provisions and requirements described herein, then this obligation shall be void; otherwise to remain in full force and effect;
2. In the event of a failure of performance by the Principal;
 - a. The Developer's Surety shall commence performance of its obligations and undertakings under this Bond no later than thirty (30) days after written notice from the County to the Developer's Surety;
 - b. The means, method or procedure by which the Developer's Surety undertakes to perform its obligations under this Bond shall be subject to the advance written approval of the County.

The term of this Bond shall expire upon the later of both: a) the County's written determination regarding the applicable punch list that all items of Infrastructure are complete and can be released; and b) the County's issuance to Principal of a release letter regarding this bond.

The Parties further expressly agree that any action on this Bond may be brought within the time allowed by Georgia law for suit on contracts under seal.

IN WITNESS WHEREOF, the principal and Developer's Surety have hereunto affixed their corporate seals and caused this obligation to be signed by their duly authorized officers or attorneys-in-fact, this ____ day of _____, 20____.

(Name of Principal)

By: _____
Name, Title: _____

(SEAL)

Attest:

By: _____
Name, Title: _____
Date: _____

(Name of Developer's Surety)

By: _____
Name, Title: _____

(SEAL)

Attest:

By: _____
Name, Title: _____
Date: _____

(ATTACH EXHIBIT A & SURETY'S POWER OF ATTORNEY)



DAWSON COUNTY BOARD OF COMMISSIONERS AGENDA FORM

Department: Public Works

Work Session: 1-21-21

Prepared By: David McKee

Voting Session: 2-4-21

Presenter: David McKee

Public Hearing: Yes No x

Agenda Item Title: Green Infrastructure & Low Impact Development Program Approval

Background Information:

In 2014 Dawson County was required by GA EPD to create a Municipal Stormwater Permit (MS4). The permit was revised and reissued in 2017. The permit regulates all stormwater controls within the MS4 area, which is primarily around the southern 400 corridor and reaching east and west along Dawson Forest. Dawson County Public Works reviews, inspects and enforces the MS4 permit requirements, along with submits annual reports to EPD. Part of our MS4 permit requires Dawson to develop and approve a Green Infrastructure and Low Impact Development program.

Current Information:

The Purpose of the GI/LID Program is to further encourage, track the use of, inspect, and maintain GI/LID best management practices (BMPs) in Dawson County for commercial development. GI/LID refers to a broad range of stormwater practices and structures for a variety of purposes, including water quality improvement and combined sewer overflow reduction. It includes a diverse set of site planning techniques (i.e. protection of conservation areas), site design techniques (i.e. reducing impervious surface), and LID structures (i.e. bio-retention areas, enhanced swales, pervious pavement). Maintenance is the responsibility of the land owner or contractor. Program requires a maintenance agreement to be filed with Dawson County Public Works.

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

Fund	Dept.	Acct No.	Budget	Balance	Requested	Remaining

Recommendation/Motion: Staff recommends approval of the Green Infrastructure & Low impact development program

Department Head Authorization: David McKee

Date: 1-13-21

Finance Dept. Authorization: Vickie Neikirk

Date: 1/13/21

County Manager Authorization: David Headley

Date: 1-13-2021

County Attorney Authorization: _____

Date: _____

Comments/Attachments:

PowerPoint, Program, Maintenance Agreement

Dawson County Green Infrastructure / Low Impact Development Program

PREPARED FOR: Georgia Environmental Protection Division
PREPARED BY: Bryan Young, Storm Water manager
DATE: August 8, 2019

Contents

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GI/LID Program	3
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Appendix A - Map of Soils in Dawson Counties MS4 Area	
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Background

Small Phase II Municipal Separate Storm Sewer System (MS4) along with the National Pollutant Discharge Elimination System (NPDES) permits were issued to Dawson County in 2014, and reissued in 2017. Dawson County Public Works Department implements most stormwater management efforts within the MS4 area, Dawson County is responsible for regulating, enforcing land disturbance permits, sedimentation and erosion control inspections, and enforcement within the MS4 area. The stormwater system serves all developed and undeveloped properties within the designated MS4 area. The geographic area of Dawson County is detailed in the following exhibit (Exhibit 1). In compliance with the Phase II MS4 permit effective December 17th 2017, permittees are required to develop a Green Infrastructure (GI) / Low Impact Development (LID) Program.

EXHIBIT 1

Geographic Area of Dawson County

Green Infrastructure / Low Impact Development Program

Jurisdiction	Size of MS4 (sq/mi)
Designated MS4 Area	13.4

The predominant soil type within Dawson Counties MS4 area is Hydrologic Soil Group B which indicates the Soil having a moderate infiltration rate when thoroughly wet. These consist chiefly of moderately deep, or deep, and moderately well drained, or well drained soils that have moderately fine to moderately coarse textures. These soils have a moderate rate of water transmission. Appendix A displays a map of the soils, within Dawson County.

Purpose

The Purpose of the GI/LID Program is to further encourage, track the use of, inspect, and maintain GI/LID best management practices (BMPs) in Dawson County for commercial development. The objectives of the program are to:

1. Evaluate the feasibility and site applicability of various GI/LID BMPs (practices and structures) that best support the overall stormwater management
2. Develop an inventory of GI/LID BMPs within the Dawson County's designated MS4 area, and identify procedures to track the addition of future applicable GI/LID BMPs
3. Identify the most effective approach for integrating GI/LID into the Dawson County's current stormwater and development review programs, including developing an inspection and/or maintenance program, as applicable

While Dawson County encourages the use of GI/LID, the ultimate intent of establishing a GI/LID program is to ensure these practices and structures are designed, implemented, and maintained by their respective owners for improved watershed protection

As outlined in the Phase II permit, the GI/LID Program Document includes the following sections related to the GI/LID elements above:

1. GI/LID Program
2. GI/LID Structure Inventory
3. GI/LID Inspection Program
4. Ordinance Review

GI/LID Program

Permit Requirement

Per Phase II MS4 permit requirements, existing permittees must have a program describing the GI/LID techniques and practices to be implemented by the permittee by February 15, 2020. The program shall include procedures for evaluating the feasibility and site applicability of different GI/LID techniques and practices, and various structures and practices to be considered.

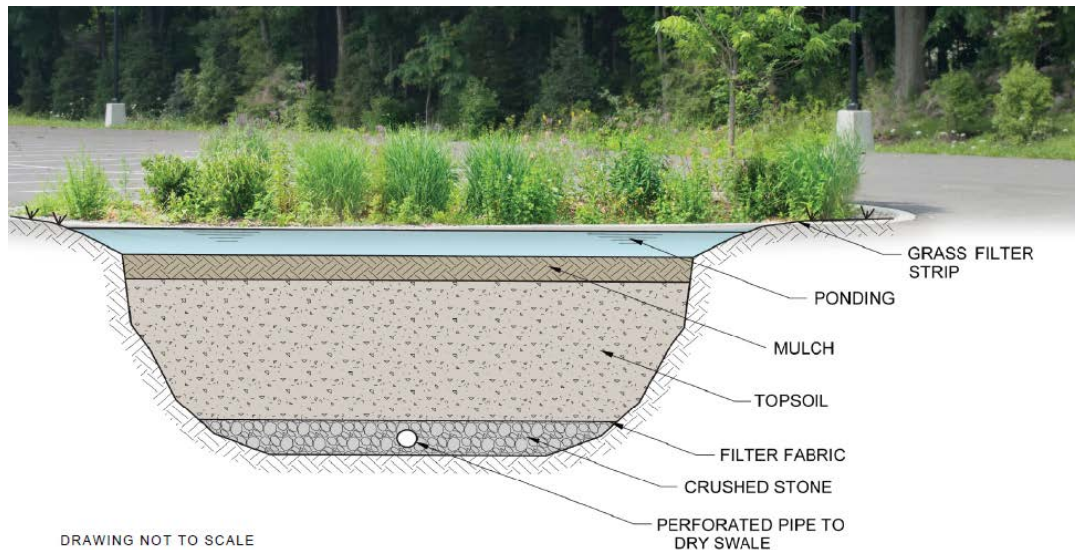
Definition of GI/LID

GI/LID refers to a broad range of stormwater practices and structures for a variety of purposes including water quality improvement and combined sewer overflow reduction. It includes a diverse set of site planning techniques (i.e. protection of conservation areas), site design techniques (i.e. reducing impervious surface), and LID structures (i.e. bio-retention areas, enhanced swales, pervious pavement).

