

**DAWSON COUNTY BOARD OF COMMISSIONERS
VOTING SESSION AGENDA - THURSDAY, OCTOBER 15, 2015
DAWSON COUNTY GOVERNMENT CENTER ASSEMBLY ROOM
6:00 PM**

A. ROLL CALL

B. OPENING PRESENTATION

[Farm](#) City Week Proclamation - Tammy Wood - Farm Bureau Insurance
Dawson County DUI DDC & Education Center - Misty Wegner

C. INVOCATION

D. PLEDGE OF ALLEGIANCE

E. ANNOUNCEMENTS

F. APPROVAL OF MINUTES

[Minutes](#) of the Voting Session held on October 1, 2015

G. APPROVAL OF AGENDA

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

I. ALCOHOL LICENSE

J. ZONING

1. ZA 15-05 - Dawson Marketplace has made a request for a Special Use Permit on behalf of Petco, Land Use Resolution, Article IV, Section 121-101.d for proposed use. The property is located at TMP 106-075-008. The property is zoned C-HB (Commercial Highway Business)

K. PUBLIC HEARING

L. UNFINISHED BUSINESS

1. Approval of Proposed FY 2016-2018 Budget (*Tabled from the October 1, 2015 Voting Session*)

[Click HERE for Proposed FY 2016-2018 Budget](#)

M. NEW BUSINESS

1. Presentation and Approval of Georgia Forestry Grant Application - Director of Emergency Services Billy Thurmond

N. ADJOURNMENT

O. PUBLIC COMMENT

Backup material for agenda item:

Farm City Week Proclamation - Tammy Wood - Farm Bureau Insurance



FARM-CITY®

FARM-CITY WEEK PROCLAMATION

Growing a Better Georgia

Georgia farmers and ranchers play a key role in providing food, clothing, shelter and fuel to our state, nation and the world by producing a bounty of agricultural products. To do this, they rely on essential partnerships with urban and suburban communities to supply, sell and deliver finished products. Rural and urban communities working together have made the most of our state's rich agricultural resources as they contribute to the health and wellbeing of our state, our country and to the strength of our economy.

During Farm-City Week in Georgia, we recognize the importance of this cooperative network. Agriculture contributes more than \$72.5 billion annually to Georgia's \$786.5 billion economic output. The 2013 total Farm Gate Value for the state was \$13.6 billion. One in seven Georgians work in agriculture, forestry or an agriculture-related field.

The agricultural industry provides us with food, clothing and shelter as well as fuel for our energy needs. As we welcome new opportunities for trade, the hard work and successful cooperation between farmers and city workers will continue to play a vital role in our state and nation's future.

Farm-City collaborations help maintain and improve our food and fiber supply and contribute to a better quality of life for our citizens. We commend the many Americans whose hard work and ingenuity reflect the true spirit of America and help to ensure a prosperous future for all.

This week, as we gather with family and friends around the Thanksgiving table, it is fitting that we count among our blessings the vital farm-city partnerships that have done so much to improve the quality of our lives.

Therefore, we do here proclaim November 20-26, 2015 as Farm-City Week in Georgia. We call upon citizens in rural and urban areas to acknowledge and celebrate the achievements of all those who, working together, produce and supply our community and nation with an abundance of agricultural products.

_____, Mayor _____, Chairman

City of _____ County Commissioners

This _____ day of _____, 2015 _____ County, Georgia

Witness:

_____, President



Backup material for agenda item:

Minutes of the Voting Session held on October 1, 2015

DAWSON COUNTY BOARD OF COMMISSIONERS
VOTING SESSION MINUTES – OCTOBER 1, 2015
DAWSON COUNTY GOVERNMENT CENTER ASSEMBLY ROOM
25 JUSTICE WAY, DAWSONVILLE
6:00PM

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

OPENING PRESENTATIONS:
Tiffany Davis – Dawson County Family Connection

INVOCATION: Chairman Berg

PLEDGE OF ALLEGIANCE: Chairman Berg

ANNOUNCEMENTS:

- Chairman Berg asked Michele Hester to provide an update regarding the recent Lake Lanier Shore Sweep. Ms. Hester announced that 33,000 pounds of trash had been collected at the 27th Annual Shore Sweep over the weekend.
- Chairman Berg asked Dawson County Humane Society President Carolyn Bowen to comment on “Pups in the Park” over the weekend. She stated that despite the drizzly weather, everyone seemed to enjoy the event.
- Chairman Berg announced that the Board of Commissioners Work Session scheduled for October 8th had been cancelled, but the Voting Session scheduled for October 15th would continue as planned.