The Georgia Environmental Protection Division (GAEPD) define GI/LID as including the following:

- o Better Site Planning Techniques (i.e. protection of conservation areas)
- o Better Site Design Techniques (i.e. reducing roadway lengths and widths, reducing parking lot footprints)
- o Low Impact Development Structures (i.e. bioretention areas, permeable pavement, vegetated filter strips, rain gardens)

Example of Green Infrastructure/LID Bioretention Area



GI/LID BMPs in Dawson County

In an effort to promote the use of GI/LID where it is feasible, Dawson County will allow the use of all GI/LID structures, better site planning techniques, and better site design techniques that are included in the 2016 GSMM Volume 2, Dawson County will focus on utilizing the following structures outlined in Appendix B (Exhibit B.1) including:

1. Bioretention Area
2. Enhanced Dry Swales
3. Enhanced Wet Swales
4. Filter Strips
5. Infiltration Practices
6. Permeable Paver Systems

Appendix B provides a summary of structures categorized as GI/LID (Exhibit B.1) and a summary of better site planning and design techniques (Exhibit B.2). The detailed descriptions in Volume 2 of the GSMM provide information related to design criteria, advantages/disadvantages, maintenance needs, pollutant removal calculations, stormwater management suitability, implementation considerations, runoff reduction credits and other useful information.

Dawson County understands that the feasibility and successful utilization of individual structures and techniques is site-dependent and therefore uses the information provided in Exhibits B.1 and B.2 to determine specific procedures that may be included on a development or re-development site. As part of the plan review process (outlined in subsequent sections of this document), Dawson County works with applicants to determine appropriate features based on the characteristics of a site.

Example of Vegetative Filter Strip



GI/LID Structure Inventory

Dawson County Current GI/LID Inventory

Currently there are 4 documented GI/LID structures in Dawson County. However, Dawson County will maintain list of completed inventory of stormwater structures that was developed after the date of designation. This new inventory will be documented in Dawson County's 2020 annual report

Permit Requirements

Per Phase II MS4 permit requirements, permittees must develop an inventory of privately owned non-residential and publicly owned water quality-related GI/LID structures located within the permittee's jurisdiction, and at a minimum, constructed on or after March 7th 2015, including the total number of each type of structure (e.g., bioswales, pervious pavement, rain gardens, cisterns, and green roofs).

Permittees must also track the addition of new water quality-related GI/LID structures through the plan review process and ensure the structures are added to the inventory.

Existing Plan Review Process

Dawson County is the local permit issuing authority for any Land Disturbing Activities (LDA). The local issuing authority is responsible for processing LDA applications, maintaining a list of active LDA permits, conducting inspections / maintenance reports, and enforcing local protective ordinances and (GESA) Georgia Erosion and Sedimentation Control Act.

Dawson County will work with owners/operators and developers to determine appropriate features based on the characteristics of the site. Dawson County will continue to refer to guidance from the update to the GSMM with regards to feasibility and site applicability of GI/LID practices and will recommend a site feasibility study to determine the applicability of the six GI/LID structures of interest by Dawson County. Dawson County will provide a table of Site Feasibility of Focused GI/LID Structures (Exhibit 3) to developers for use in their assessment, and will encourage the developer to consider the setting of the BMP, construction cost, maintenance burden, size limitations, and soil percolation rates in determining how stormwater requirements will best be met. When a permittee follows this process, Dawson County will document the information provided by the developer that was used to determine site applicability or non-applicability. This information will be attached to the permit file.

In determining the feasibility for new GI/LID structures, a site feasibility study will occur that will investigate the applicability of the 6 GI/LID structures of interest in Dawson County (Exhibit 3). The setting of the BMP, construction cost, maintenance burden, size limitations, and soil percolation rates will be considered.

EXHIBIT 3

Site Feasibility of Focused GI/LID Structures

Green Infrastructure / Low Impact Development Program

BMP Type	Appropriate Setting	Soil Feasibility	Construction Cost	Maintenance Burden	Runoff Reduction	WQv/TSS
Bioretention Area	Sitewide	0.5 in/hr minimum infiltration rate	Medium-High	Medium	50-100%	80%
Enhanced Dry Swale	Upland	Engineered Media	Medium	Low	50-100%	80%
Enhanced Wet Swale	Floodplain	No restrictions	Medium	Low	0%	80%
Filter Strip	Sitewide	0.25 in/hr minimum infiltration rate	Low	Low	10-25%	50%
Infiltration Practices	Upland	0.5 in/hr minimum infiltration rate	High	High	100%	100%
Permeable Pavers	Upland	No restrictions	High	High	50-100%	80%

In addition to the soil feasibility criteria listed in Exhibit 3, Dawson County considers other factors when reviewing site plans for GI/LID structures:

- Pretreatment measures should be used to prevent clogging of the basin bottom if runoff is expected to contain heavy sediment loads.
- Setback Requirements (Per Dawson County Future Land Use Resolution)
- Environmental Health required distances

During the plan review process, Dawson County will consider the following conditions when determining GI/LID practices are not feasible for a specific site:

- Minimum soil infiltration rate cannot be achieved.
- Minimum clearance of high-water table cannot be achieved. GSMM states that a high-water table within two (2) feet deems the project infeasible of GI/LID practices.
- Minimum land area requirements for the proposed structure cannot be achieved.
- Minimum setbacks to property lines, building foundations, wells, septic systems, or surface waters cannot be achieved.
- Minimum space requirements for necessary pretreatment measures cannot be achieved.
- Separation between infiltration practice and confining layers cannot be achieved. GSMM states that from the bottom of the infiltration practice to the confining layers is two (2) feet.
- Utility conflicts cannot be resolved.
- Contaminants that cannot be remediated are present

GI/LID Structure Inspection and Maintenance Program

Permit Requirements

Per Phase II MS4 permit requirements, permittees must:

- Conduct inspections and/or ensure that inspections are conducted on 100% of the total privately owned non-residential and publicly owned GI/LID structures within a 5-year period, beginning on February 15th 2020. Provide the number and/or percentage of the total structures inspected during the reporting period in each annual report.
- Conduct maintenance on the publicly owned GI/LID structures, as needed, beginning on February 15th 2020. Provide the number and/or percentage of the total structures maintained during the reporting period in each annual report.
- Develop procedures for ensuring privately-owned non-residential GI/LID structures are maintained as needed. Provide GI/LID maintenance agreements for stormwater structures to EPD for review with the 2018 annual report. Upon EPD approval, implement the procedures and provide documentation in each subsequent annual report.

GI/LID Inspection and Maintenance Program

Exhibit 4 summarizes the GI/LID inspection and maintenance responsibilities by Dawson County.

EXHIBIT 4

GI/LID Inspection and Maintenance Responsibilities

Green Infrastructure / Low Impact Development Program

Location	Inspection Responsibility	Maintenance Responsibility
Within public right-of-way	Dawson County	Dawson County
Private non-residential	Dawson County	Property Owner (Dawson County ensures that maintenance agreement has been completed by owner)
Private residential	Property Owner	Property Owner
Dawson County facilities	Dawson County	Dawson County

GI/LID Inspection Program

As directed by GAEPD, 100 percent of the total privately owned non-residential and publicly owned GI/LID BMPs are inspected within the 5-year period. Dawson County will perform inspections of all publicly-owned GI/LID BMPs. Dawson County is responsible for verifying inspections for privately-owned non-residential BMPs as well as inspecting each privately-owned non-residential structure every 5 years.

Privately Owned Non-Residential Structures

Privately owned non-residential structures are required to be maintained by individual property owners. Private non-residential property owners are required to complete a signed and notarized maintenance agreement. If Dawson County identifies non-compliance with the maintenance agreement, the first step to bring the site into compliance is for a Dawson County staff member to conduct a site visit or phone call to the property owner.

Property owners who fail to maintain their stormwater systems will be notified of the violation. If within thirty (30) days (or twenty-four (24) hours if there is an immediate danger to public safety), no actions are taken, Dawson County may enter the property and correct the failure. The cost for the repair work will result in 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.

Additionally, failure to maintain stormwater controls in accordance with maintenance agreements may be subject to the enforcement actions outlined in section 7 subsection 1 and 2 of Dawson County Stormwater Ordinance. If Dawson County determines that a responsible person has failed to comply such provisions, it will issue a written notice of violation, and if the responsible parties do not address the violations, they may be subject to penalties such as stop work orders, revocation of permit, civil penalties or criminal penalties for intentional and flagrant violations. Non-residential structures are subject to future inspections by county personnel to verify maintenance activities were performed. Dawson County Stormwater Manager documents all maintenance agreements, inspection forms, property owner communication, and if applicable, documentation of any enforcement actions, and provides this information to EPD with each annual report. Appendix C contains example inspection forms.

Publicly Owned Structures

For publicly owned GI/LID structures, Dawson County prioritizes inspections similar to MS4 structure prioritization, which is based on proximity to a documented complaint. Inspections are completed by trained staff, and during each inspection, conditions are documented on an inspection form. Forms provided in the GSMM for each GI/LID structure are used to complete inspections. Inspections are prioritized based on structure location, subdivision age, accessibility, or concern. Once the higher-priority inspections are completed, any remaining inspections are conducted by Dawson County to ensure the required number of inspections occurs on an annual basis (i.e., 100 percent in the 5-year period). This approach allows staff to respond efficiently to known problems, while documenting the condition of other structures in adjacent areas.

Inspections of applicable GI/LID BMPs are documented on the inspection form and, at a minimum, attempt to identify the following information:

- adequate access to GI/LID BMPs via drainage easements and berms;
- stormwater facilities that require sediment removal, grassing, outlet control structure repair, and erosion control;
- accumulation of sediment or debris at the discharge of outfall structures;
- stormwater collection and transfer structures that are not properly maintained or damaged.

If an issue is found or a complaint filed, a work order is initiated. Emergency situations are addressed immediately while routine inspections are prioritized based upon the assessed conditions recorded in the inventory.

GI/LID Maintenance Program

As directed by GAEPD, Dawson County conducts maintenance on publicly-owned GI/LID structures on an as-needed basis. Dawson County ensures maintenance of privately-owned non-residential GI/LID structures. With regard to responsibility:

- Publicly-owned structures: Dawson County would maintain any GI/LID structures located on Dawson County property.
- Privately-owned non-residential structures: The property owner is responsible for maintenance of the GI/LID structures. Dawson County ensures that proper maintenance is performed by the owner through a notarized maintenance agreement signed by the owner/operator

Maintenance needs vary for each of the GI/LID BMPs and may include such actions as proper drainage, replacing mulch and plants, removing sediment, sweeping/vacuuming, dewatering, invasive species removal, planting, and removing trash/debris. Dawson County utilizes the GSMM to identify maintenance needs for structures included in the inventory.

Maintenance activities follow the same pattern as the inspections, since most structures being repaired or maintained are included as a work order as the result of an inspection. Once maintenance is conducted, information is documented regarding the efforts, final condition, and follow-up needs of the structure. Dawson County will provide the number and/or percentage of public GI/LID BMPs maintained during the reporting period in each annual report.

GI/LID Program Implementation Schedule

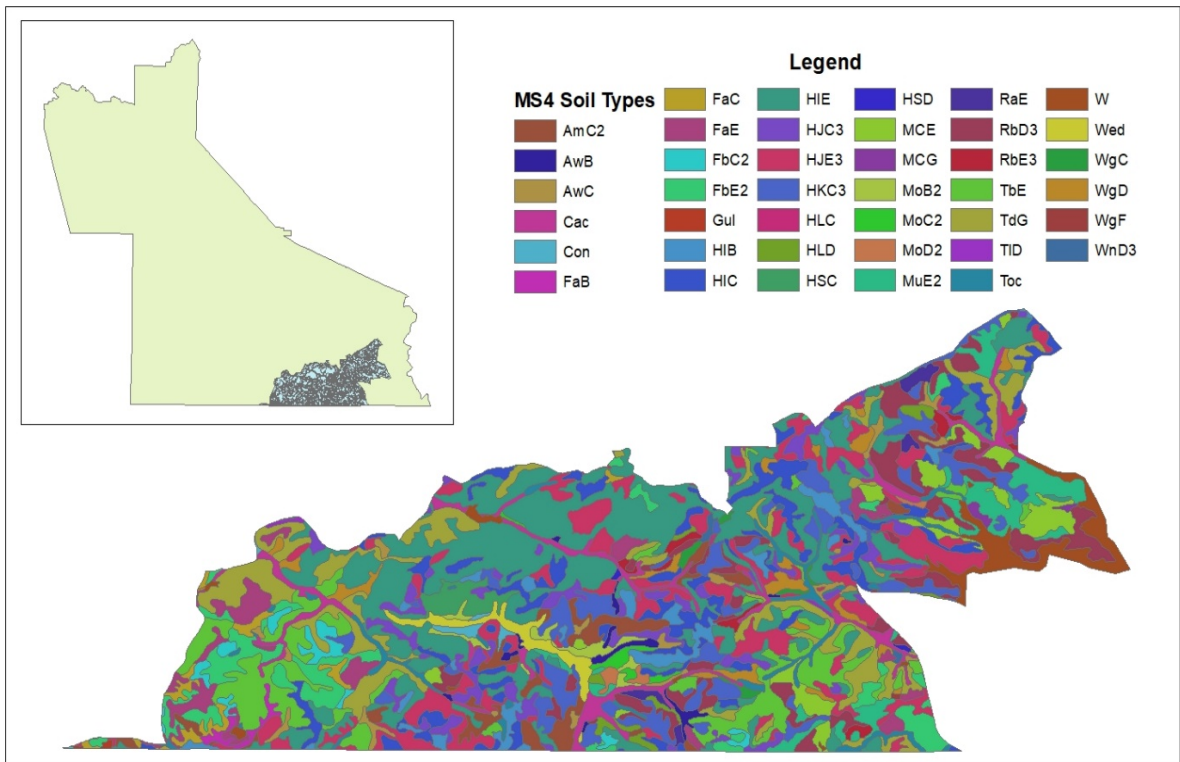
The GI/LID program outlined above will be implemented according to the following schedule:

- Effective immediately, Dawson County will conduct the following:
 - Submit revised inventories with permitted site feasibility sheets to be turned in each years MS4 Annual Report
 - Conduct inspections on public and private non-residential GI/LID BMPs so that each structure is inspected once every 5 years or 20% of the total structures
 - Conduct maintenance, as needed, on Dawson County-owned GI/LID
 - Coordinate with private non-residential property owners to ensure that needed maintenance is conducted on GI/LID structures included in the inventory, if not enforcement action could be taken

Appendix A – Maps of Soils in Dawson County



Dawson County: MS4 Soil Map



Created By: Public Works

Appendix B – GI/LID Structures and Better Site Planning and Design Techniques

EXHIBIT B.1
Summary of Potential GI/LID Structures in Dawson County

BMP Structure	Location in Volume 2 GSMM 2016 (Section and PDF page #)	Description	Runoff Reducti on	Stormwater Management and Treatment							Site Applicability						Cost Considerations	
			RR	WQv / TSS	CP v	Qp25 / Qf	Total Phosphorus	Total Nitrogen	Fecal Coliform	Metals	LID/ GI	Drainage Area (ac)	Space Req'd (% of Imperv. Drainage Area)	Max Site Slope	Minimum Head (Elevation Difference)	Depth to Water Table	Construction Cost	Maintenance Burden
Bioretention Areas	Section 4.2 (page 398)	Bioretention areas are shallow stormwater basins or landscaped areas that utilize engineered soils and vegetation to capture and treat stormwater runoff. Bioretention areas may be designed with an underdrain that returns runoff to the conveyance system or designed without an underdrain to exfiltrate runoff into the soil.	Yes	80%	†	†	80%	60%	90%	95%	Yes	5 max	3 - 6%	20%	3 ft .	2 ft.	Med - High	Med
Enhanced Dry Swales	Section 4.8 (page 454)	Enhanced swales are vegetated open channels that are designed and constructed to capture and treat stormwater runoff within dry or wet cells formed by check dams or other structures.	Yes	80%	†	X	50%	50%	X	40%	Yes	5 max	10 - 20%	4%	3 - 5 ft.	2 ft.	Med	Low
Enhanced Wet Swales	Section 4.8 (page 454)	Enhanced swales are vegetated open channels that are designed and constructed to capture and treat stormwater runoff within dry or wet cells formed by check dams or other structures.	No	80%	†	X	25%	40%	X	20%	Yes	5 max	10 - 20%	4%	1 ft.	Below	Med	Low
Filter Strips	Section 4.9 (page 466)	Grass channels are vegetated open channels that provide “biofiltering” of stormwater runoff as it flows across the grass surface.	Minimal	50%	†	X	25%	20%	X	30%	Yes	5 max	10%	4%	< 1 ft.	2 ft.	Low	Low
Infiltration Practices	Section 4.12 (page 490)	An infiltration practice is a shallow excavation, typically filled with stone or an engineered soil mix, which is designed to temporarily hold stormwater runoff until it infiltrates into the surrounding soils. Infiltration practices are able to reduce stormwater quantity, recharge the groundwater, and reduce pollutant loads.	Yes	100 %	†	†	100%	100%	100 %	100%	Yes	5 max	2 - 3%	6%	1 ft.	2 ft.	High	High
Permeable Paver Systems	Section 4.15 (page 508)	A permeable paver system is a pavement surface composed of structural units with void areas that are filled with pervious materials such as gravel, sand, or grass turf. The system is installed over a gravel base course that provides structural support and stores stormwater runoff that infiltrates through the system into underlying permeable soils.	Yes	80%	†	†	50%	50\$%	N/A* *	60%	Yes	N/A	No restrictions	6%	2 - 4 ft.	2 ft.	High	High