APPROVAL OF MINUTES:

Motion passed 3-0 to approve the minutes from the Voting Session held on September 17, 2015 as written. Nix/Hamby- Commissioner Swafford abstained

APPROVAL OF THE AGENDA:

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

PUBLIC COMMENT:

None

ALCOHOL LICENSE HEARING:

None

ZONING:

None

UNFINISHED BUSINESS:

None

NEW BUSINESS:

Approval of Special Event Permit for Skeleton Scuttle 5K and Fright Night Fun Run

Motion passed unanimously to approve the Special Event Permit for Skeleton Scuttle 5K and Fright Night Fun Run. Nix/Fausett

Approval of REVISED Special Event Alcohol Permit for Chamber Reverse Raffle

Motion made to approve the REVISED Special Event Alcohol Permit for Chamber Reverse Raffle. Nix/Fausett

Motion denied 2-3. Chairman Berg and Commissioners Swafford and Hamby voted against the motion.

Approval of ACCG Defined Benefit Plan Update

Motion passed unanimously to approve the ACCG Defined Benefit Plan Update. Swafford/Hamby

Approval of KARE for Kids Parking Lot Use Agreement

Motion passed unanimously to approve the KARE for Kids Parking Lot Use Agreement. Nix/Hamby

Approval of 2015 IT Surplus Equipment

Motion passed unanimously to approve the 2015 IT Surplus Equipment List provided. Swafford/Nix

Approval of Audit Services RFP #255-15

Motion passed unanimously to award Bid #255-15 RFP Audit Services to the most responsive, responsible bidder Rushton & Company in the amount of \$239,050.00 for a period of five (5) years. Swafford/Hamby

Discussion of Dawson Village Way South – Estimate Summary

Motion passed unanimously to move forward with a lawsuit to have Dawson Village Way declared a public nuisance before spending any funds to repair it. Swafford/Hamby

Approval to move forward with public hearing on the Proposed FY 2016-2018 Budget

Motion passed unanimously to move forward with a public hearing on the Proposed FY 2016-2018 Budget. Nix/Fausett

PUBLIC HEARING:

Proposed FY 2016-2018 Budget (1st of 1 hearing)

Chairman Berg opened the hearing and asked if there was anyone present who wished to be heard on the matter of the proposed FY 2016-2018 Budget.

The following spoke in support of staffing Fire Station 3:

Charlie Tarver, 115 River Overlook Road, Dawsonville, Georgia

The following spoke in support of putting \$6,000.00 that had been removed from the Dawson County Humane Society budget back in.

Carolyn Bowen, President, Dawson County Humane Society, Dawsonville, Georgia

The following commented on the amount budgeted in the Board of Commissioners Food line item.

Jane Graves, 224 Park Cove Road, Dawsonville, Georgia

The following spoke in support of additional funds to be allocated to the Chamber for the purpose of installing a handicap lift at their office.

Christie Haynes, President, Dawson County Chamber of Commerce, 55 Pearl Chambers Drive, Dawsonville, Georgia

Chairman Berg asked if there was anyone else present who wished to speak on the proposed FY 2015-2017 Budget and hearing none, closed the hearing.