- √ BMP can meet the stormwater management or treatment requirement
- † BMP may meet the stormwater management or treatment requirement depending on size, configuration, and site constraints
- X BMP may contribute but is not likely to fully meet the stormwater management or treatment requirement

EXHIBIT B.2**Summary of Potential Better Site Planning and Design Techniques in Dawson County**

Better Site Planning Techniques	Location in Volume 2 GSMM 2016 (Section and PDF page #)	Description
Preserved Undisturbed Natural Areas	Section 2.3.2 (page 269)	Important natural features and areas such as undisturbed forested and vegetated areas, natural drainageways, stream corridors, wetlands and other important site features should be delineated and placed into conservation areas.
Preserve Riparian Buffers	Section 2.3.2 (page 270)	Naturally vegetated buffers should be delineated and preserved along perennial streams, rivers, lakes, and wetlands.
Avoid Floodplains	Section 2.3.2 (page 271)	Floodplain areas should be avoided for homes and other structures to minimize risk to human life and property damage, and to allow the natural stream corridor to accommodate flood flows.
Avoid Steep Slopes	Section 2.3.2 (page 273)	Steep slopes should be avoided due to the potential for soil erosion and increased sediment loading. Excessive grading and flattening of hills and ridges should be minimized.
Minimize Siting on Porous or Erodible Soils	Section 2.3.2 (page 274)	Porous soils such as sand and gravels provide an opportunity for groundwater recharge of stormwater runoff and should be preserved as a potential stormwater management option. Unstable or easily erodible soils should be avoided due to their greater erosion potential.
Fit Design Practice to Terrain	Section 2.3.2.2 (page 276)	The layout of roadways and buildings on a site should generally conform to the landforms on a site. Natural drainageways and stream buffer areas should be preserved by designing road layouts around them. Buildings should be sited to utilize the natural grading and drainage system and avoid the unnecessary disturbance of vegetation and soils.
Locate Development in Less Sensitive Areas	Section 2.3.2.2 (page 278)	To minimize the hydrologic impacts on the existing site land cover, the area of development should be located in areas of the site that are less sensitive to disturbance or have a lower value in terms of hydrologic function.
Reduce Limits of Clearing and Grading	Section 2.3.2.2 (page 279)	Clearing and grading of the site should be limited to the minimum amount needed for the development and road access. Site footprinting should be used to disturb the smallest possible land area on a site.
Utilize Open Space Development	Section 2.3.2.2 (page 280)	Open space site designs incorporate smaller lot sizes to reduce overall impervious cover while providing more undisturbed open space and protection of water resources.
Consider Creative Development Design	Section 2.3.2.2 (page 282)	Planned Unit Developments (PUDs) allow a developer or site designer the flexibility to design a residential, commercial, industrial, or mixed-use development in a fashion that best promotes effective stormwater management and the protection of environmentally sensitive areas.
Reduce Roadway Lengths and Widths	3.3.3.1 (page 89)	Strategies to reduce impervious cover by making streets narrower while still meeting transportation objectives.
Reduce Building Footprints	3.3.3.4 (page 106)	Reducing footprint size of commercial building and residences by using alternate or taller buildings while maintaining the same floor to area ratio (the ratio of building square footage to lot size)
Reduce the Parking Footprint/ Reducing Paved Parking and Walking Areas	3.3.3.3 (page 101)	Reducing the footprint of paved parking lots, driveways, and sidewalks to reduce imperviousness
Reduce Setback and Frontages	3.3.2.3 (page 78)	Reduce front yard building setback to 20 feet to reduce the required length of driveways and sidewalks. Reduce side yard setback to 25 feet or less and frontage length to 80 feet or less to allow for denser development and shorter road lengths.

EXHIBIT B.2**Summary of Potential Better Site Planning and Design Techniques in Dawson County**

Better Site Planning Techniques	Location in Volume 2 GSMM 2016 (Section and PDF page #)	Description
Use Fewer or Alternative Cul-de-Sacs/ Alternative Roadway Components	3.3.3.2 (page 95)	Alternatives to large cul-de-sacs and curb-and gutter stormwater conveyance
Create Parking Lot Stormwater 'Islands'	2.3.1.2 (page 267)	Reduction of impervious cover
Use Buffers and Undisturbed Areas	2.3.1.2 (page 267)	Utilization of natural features for stormwater management
Use Natural Drainageways Instead of Storm Sewers	2.3.1.2 (page 267)	Utilization of natural features for stormwater management
Use Vegetated Swale Instead of Curb and Gutter	2.3.1.2 (page 267)	Utilization of natural features for stormwater management
Use Soil Restoration Practices to Improve Native Soils	2.3.1.2 (page 267)	Utilization of natural features for stormwater management
Drain Rooftop Runoff to Pervious Area	2.3.1.2 (page 267)	Utilization of natural features for stormwater management

Appendix C – BMP Inspection Forms

Bioretention Area					
Maintenance Item	Condition				Comment
	Good	Marginal	Poor	N/A*	
General Inspection					
Access to the site is adequately maintained for inspection and maintenance.					
Area is clean (trash, debris, grass clippings, etc. removed).					
Inlet Structure					
Drainage ways (overland flow or pipes) to the practice are free of trash, debris, large branches, etc.					
Area around the inlet structure is mowed and grass clippings are removed.					
No evidence of gullies, rills, or excessive erosion around the inlet structure.					
Water is going through structure (i.e. no evidence of water going around the structure).					
Diversion structure (high flow bypass structure or other) is free of trash, debris, or sediment. Comment on overall condition of diversion structure and list type.					
Pretreatment (choose one)					
Forebay – area is free of trash, debris, and sediment.					
Weir – area is free of trash, debris, and sediment is less than 25% of the total depth of the weir.					
Filter Strip or Grass Channels – area is free of trash debris and sediment. Area has been mowed and grass clippings are removed. No evidence of erosion.					
Rock Lined Plunge Pools – area is free of trash debris and sediment. Rock thickness in pool is adequate.					
Main Treatment					
Main treatment area is free of trash, debris, and sediment.					
Erosion protection is present on site (i.e. turf reinforcement mats). Comment on types of erosion protection and evaluate condition.					

Bioretention Area					
Maintenance Item	Condition				Comment
	Good	Marginal	Poor	N/A*	
No evidence of long-term ponding or standing water in the ponding area of the practice (examples include: stains, odors, mosquito larvae, etc).					
Structure seems to be working properly. No settling around the structure. Comment on overall condition of structure.					
Vegetation within and around practice is maintained per landscaping plan. Grass clippings are removed.					
Mulching depth of 3-4 inches is maintained. Comment on mulch depth.					
Native plants were used in the practice according to the planting plan.					
No evidence of use of fertilizer on plants (fertilizer crusting on the surface of the soil, tips of leaves turning brown or yellow, blackened roots, etc.).					
Plants seem to be healthy and in good condition. Comment on condition of plants.					
Emergency Overflow					
Emergency overflow is free of trash, debris, and sediment.					
No evidence of erosion, scour, or flooding around the structure.					
Outlet Structure					
Outlet structure is free of trash, debris, and sediment.					
No evidence of erosion, scour, or flooding around the structure.					
Results					
Overall condition of Bioretention Area:					
Additional Comments					
Notes: *If a specific maintenance item was not checked, please check N/A and explain why in the appropriate comment box.					

Dry Enhanced Swale/Wet Enhanced Swale					
Maintenance Item	Condition				Comment
	Good	Marginal	Poor	N/A*	
General Inspection					
Access to the site is adequately maintained for inspection and maintenance.					
Area is clean (trash, debris, grass clippings, etc. removed).					
Inlet Structure					
Drainage ways (overland flow or pipes) to the practice are free of trash, debris, large branches, etc.					
Area around the inlet structure is mowed and grass clippings are removed (for dry enhanced swale).					
No evidence of gullies, rills, or excessive erosion around the inlet structure.					
Water is going through structure (i.e. no evidence of water going around the structure).					
Pretreatment (choose one)					
Forebay – area is free of trash, debris, and sediment.					
Weir – area is free of trash, debris, and sediment is less than 25% of the total depth of the weir.					
Filter Strip or Grass Channels – area is free of trash debris and sediment. Area has been mowed and grass clippings are removed. No evidence of erosion.					
Rock Lined Plunge Pools – area is free of trash debris and sediment. Rock thickness in pool is adequate.					
Main Treatment					
Main treatment area is free of trash, debris, and sediment.					
Erosion protection is present on site (i.e. turf reinforcement mats). Comment on types of erosion protection and evaluate condition.					
For dry enhanced swale, no evidence of long-term ponding or standing water in the ponding area of the practice (examples include: stains, odors, mosquito larvae, etc).					
Plants were used in the practice according to the planting plan.					

Dry Enhanced Swale/Wet Enhanced Swale					
Maintenance Item	Condition				Comment
	Good	Marginal	Poor	N/A*	
Vegetation within and around practice is maintained per landscaping plan. Grass clippings are removed.					
Structure seems to be working properly. No settling around the structure. Comment on overall condition of structure.					
No evidence of undesirable vegetation.					
No evidence of use of fertilizer on plants (fertilizer crusting on the surface of the soil, tips of leaves turning brown or yellow, blackened roots, etc.).					
Plants seem to be healthy and in good condition. Comment on condition of plants.					
No evidence of erosion around the sides of the check dam.					
Cleanout caps are in place and in good condition (for dry enhanced swale).					
The underdrain appears to be unclogged evidenced by water exiting the practice freely (for dry enhanced swale).					
Pea gravel diaphragm or other flow spreader is clean and working properly.					
Emergency Overflow					
Emergency overflow is free of trash, debris, and sediment.					
No evidence of erosion, scour, or flooding around the structure.					
Outlet Structure					
Outlet structure is free of trash, debris, and sediment.					
No evidence of erosion, scour, or flooding around the structure.					
Results					
Overall condition of Enhanced Swale:					
Additional Comments					
Notes: *If a specific maintenance item was not checked, please explain why in the appropriate comment box.					

Grass Channel					
Maintenance Item	Condition				Comment
	Good	Marginal	Poor	N/A*	
General Inspection					
Access to the site is adequately maintained for inspection and maintenance.					
Area is clean (trash, debris, grass clippings, etc. removed).					
Inlet					
Drainage ways (overland flow or pipes) to the practice are free of trash, debris, large branches, etc.					
Area around the inlet is mowed and grass clippings are removed.					
No evidence of gullies, rills, or excessive erosion around the inlet.					
No signs of clogging or damage around the inlet.					
Pretreatment (choose one)					
Forebay – area is free of trash, debris, and sediment.					
Filter Strip or Grass Channels – area is free of trash debris and sediment. Area has been mowed and grass clippings are removed. No evidence of erosion.					
Main Treatment					
Main treatment area is free of trash, debris, and sediment.					
No evidence of erosion in the practice.					
No evidence of long-term ponding or standing water in the ponding area of the practice (examples include: stains, odors, mosquito larvae, etc).					
No undesirable vegetation located within the practice.					
No evidence of use of fertilizer on plants (fertilizer crusting on the surface of the soil, blackened roots, etc.).					
Grass within and around practice is maintained at the proper height (3-4 inches). Grass clippings are removed.					
Grass cover seems healthy with no bare spots or dying grass.					

Grass Channel					
Maintenance Item	Condition				Comment
	Good	Marginal	Poor	N/A*	
No accumulating sediment within the grass channel.					
Outlet					
Outlet is free of trash, debris, and sediment.					
No evidence of erosion, scour, or flooding.					
Results					
Overall condition of Grass Channel:					
Additional Comments					
Notes: * If a specific maintenance item was not checked, please check N/A and explain why in the appropriate comment box.					

Infiltration Practice					
Maintenance Item	Condition				Comment
	Good	Marginal	Poor	N/A*	
General Inspection					
Access to the site is adequately maintained for inspection and maintenance.					
Area is clean (trash, debris, grass clippings, etc. removed).					
Inlet					
Drainage ways (overland flow or pipes) to the practice are free of trash, debris, large branches, etc. Drainage ways are in good condition.					
Area around the inlet structure is mowed and grass clippings are removed.					
No evidence of gullies, rills, or excessive erosion around the inlet structure.					
Water is going through structure (i.e. no evidence of water going around the structure).					
Diversion structure (high flow bypass structure or underdrain) is free of trash, debris, or sediment. Comment on overall condition of diversion structure and list type.					
Pretreatment (choose one)					
Forebay – area is free of trash, debris, and sediment.					
Forebay – No undesirable vegetation.					
Forebay – No signs of erosion, rills, or gullies. Erosion protection is present on site.					
Forebay – No signs of standing water.					
Filter Strip– area is free of trash debris and sediment. Area has been mowed and grass clippings are removed. No evidence of erosion or sediment accumulation.					
Filter Strip – No signs of unhealthy grass, bare or dying grass. Grass height is maintained to a height of 6 – 15 inches.					
Filter Strip– No signs of erosion, rills, or gullies. Erosion protection is present on site.					
Filter Strip – No undesirable vegetation.					
Filter Strip – No signs of standing water (examples include: stains, odors, mosquito larvae, etc).					

Infiltration Practice					
Maintenance Item	Condition				Comment
	Good	Marginal	Poor	N/A*	
Main Treatment					
Main treatment area is free of trash, debris, and sediment.					
Erosion protection is present on site (i.e. turf reinforcement mats). Comment on types of erosion protection and evaluate condition.					
Structure seems to be working properly. No settling around the structure. Comment on overall condition of structure.					
No signs of ponding water more than 48 hours after a rain storm event (examples include: stains, odors, mosquito larvae, etc).					
No undesirable vegetation growing within the practice.					
Native plants were used in the practice according to the landscaping plan.					
Observation well is capped and locked when not in use					
Flow testing has been performed on infiltration practice to determine if underdrain is clogged.					
Emergency Overflow and Outlet Structure					
Area is free of trash, debris, and sediment.					
No evidence of erosion, scour, or flooding around the structure.					
No signs of sediment accumulation.					
Grass height of 6 – 15 inches is maintained.					
Results					
Overall condition of Infiltration Practice:					
Additional Comments					
Notes: *If a specific maintenance item was not checked, please check N/A and explain why in the appropriate comment box.					

Permeable Bricks/Blocks					
Maintenance Item	Condition				Comment
	Good	Marginal	Poor	N/A*	
General Inspection					
Access to the site is adequately maintained for inspection and maintenance.					
Area is clean (trash, debris, grass clippings, leaves, etc. removed).					
Area around the practice is mowed and grass clippings are removed. No signs of bare or dead grass.					
No evidence of gullies, rills, or erosion around the practice.					
Water is permeating the bricks/blocks (i.e. no evidence of water going around the practice).					
Bricks/blocks are structurally sound. No signs of cracks or splitting.					
Aggregate between the bricks/blocks is reasonable.					
No evidence of long-term ponding or standing water in the practice.					
Grass in the concrete grid is healthy, no dead grass or bare spots.					
Grass in the concrete grid is mowed and grass clippings are removed.					
Structure seems to be working properly. No signs of the bricks/blocks settling. Comment on overall condition of bricks/blocks.					
Vegetation within and around practice is maintained. Grass clippings are removed.					
No exposed soil near the bricks/blocks that could cause sediment accumulation within the practice.					
Cleanout caps are present and not missing (if applicable).					
The underdrain system has been flushed properly and there is no sign of clogging (if applicable).					
Results					
Overall condition of Permeable Bricks/Blocks:					

Permeable Bricks/Blocks					
Maintenance Item	Condition				Comment
	Good	Marginal	Poor	N/A*	
Additional Comments					
Notes: * If a specific maintenance item was not checked, please check N/A and explain why in the appropriate comment box.					