Motion passed unanimously to table the vote of the Proposed 2016-2018 budget until the October 15th Voting Session. Swafford/Hamby

EXECUTIVE SESSION:

Motion passed unanimously to go into Executive Session. Nix/Hamby

ADJOURNMENT:

PUBLIC COMMENT:

None

APPROVE:

ATTEST:

Mike Berg, Chairman

Danielle Yarbrough, County Clerk

Backup material for agenda item:

1. ZA 15-05 - Dawson Marketplace has made a request for a Special Use Permit on behalf of Petco, Land Use Resolution, Article IV, Section 121-101.d for proposed use. The property is located at TMP 106-075-008. The property is zoned C-HB (Commercial Highway Business)

DAWSON COUNTY REZONING APPLICATION

This portion to be completed by Zoning Administrator

ZA 15-05 Tax Map & Parcel # (TMP): 106-075-008
Submittal Date: 8-14-15 Time: 10:15 am/pm Received by: KM (staff initials)
Fees Assessed: 2500.00 Paid: CR# 13197 Commission District: _____
Planning Commission Meeting Date: 9-15-15
Board of Commissioners Meeting Date: 10-15-15

APPLICANT INFORMATION (or Authorized Representative)

Printed Name: Stephen E Spigel
Address: 3445 Peachtree Road Suite 465
Phone: Listed 404-262-7400 Email: Business Steve@hendsonproperties.ca
Unlisted _____ Personal _____
Status: [] Owner [] Authorized Agent [] Lessee [] Option to purchase

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

I have /have not _____ participated in a Pre-application meeting with Planning Staff.
If not, I agree _____ /disagree _____ to schedule a meeting the week following the submittal deadline.
Meeting Date: 8/13/15 Applicant Signature: _____

PROPERTY OWNER/PROPERTY INFORMATION

Name: BREC - Dawsonville, LLC
Street Address of Property being rezoned: Special use permit
Rezoning from: _____ to: _____ Total acreage being rezoned: _____
Directions to Property: SW corner GA 400 + Dawson Forest Road

Subdivision Name (if applicable): _____ Lot(s) #: _____

Current Use of Property: C-HB _____

ZA 98-16B
ZA 07-14
ZA 03-26

Any prior rezoning requests for property? if yes, please provide rezoning case #: ZA 00-09

04-34

***Please refer to Dawson County's Georgia 400 Corridor Guidelines and Maps to answer the following:

Does the plan lie within the Georgia 400 Corridor? yes (yes/no)

If yes, what section? _____

SURROUNDING PROPERTY ZONING CLASSIFICATION:

North C-HB South C-HB PRA East C-HB West C-HB P R-S

Access to the development will be provided from:

Road Name: _____ Type of Surface: _____

REQUESTED ACTION & DETAILS OF PROPOSED USE

[] Rezoning to: _____ [] Special Use Permit for: Petro

Proposed Use: As Attached

Existing Utilities: [] Water [] Sewer [] Gas [] Electric

Proposed Utilities: [] Water [] Sewer [] Gas [] Electric

RESIDENTIAL

No. of Lots: _____ Minimum Lot Size: _____ (acres) No. of Units: _____

Minimum Heated Floor Area: _____ sq. ft. Density/Acre: _____

Type: [] Apartments [] Condominiums [] Townhomes [] Single-family [] Other

Is an Amenity Area proposed: _____; if yes, what? _____

COMMERCIAL & INDUSTRIAL

Building area: _____ No. of Parking Spaces: _____

APPLICANT CERTIFICATION



I hereby request the action contained within this application relative to the property shown on the attached plats and site plan and further request that this item be placed on both the Planning Commission and Board of Commissioners agenda(s) for a public hearing.

I understand that the Planning & Development staff may either accept or reject my request upon review. My request will be rejected if all the necessary data is not presented.

I understand that I have the obligation to present all data necessary and required by statute to enable the Planning Commission and the Board of Commissioners to make an informed determination on my request. I will seek the advice of an attorney if I am not familiar with the zoning and land use requirements.

I understand that my request will be acted upon at the Planning Commission and Board of Commissioner hearings and that I am required to be present or to be represented by someone able to present all facts. I understand that failure to appear at a public hearing may result in the postponement or denial of my rezoning of special use application. I further understand that it is my responsibility to be aware of relevant public hearing dates and times regardless of notification from Dawson County.

I hereby certify that I have read the above and that the above information as well as the attached information is true and correct.

Signature 	Date <u>8/13/15</u>
Witness 	Date <u>8/13/15</u>

WITHDRAWAL

Notice: This section only to be completed if application is being withdrawn.