**STORMWATER MANAGEMENT
STORMWATER FACILITY
BMP/GREEN INFRASTRUCTURE/LOW IMPACT DEVELOPMENT
INSPECTION AND MAINTENANCE AGREEMENT**

Dawson County, Georgia
Stormwater Management Office
(706) 344-3500 ext. 42233

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 homeowner's 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 and Green infrastructure/LID 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 homeowner's 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 Stormwater Facilities including Green Infrastructure/Low Impact Development Integrated Management Practices, 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 all Stormwater Facilities, Green Infrastructure/Low Impact Development Integrated Management Practices 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, Green Infrastructure/Low Impact Development Integrated Management Practices 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, Green Infrastructure/Low Impact Development Integrated Management Practices, and Improvements located on the property

6. The Landowner, its successors and assigns, will perform all work necessary to keep the Stormwater Facilities, Green Infrastructure/Low Impact Development Integrated Management Practices, 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, Green Infrastructure/Low Impact Development Integrated Management Practices, 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, Green Infrastructure/Low Impact Development Integrated Management Practices, 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 homeowner's 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, Green Infrastructure/Low Impact Development Integrated Management Practices, 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

Green Infrastructure/LID Program



David McKee
Public Works Director

Background

- Small Phase II Municipal Separate Storm Sewer System (MS4) along with the National Pollutant Discharge Elimination System (NPDES) permits were issued to Dawson County in 2014, and reissued in 2017. Dawson County Public Works Department implements most stormwater management efforts within the MS4 area, Dawson County is responsible for regulating, enforcing land disturbance permits, sedimentation and erosion control inspections, and enforcement within the MS4 area. The stormwater system serves all developed and undeveloped properties within the designated MS4 area.

Permit Requirement

- Per Phase II MS4 permit requirements, existing permittees must have a program describing the GI/LID techniques and practices to be implemented by the permittee by February 15, 2020. The program shall include procedures for evaluating the feasibility and site applicability of different GI/LID techniques and practices, and various structures and practices to be considered.
- After revisions the GI/LID program was accepted by EPD on October 5th 2020

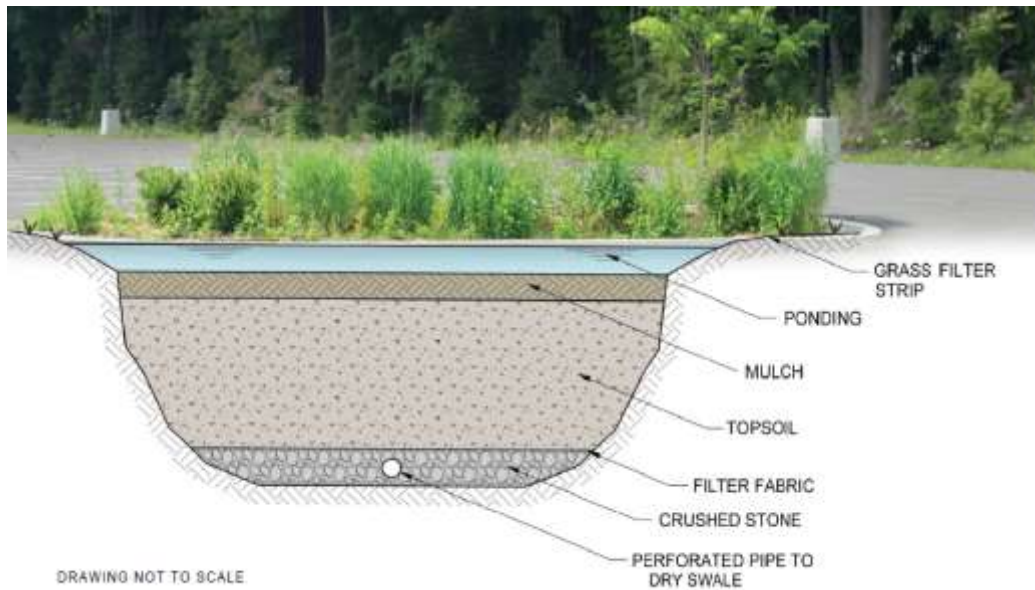
Definition of Green Infrastructure/ Low Impact Development

- GI/LID refers to a broad range of stormwater practices and structures for a variety of purposes including water quality improvement and combined sewer overflow reduction. It includes a diverse set of site planning techniques (i.e. protection of conservation areas), site design techniques (i.e. reducing impervious surface), and LID structures (i.e. bio-retention areas, enhanced swales, pervious pavement).
- The Georgia Environmental Protection Division (GAEPD) define GI/LID as including the following:
 - Better Site Planning Techniques (i.e. protection of conservation areas)
 - Better Site Design Techniques (i.e. reducing roadway lengths and widths, reducing parking lot footprints)
 - Low Impact Development Structures (i.e. bioretention areas, permeable pavement, vegetated filter strips, rain gardens)

Purpose

- The Purpose of the GI/LID Program is to further encourage, track the use of, inspect, and maintain GI/LID best management practices (BMPs) in Dawson County for commercial development. The objectives of the program are to:
 1. Evaluate the feasibility and site applicability of various GI/LID BMPs (practices and structures) that best support the overall stormwater management
 2. Develop an inventory of GI/LID BMPs within the Dawson County's designated MS4 area, and identify procedures to track the addition of future applicable GI/LID BMPs
 3. Identify the most effective approach for integrating GI/LID into the Dawson County's current stormwater and development review programs, including developing an inspection and/or maintenance program, as applicable
- While Dawson County encourages the use of GI/LID, the ultimate intent of establishing a GI/LID program is to ensure these practices and structures are designed, implemented, and maintained by their respective owners for improved watershed protection

Examples of GI/LID



Bioretention Pond



Vegetative Filter Strip

GI/LID use in Dawson County

- In an effort to promote the use of GI/LID where it is feasible, Dawson County will allow the use of all GI/LID structures, better site planning techniques, and better site design techniques that are included in the 2016 GSMM Volume 2 including:
 1. Bioretention Area
 2. Enhanced Dry Swales
 3. Enhanced Wet Swales
 4. Filter Strips
 5. Infiltration Practices
 6. Permeable Paver Systems

Feasibility of GI/LID

- Dawson County will work with owners/operators and developers to determine appropriate features based on the characteristics of the site. Dawson County will continue to refer to guidance from the update to the GSMM with regards to feasibility and site applicability of GI/LID practices and will recommend a site feasibility study to determine the applicability of the six GI/LID structures of interest by Dawson County.
- In determining the feasibility for new GI/LID structures, a site feasibility study by the developer will occur that will investigate the applicability of the 6 GI/LID structures of interest in Dawson County. The setting of the BMP, construction cost, maintenance burden, size limitations, and soil percolation rates will be considered.

Commercial Plan Review of GI/LID in Dawson County

- **During the plan review process, Dawson County will consider the following conditions when determining GI/LID practices are not feasible for a specific site:**
 - Minimum soil infiltration rate cannot be achieved.
 - Minimum clearance of high-water table cannot be achieved. GSMM states that a high-water table within two (2) feet deems the project infeasible of GI/LID practices.
 - Minimum land area requirements for the proposed structure cannot be achieved.
 - Minimum setbacks to property lines, building foundations, wells, septic systems, or surface waters cannot be achieved.
 - Minimum space requirements for necessary pretreatment measures cannot be achieved.
 - Separation between infiltration practice and confining layers cannot be achieved. GSMM states that from the bottom of the infiltration practice to the confining layers is two (2) feet.
 - Utility conflicts cannot be resolved.
 - Contaminants that cannot be remediated are present

Inspection and Maintenance

- As directed by GAEPD, 100 percent of the total privately owned non-residential and publicly owned GI/LID BMPs are inspected within the 5-year period. Dawson County will perform inspections of all publicly-owned GI/LID BMPs. Dawson County is responsible for verifying inspections for privately-owned non-residential BMPs as well as inspecting each privately-owned non-residential structure every 5 years.
- Privately owned non-residential structures are required to be maintained by individual property owners. Private non-residential property owners are required to complete a signed and notarized maintenance agreement. If Dawson County identifies non-compliance with the maintenance agreement, the first step to bring the site into compliance is for a Dawson County staff member to conduct a site visit or phone call to the property owner.

Implementation

- The GI/LID program outlined above will be implemented according to the following schedule:
Effective immediately, Dawson County will conduct the following:
 - Submit revised inventories with permitted site feasibility sheets to be turned in each years MS4 Annual Report
 - Conduct inspections on public and private non-residential GI/LID BMPs so that each structure is inspected once every 5 years or 20% of the total structures.
 - Conduct maintenance, as needed, on Dawson County-owned GI/LID
 - Coordinate with private non-residential property owners to ensure that needed maintenance is conducted on GI/LID structures included in the inventory, if not enforcement action could be taken

Questions?



DAWSON COUNTY BOARD OF COMMISSIONERS AGENDA FORM

Department: HR

Work Session: 01.21.21

Prepared By: Brad Gould

Voting Session: 02.04.21

Presenter: Brad Gould

Public Hearing: Yes No X

Agenda Item Title: Presentation of increase of elected official 2021 salaries not approved by the General Assembly.

Background Information:

The General Assembly establishes salaries for newly elected officials and those serving additional terms. For the 2021 term, the state revised base salaries that incorporated prior state COLAs and added 5% to base salaries - with the exception of the 2019 local and 2020 state COLAs, which were calculated in the total salary.

Current Information:

The county commissioners, magistrates and coroners did not receive an increase for 2021 from the state. The BOC has the option to add local supplements or COLAs to these salaries.

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

Fund	Dept.	Acct No.	Budget	Balance	Requested	Remaining

Recommendation/Motion:

Department Head Authorization: Brad Gould/HR Director

Date: 01/13/2021

Finance Dept. Authorization: Vickie Neikirk

Date: 1/13/21

County Manager Authorization: David Headley

Date: 1/13/2021

County Attorney Authorization:

Date:

Comments/Attachments:

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**RESOLUTION REQUESTING THE CALLING OF A SPECIAL
ELECTION TO CONTINUE A COUNTY ONE PERCENT SPECIAL PURPOSE
LOCAL OPTION SALES AND USE TAX**

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF DAWSON COUNTY, GEORGIA CONTINUING A COUNTY ONE PERCENT SPECIAL PURPOSE LOCAL OPTION SALES AND USE TAX AS AUTHORIZED BY O.C.G.A. § 48-8-110, *ET SEQ.*; SPECIFYING THE PURPOSES FOR WHICH THE PROCEEDS OF SUCH TAX ARE TO BE USED; SPECIFYING THE PERIOD OF TIME FOR WHICH SUCH TAX SHALL BE IMPOSED; SPECIFYING THE ESTIMATED COST OF THE PROJETS TO BE FUNDED FROM THE PROCEEDS OF SUCH TAX; REQUESTING THE BOARD OF ELECTIONS AND REGISTRATION OF DAWSON COUNTY TO CALL AN ELECTION OF THE VOTERS OF DAWSON COUNTY TO APPROVE THE IMPOSITION OF SUCH SALES AND USE TAX; APPROVING THE FORM OF BALLOT TO BE USED IN SUCH AN ELECTION; AND FOR OTHER PURPOSES.

WHEREAS, O.C.G.A. § 48-8-110, *et seq.* (the “Act”) authorizes the imposition of a county one percent special purpose local option sales and use tax (the “Sales and Use Tax”) for the purpose, *inter alia*, of financing certain capital outlay projects which include those set forth herein; and

WHEREAS, the Board of Commissioners of Dawson County, Georgia (the “Board of Commissioners”) has determined that it is in the best interest of the citizens of Dawson County, Georgia (the “County”) that the Sales and Use Tax be continued in a special district comprising the County to raise approximately \$60,000,000.00 (sixty million dollars) (after deduction of collection fees by the State of Georgia Department of Revenue) for the purpose of funding certain capital outlay projects (the “Projects”); and

WHEREAS, the governing authorities of the County and the City of Dawsonville met on November 17, 2020 to discuss possible projects for inclusion in the Sales and Use Tax referendum to be held on the 16th day of March, 2021 (the “Election”) in conformance with the requirements of O.C.G.A. § 48-8-111(a); and

WHEREAS, the above-referenced meeting occurred at least 30 days prior to the intended date of issuance (publication) of the call for the referendum; and

WHEREAS, the County has not entered into an intergovernmental agreement with Dawsonville with respect to the division of the Sales and Use Tax; and

WHEREAS, the Board of Commissioners of Dawson County, Georgia, after considering population data from the most recently completed decennial census (2010), data from the 2019 American Community Survey of the U.S. Census Bureau, population estimates from the Georgia

Governor's Office of Planning and Budget, and other U.S. Census Bureau population estimates, has estimated the ratio of Dawsonville's population to the total population of Dawson County to be 12%, and has anticipated the division of Sales and Use Tax proceeds and cost of the Projects according to this population ratio; and

WHEREAS, the Board of Commissioners desires that the Board of Elections and Registration of Dawson County (the "Elections Board") call the Election and further desires that the Elections Board be furnished with a certified copy of this Resolution in connection with such request.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Dawson County, Georgia as follows:

- A. Assuming the question of imposing the Sales and Use Tax is approved by the voters of the special district in the Election, the Sales and Use Tax shall be imposed for the term, purposes, and costs as follows:
 - 1. In order to finance the Projects, a Sales and Use Tax in the amount of one percent (1%) on all sales and uses in the special district of the County is hereby authorized to be levied and collected within the special district created in the County as provided in the Act.
 - 2. The proceeds of such tax are to be used to fund the Projects, each of which is an authorized purpose under O.C.G.A. §§ 48-8-111(a)(1). The Projects consist of "Level 2 Countywide Projects" of the County, which shall be funded first up to 20% of projected proceeds, as well as regular "County Projects" and "Municipal Projects" which shall be funded after the Level 2 Countywide Projects are funded. The "Level 2 Countywide Projects" and regular County Projects, and the estimated costs thereof, are attached hereto as Exhibit "B". The Municipal Projects, and the estimated costs thereof, are attached hereto as Exhibit "C".
 - 3. In accordance with O.C.G.A. §§ 48-8-111(a)(2), 48-8-112(b)(3), & 48-8-115(b)(2)(A)(ii), the Sales and Use Tax shall be imposed for a period of six years commencing upon the expiration of the sales and use tax currently in effect.
 - 4. After funding the Level 2 Countywide Projects, the proceeds of the Sales and Use Tax shall be divided 88% to the County and 12% to the City in accordance with O.C.G.A. § 48-8-115(b)(2)(B)(ii) and the estimates referenced in the recitals above.
- B. Call for the Election; Ballot Form; Notice.
 - 1. The Elections Board, as election superintendent (the "Election Superintendent"), is hereby requested to call the Election to be held in all voting precincts in the County on the 16th day of March, 2021, for the purpose of submitting to the qualified voters of Dawson County the question set forth in paragraph 2 below. The Election

Superintendent shall be furnished with a certified copy of this Resolution in connection with this request.

2. The ballots to be used in the Election shall have written or printed thereon substantially the following:

- “() Yes. Shall a special 1 percent sales and use tax be imposed in the special district of Dawson County for a period of time of six years and for the raising of an estimated amount of \$60,000,000 for the purpose of funding: first, a new E911 Emergency Operations Center and Emergency Communications System (“level two” county-wide projects of Dawson County); and then from the remaining proceeds to fund the following projects of Dawson County and the City of Dawsonville, respectively: Information Technology Infrastructure, Administrative Office Renovation, Public Safety Vehicles and Equipment, Sheriff Facilities, Vehicles, and Equipment, Courthouse Security Upgrades, Public Works Vehicles and Equipment, County Road and Culvert Projects, County Administration Vehicles, Equipment, and Fueling Center, Park Improvements to Veterans Park, Rock Creek Park, War Hill Park, and Etowah River Road Canoe Park, New Public Health Building, and Industrial Park Expansion, all as County projects; and Repair and Repaving of City Streets, Road Asset Maintenance, Sidewalk Improvements, Intersection Improvements, Land Acquisition for Various City Needs, Water & Sewer Plant Construction and Infrastructure Upgrades, Public Works Department and Utility Department Vehicles and Equipment, Main Street Park Phases 3 and 4, Downtown Revitalization Projects, and City Hall Maintenance, Improvements, and Parking, all as City projects?”
- () No.

3. It is hereby requested that the Election be held by the Election Superintendent in accordance with the election laws of the State of Georgia, including, without limitation, the election laws relating to special elections. It is hereby further requested that the Election Superintendent canvass the returns, declare the result of the election and certify the result to the Secretary of State and to the Commissioner of Revenue of the State of Georgia.
4. The Election Superintendent is hereby authorized and requested to publish a Call of the Election as required by law, in the newspaper in which Sheriffs advertisements for the County are published, no later than February 9, 2021. The Election Superintendent is also hereby authorized and requested to publish a notice of the Election as required by law, in the newspaper in which Sheriffs advertisements for the County are published, once a week for four weeks immediately preceding the date of the Election. The notice of the Election shall be in substantially the form attached hereto as Exhibit “A.”