I hereby withdraw application # _____

Signature _____ Date _____

Withdrawal of Application:

Withdrawals of any application may be accommodated within the Planning & Development Department if requested before the Planning Commission agenda is set. Therefore, withdrawals may not be made after ten (10) days prior to the scheduled Planning Commission meeting hearing, unless accompanied by written request stating specific reasons for withdrawal. This withdrawal request is to be published in the legal organ prior to the meeting. Following the written request and publication the Planning Commission will vote to remove the item from the agenda at the scheduled hearing. Please note that should the withdrawal be denied, the item will receive deliberation and public hearing with a decision by the Planning Commission. Further, the applicant is encouraged to be present at the hearing to substantiate reasons for withdrawal. Please note that no refund of application fees may be made unless directed by the Board of Commissioners.

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

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

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

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

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

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

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

Executed in Atlanta (city), GA (state)
[Signature] Date 8/13/15
Signature of Applicant
Stephen E Spigel Name of Business Hendon Properties
Printed Name

SUBSCRIBED AND SWORN BEFORE ME ON
THIS 13th DAY OF August, 2015
[Signature] Notary Public
My Commission Expires: OCTOBER 6, 2018



{Notary Seal}

PROPERTY OWNER AUTHORIZATION

I/we, PARKER G. BRANCHARD (BREC-Dawsonville, Ga), hereby swear that I/we own the property located at (fill in address and/or tax map & parcel #):

as shown in the tax maps and/or deed records of Dawson County, Georgia, and which parcel will be affected by this request.

I hereby authorize the person named below to act as the applicant or agent in pursuit of the rezoning requested on this property. I understand that any rezone granted, and/or conditions or stipulations placed on the property will be binding upon the property regardless of ownership. The under signer below is authorized to make this application. The under signer is aware that no application or reapplication affecting the same land shall be acted upon within six (6) months from the date of the last action by the Board of Commissioners.

Printed Name of applicant or agent: Steph E Spigel
Signature of applicant or agent: [Signature] Date: 8/13/15

Printed Name of Owner(s): PARKER G. BRANCHARD
Signature of Owner(s): [Signature] Date: _____
Mailing address: 2964 Peachtree Rd # 35D
City, State, Zip: ATL, GA 30305
Telephone Number: Listed 404.842.5591
Unlisted _____

Sworn and subscribed before me this 13th day of August, 2015.

[Signature]
Notary Public

My Commission Expires: OCTOBER 6, 2018



{Notary Seal}

(The complete names of all owners must be listed; if the owner is a partnership, the names of all partners must be listed; if a joint venture, the names of all members must be listed. If a separate sheet is needed to list all names, please identify as applicant or owner and have the additional sheet notarized also.)

August 14, 2015

Ms. Rachel Burton
Dawson County
Director of Planning and Development
25 Justice Way
Suite 2322
Dawsonville, GA 30534

Re: Letter of Intent -Special use Permit Application for Petco – Dawson Marketplace Shopping Center

Dear Ms. Burton:

We are requesting a Special Use Permit for Petco a national chain of Pet supply stores. Petco currently operates over 1400 stores in the United States, Mexico and Puerto Rico. Petco is requesting a special use permit in order to operate this location as it operates its other large format stores. This would include the sale of pet food, pet supplies, live animals, pet grooming, pet training, animal adoptions, veterinary services and related goods and services at Dawson Marketplace.

Subject to the attached “**Reservation of Constitutional Rights**” we respectfully request the approval of the board, to allow this use at the center.

Sincerely,
BREC – Dawsonville, LLC



Stephen E. Spiegel,

CC: Charlie Hendon
Attachment – Reservation of Constitutional Rights

RESERVATION OF CONSTITUTIONAL RIGHTS:

The refusal to approve the Special Use Permit requested will result in a taking of the Applicant's valuable property rights in violation of the just compensation clause of the Constitution of Georgia 1983, Article 1, Section 3, Paragraph 1 and the Just Compensation Clause of the Fifth Amendment to the United States Constitution. Further such refusal to approve the requested application discriminates in an arbitrary, unreasonable, capricious and unconstitutional manner between the applicant and owners of similarly situated property in violation of Article 1 Paragraph 2 of the Constitution of the State of Georgia and in violation of the Equal Protection Clause of the 14th Amendment to the United States Constitution. Refusal of the Applicant's request would constitute a gross abuse of discretion and a violation of the Applicant's rights to substantial and procedural due process as guaranteed by the Constitution of the State of Georgia 1983, Article 1, Section 1, Paragraph 1 as well as the Fifth Fourteen Amendments to the United States Constitution.

Any approval of this application subject to conditions which are different from the conditions requested by the Applicant, to the extent such different conditions would have the effect of further restricting the Applicant's utilization of the subject property in a manner consistent with the application would also constitute an arbitrary, capricious and discriminatory act and would likewise violate each of the provisions of the State and U. S. Constitutions set forth hereinabove and would result in a real, substantial and significantly detrimental hardship to the Applicant without any corresponding public benefit or legitimate connection to public health safety or general welfare. The community at large will not be affected by the approval of the zoning changes requested.



August 11, 2015

Matt Wilson
Wilson Development Group
2964 Peachtree Road, Ste. 350
Atlanta, GA 30305

Re: Potable Water & Sanitary Sewer Availability
TMP: 106.075.008, 107.318, 114.015, 114.024 & 114.025
13th District, 1st Section, LLs: 371, 372, 407, 408, 409, 432, 433, 434
Proposed Blanchard Real Estate Retail Development

Dear Mr. Wilson,

Regarding the property referenced above, capacity is available for potable water and sanitary sewer service. Water and sewer capacity must be purchased for the property based on the Authority's standards and formulas for the planned property use at the prevailing rate. The property developer and/or owner must fund all costs associated with extending and/or upgrading the existing infrastructure to service the property and future development. All infrastructure extensions and upgrades must be designed and built in accordance with the Authority's most recent specifications.

Please feel free to contact me at your convenience if any further information is needed.

Sincerely,

John V. Cronan
Systems Coordinator

EXCELLENCE INTEGRITY STEWARDSHIP COMMITMENT EFFICIENCY VISION

P.O. Box 769 • 1162 Highway 53 East • Dawsonville, GA 30534 • Tel: (706) 216-8474 • Fax (706) 216-6170 • www.etowahwater.org



DAWSON COUNTY BOARD OF COMMISSIONERS Planning and Development

August 13, 2015

Mr. Matt Wilson
Principal
Wilson Development Group
2964 Peachtree Road - Suite 350
Atlanta, GA 30305

Dear Mr. Wilson:

In connection with the Property, I hereby certify and represent the following statements are true as of the date of this letter:

TAX MAP & PARCEL: 106-075-008, 114-015, 114-024, 114-025 & 107-318

LOCATION: 343 Gordon Moss Road, 127 Gordon Moss Road, 175 Gordon Moss Road, and 1224 Hwy. 400 South (all located in Dawsonville, GA)

ZONING: C-HB (Commercial Highway Business)

The said Property is within the Dawson County commercial zoning district and exempt from minor subdivision plat specifications per Article V, Section 133-115 of the Dawson County Subdivision Regulations.

The following has been cut and pasted from the Dawson County Subdivision Regulations:

Sec. 133-115. - Minor subdivision plat specifications (not applicable to commercial/industrial districts).

(a) Purpose and intent. It is intended that the subdivision process comply with this section to allow for subdivision of land up to five lots. It is the intent of the board of commissioners to prohibit the practice of "chain" subdivisions where the same or related landowners seek to subdivide consecutive and/or contiguous minor subdivisions to avoid the requirements of a major subdivision. It is also the intent of the board of commissioners to prohibit minor subdivisions adjacent to each other within a five-year period if the original tract of land is owned by another person or entity and was transferred or sold to circumvent the major subdivision requirements. The planning and development director and public works director have the discretion to require a major subdivision plat if a minor subdivision plat does not conform with the purposes and intent of the minor subdivision plat specifications.