- C. The Clerk of the Board of Commissioners is hereby authorized and directed to deliver a certified copy of this Resolution to the Election Superintendent, with a request that the Election Superintendent issue the call for the Election.
- D. The proper officers and agents of the County are hereby authorized to take any and all further actions as may be required in connection with the imposition of the Sales and Use Tax.
- E. The Resolution shall take effect immediately upon its adoption and, to the extent inconsistent, shall supersede the similar resolution adopted by the County on January 21, 2021.

SO RESOLVED, this the ____ day of _____, 2021.

COUNTY OF DAWSON, GEORGIA

By: _____
Billy Thurmond, Chairman

[County Seal]

Attest:

Clerk

EXHIBIT “A”

NOTICE OF ELECTION TO THE QUALIFIED VOTERS OF DAWSON COUNTY, GEORGIA

NOTICE IS HEREBY GIVEN that on the 16th day of March, 2021, an election will be held at the regular polling places in all the election districts of Dawson County, Georgia (the “County”), at which time there will be submitted to the qualified voters of the County for their determination the question of whether a one percent special purpose local option sales and use tax (the “Sales and Use Tax”) shall be continued on all sales and uses in the special district created in the County for a period of six years commencing upon the expiration of the Sales and Use Tax currently in effect, for the raising of approximately \$60,000,000.00 (sixty million dollars) for the purpose of funding projects specified in the form of the ballot set forth below.

The ballots to be used at the Election shall have written or printed thereon substantially the following:

- “() Yes. Shall a special 1 percent sales and use tax be imposed in the special district of Dawson County for a period of time of six years and for the raising of an estimated amount of \$60,000,000 for the purpose of funding: first, a new E911 Emergency Operations Center and Emergency Communications System (“level two” county-wide projects of Dawson County); and then from the remaining proceeds to fund the following projects of Dawson County and the City of Dawsonville, respectively: Information Technology Infrastructure, Administrative Office Renovation, Public Safety Vehicles and Equipment, Sheriff Facilities, Vehicles, and Equipment, Courthouse Security Upgrades, Public Works Vehicles and Equipment, County Road and Culvert Projects, County Administration Vehicles, Equipment, and Fueling Center, Park Improvements to Veterans Park, Rock Creek Park, War Hill Park, and Etowah River Road Canoe Park, New Public Health Building, and Industrial Park Expansion, all as County projects; and Repair and Repaving of City Streets, Road Asset Maintenance, Sidewalk Improvements, Intersection Improvements, Land Acquisition for Various City Needs, Water & Sewer Plant Construction and Infrastructure Upgrades, Public Works Department and Utility Department Vehicles and Equipment, Main Street Park Phases 3 and 4, Downtown Revitalization Projects, and City Hall Maintenance, Improvements, and Parking, all as City projects?”
- () No.

The several places for holding said election shall be at the regular and established voting precincts of the election districts of the County, and the polls will be open from 7:00 a.m. to 7:00 p.m. on the date fixed for the election.

This notice is given pursuant to a resolution of the Board of Elections and Registration of Dawson County, adopted on _____, 2021.

Board of Elections and Registration of Dawson
County

EXHIBIT “B”

Dawson County SPLOST VII Project List				
Department/Elected Official	Project	Description	Cost Estimate	% of Total SPLOST
Level 2 Countywide Projects				
Public Safety Projects	New Emergency Operations Center- E911- Emergency Communications System	New construction of EOC and E911 center, and Radio System	\$ 8,500,000.00	
		Total	\$ 8,500,000.00	
				% of Total SPLOST
Other County Projects				
Information Technology (IT)	IT Infrastructure	Various IT infrastructure upgrades	\$ 1,500,000.00	2.91%
Administrative Office Renovation	Administrative Building	Renovation of Existing Office Buildings	\$ 500,000.00	0.97%
Public Safety Vehicles and Equipment	Fire Engine Replacements	Replace three Fire Engines and Equipment	\$ 2,250,000.00	16.60%
	Ambulance Replacment	Replacemnt of 5 Medunits and equipment	\$ 2,300,000.00	
	Fire Station Replacement	Replace existing fire Stations	\$ 3,000,000.00	
	Training Burn Building Replacement	Replace existing burn building	\$ 1,000,000.00	
Sheriff Services	Roof on Law Enforcment Center	New roof on LEC	\$ 400,000.00	6.60%
	Courthouse Security Upgrades	New Courthosue security upgrades and replacement	\$ 1,500,000.00	
	Sheriff Vehicles and Equipment	New vehicle and equipment replacment	\$ 1,500,000.00	
Public Works	Public Works Vehicles and Equipment	New Vehicles and Equipment replacments	\$ 2,500,000.00	36.70%
	County Road and Culvert Projects	Exisiting asset Road improvement projects	\$ 16,400,000.00	
County Adminisrtation	Vehicle and Equipment Replacement	New/Replacement Vehicles	\$ 1,500,000.00	4.08%
	Fueling Center	New Fueling Center	\$ 600,000.00	
Park and Recreation	Veterans Park Improvements	Playground Replacement	\$ 450,000.00	11.20%
		Football field Artifical Turf	\$ 900,000.00	
		Multipurpose Field Artificial Turf	\$ 1,200,000.00	
	Rock Creek Park Improvemnets	Playground Replacement	\$ 450,000.00	
		New Small Playground	\$ 325,000.00	
		Special Needs Baseball/Softball Field	\$ 400,000.00	
		Asphalt parking/trail replacement	\$ 850,000.00	
	War Hill Park Improvements	New playground	\$ 300,000.00	
		Replacement Fishing Pier	\$ 200,000.00	
		Paving	\$ 400,000.00	
		Primitive Hiking Trails	\$ 295,000.00	
	Etowah River Road Canoe Park	Canoe Launch	\$ 100,000.00	
Public Health	New Public Health Building	New construction of Public Health building	\$ 2,500,000.00	4.85%
Development Authority	Industrial Park Expansion	Industrial Park expansion and site improvements	\$ 2,000,000.00	3.88%
		Total Dawson County Projects Costs	\$ 45,320,000.00	
		Total City of Dawsonville Project Costs	\$ 6,180,000.00	
		Total SPLOST VII	\$ 60,000,000.00	

EXHIBIT “C”

City of Dawsonville SPLOST VII Project List			
Category	Project	Description	Cost Estimate
Roads, Streets, Bridges & Sidewalks	Deep patch repair, milling, repaving of:	Maple Street	\$2,000,000.00
	Deep patch repair, milling & repaving of:	Pearl Chambers Dr, Court, Way	
		Richmond Drive	
		Stegal Place	
		Stonewall subdivision	
		Rain Hill subdivision	
		Burt's Crossing I subdivision	
		Creekstone subdivision Phase I	
	Existing Asset Maintenance		
	Sidewalk Improvements		
	Intersection Improvements		
Land Acquisition	Land Acquisition for various needs	Water/Sewer Easements	\$ 485,000.00
		Farmer's Market expansion	
		Parking Improvements	
		Intersection improvements	
		Parking needs	
		Fargrounds	
		Road Improvements	
Water - Sewer Projects	Construct tertiary waste water plant	Expand sewage capacity	\$2,120,000.00
	Upgrade wells, Water Lines, Lift Stations		
Public Works Facilities & Equipment	Public Works vehicles & equipment	New and replacement	\$ 121,000.00
	Utility Departme vehicles & equipment	New and replacement	
Parks & Recreation	Main Street Park Phases III & IV	Construct picnic shelters	\$ 605,000.00
		Install fitness stations	
		Construct dog park	
		Construct disk golf course	
		Construct Amphitheater	
		Splash pad	
		Misc. trail/amenities	
		Construct maintenance facility	
		Construct bocce ball courts	
		Construct pickle ball facility	
Downtown Revitalization	Downtown Beautification	Street scapes, planters, etc.	\$ 304,000.00
	Additional Parking	Academy Avenue parking	
	Public Restroom	Downtown restroom	
City Hall Facilities	Building maintenance & improvements	Building Improvements	\$ 545,000.00
	Parking	Parking improvements	
TOTAL SPLOST VII			\$6,180,000.00