(b) General requirements. The minor subdivision plat shall conform to all applicable regulations regarding subdivision of land and the Dawson County Minor Subdivision Plat Review Checklist in addition to the following requirements:

- (1) No more than five lots will be created from the parent tract within a five-year period.
- (2) Minimum lot size shall be regulated according to the Land Use Resolution (chapter 121 of this Code).
- (3) Extension of common driveways onto adjacent tracts beyond the subdivision of a maximum of five lots will not be allowed.

Planning

Zoning

Code Enforcement

GIS

Building Permits
and
Inspections

Business Licenses

Alcohol Licenses

Soil Erosion

Dawson County
Government Center
25 Justice Way
Suite 2322
Dawsonville, GA 30534
Phone 706-344-3500
ext. 42337
Fax 706-531-2726



Planning

Zoning

Code Enforcement

GIS

Building Permits
and
Inspections

Business Licenses

Alcohol Licenses

Soil Erosion

(4) No further subdivision will be allowed within five years of the approval of the minor subdivision plat.

(5) Dawson County Public Works reserves the right to require the applicant to submit a stormwater management plan with the minor subdivision plan.

(6) Common driveways shall be centered in a 30-foot-wide access and utility easement.

(7) Submittal, review, approval and recording of a minor subdivision plat shall be in accordance with the procedures for a final plat contained in sections [133-111](#) through [133-114](#).

(c) General plat and plan appearance. The Georgia Plat Act (O.C.G.A. § 15-6-67) and Dawson County Minor Subdivision Plat Review Checklist shall govern the appearance and size of the documents.

(d) Access. Access to minor subdivisions may be provided by either existing public streets or a common private driveway. Profiles of common private driveways will be required to be submitted with the minor subdivision plat.

(e) Flag lots. No more than two flag lots shall adjoin one another. The "pole" portion of the flag lot shall be a minimum of 30 feet wide for its entire length. Multiple individual driveways are discouraged. One common private driveway is preferred to serve multiple lots. No two "flag" portions of the lot shall be contiguous.

(f) Maintenance of common elements. The common private driveway and all other common elements of the minor subdivision shall be owned and maintained by a mandatory property owners' association. Dawson County will not be responsible for maintenance of common private driveways or other common elements. The minor subdivision plat shall contain the following note in large bold letters: "The Common Private Driveway shown on this plat is the responsibility of the property owners' association or property owner. Dawson County will not maintain the Common Private Driveway."

(Ord. of 8-19-2010, § 504)

END OF CUT & PASTE

Sincerely,

Rachel Burton, RLA
Director

Dawson County
Government Center
25 Justice Way
Suite 2322
Dawsonville, GA 30534
Phone 706-344-3500
ext. 42337
Fax 706-531-2726

Official Tax Receipt
Dawson County
 25 Justice Way, Suite 1222
 Dawsonville, GA 30534
 --Online Receipt--

Trans No	Property ID / District Description	Original Due	Interest & Penalty	Prev Paid	Amount Due	Amount Paid	Transaction Balance
2014 - 1547	107 318 / 001 LL 432 433 LD 13-S FMV: \$1,361,600.00	\$13,879.60	\$0.00 Fees: \$0.00 \$0.00		\$13,879.60	\$13,879.60	\$0.00 Current Due: \$0.00
	Totals:	\$13,879.60	\$0.00		\$13,879.60	\$13,879.60	\$0.00

Paid Date: 11/13/2014

Charge Amt: \$13,879.60

BREC-DAWSONVILLE LLC
 C/O BLANCHARD REAL ESTATE CAPITAL
 2964 PEACHTREE RD NW
 STE 750
 ATLANTA, GA 30305



Official Tax Receipt
Dawson County
 25 Justice Way, Suite 1222
 Dawsonville, GA 30534
 --Online Receipt--

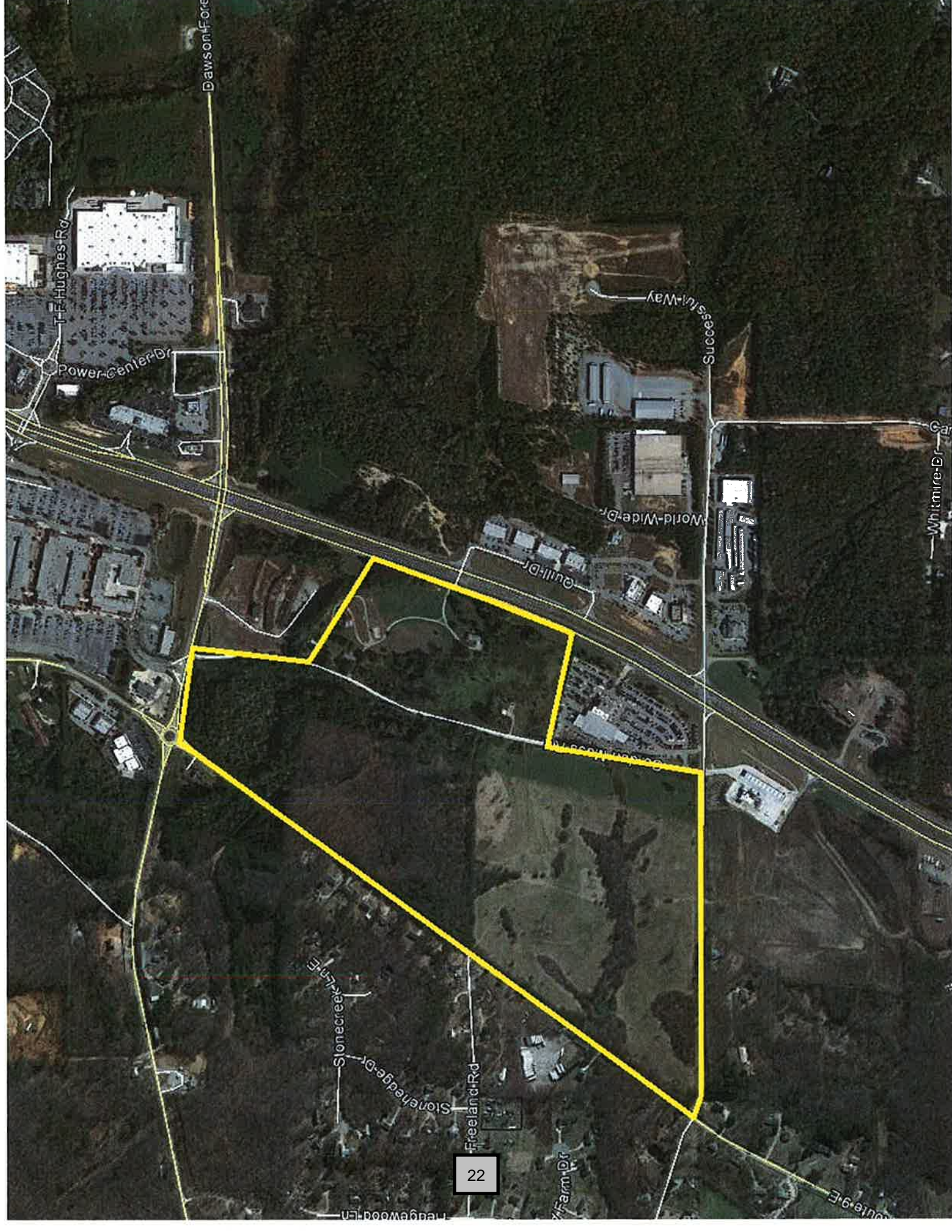
Trans No	Property ID / District Description	Original Due	Interest & Penalty	Prev Paid	Amount Due	Amount Paid	Transaction Balance
2014 - 1546	106 075 008 / 001 LL 371 372 408 409 432 433 434 FMV: \$2,338,400.00	\$23,836.72	\$0.00 Fees: \$0.00 \$0.00		\$23,836.72	\$23,836.72	\$0.00 Current Due: \$0.00
	Totals:	\$23,836.72	\$0.00		\$23,836.72	\$23,836.72	\$0.00

Paid Date: 11/13/2014

Charge Amt: \$23,836.72

BREC- DAWSONVILLE LLC
 C/O BLANCHARD REALESATE CAPITAL
 2964 PEACHTREE RD NW
 STE 750
 ATLANTA, GA 30305





DAWSON COUNTY PLANNING COMMISSION MEMORANDUM

DATE: SEPTEMBER 10, 2015

TO: DAWSON COUNTY PLANNING COMMISSION

FROM: RACHEL BURTON, PLANNING AND DEVELOPMENT DIRECTOR

MEETING: SEPTEMBER 15, 2015 @ 6:00 P.M. – DAWSON COUNTY GOVERNMENT CENTER,
ASSEMBLY ROOM 2303

CASE #: ZA 15-05

APPLICANT: Stephen E. Spiegel on behalf of Petco

STATUS OF APPLICANT: Authorized Agent

SITE LOCATION: 343 Gordon Moss Road (TMP 106-075-008, 114-015, 114-024, 114-025
and 107-318)

COMMISSION POST: 4

REQUESTED ACTION: Special Use Permit

PROPOSED USES: Commercial Retail

SURROUNDING ZONING DISTRICTS: North – C-HB (Commercial Highway Business)
South – C-HB (Commercial Highway Business) & R-A (Residential Agricultural)
East – C-HB (Commercial Highway Business)
West – C-HB (Commercial Highway Business), RS (Residential Suburban), R-A (Residential Agricultural), C-IR (Commercial Industrial Restricted)

SURROUNDING LAND USES: North – Commercial Retail (North Georgia Premium Outlet Mall)
South – Commercial Retail (John Megel Chevrolet and Racetrac)
East – Commercial Retail (new Commercial Development)
West – Single Family Residential and Commercial Business

FLUP CLASSIFICATION: Commercial Highway Business

SUBJECT PROPERTY HISTORY: ZA 14-05: TMP 114-015, 114-024, 114-025 rezoned from R-A to C-HB in 2014
ZA 07-14: TMP 106-075SP rezoned from R-A to C-IR to C-HB in 2007
ZA 98-08: TMP 114-024 rezoned from R-A to C-IR in 1998
ZA 08-03: TMP 114-025 pending rezoning based on DRI comments in 2008 from R-1 to C-PCD

ACCESS:

GA Hwy 400, Lumpkin Campground Road, Dawson Forest Road, Gordon Moss Road and Whitmire Road

ANALYSIS AND COMMENTS:

The subject property consists of approximately 96.68 acres. The property previously was used for single family residences and undeveloped land. In 2007 and 2014 the property was rezoned from R-A to C-HB.

The 2033 Comprehensive Plan Future Land Use Map recommends the property be Commercial Highway.

The applicant has notified Dawson County in the letter of intent that he intends to open a Petco store to include the sale of pet food, pet supplies, live animals, pet grooming, pet training, animal adoptions, veterinary services and related goods and services at the proposed Dawson Marketplace.

The following observations should be noted with respect to this request:

A. The existing uses and classification of nearby property.

The adjacent properties surrounding the subject property are zoned C-HB with proposed commercial businesses.

B. The extent to which property values are diminished by the particular land use classification.

The Future Land Use Plan (FLUP) currently recognizes Commercial Highway for the subject property. Property values would not be diminished by the proposed special permit use.

C. The extent to which the destruction of property values of the applicant promotes the health, safety, morals, or general welfare of the public.

The allowance of the special permit would be in keeping with the welfare of the community and promote the health, safety, morals and general welfare of the public interest.

D. The relative gain to the public, as compared to the hardship imposed upon the individual property owner.

This business would further diversify the commercial uses within Dawson County.

E. The suitability of the subject property for the proposed land use classification.

The subject property is suitable for the proposed special use permit within the C-HB zoning district.

F. The length of time the property has been vacant under the present classification, considered in the context of land development in the area in the vicinity of the property.

The subject property has previously been vacant, however recently the property was approved for future commercial development.

G. The specific, unusual, or unique facts of each case, which give rise to special hardships, incurred by the applicant and/or surrounding property owners.

The proposed development is suitable for the proposed special use permit for the Petco business.

Photographs:





Zoning signs on subject property.

Pertinent County Departments have provided the following comments regarding the proposed development:

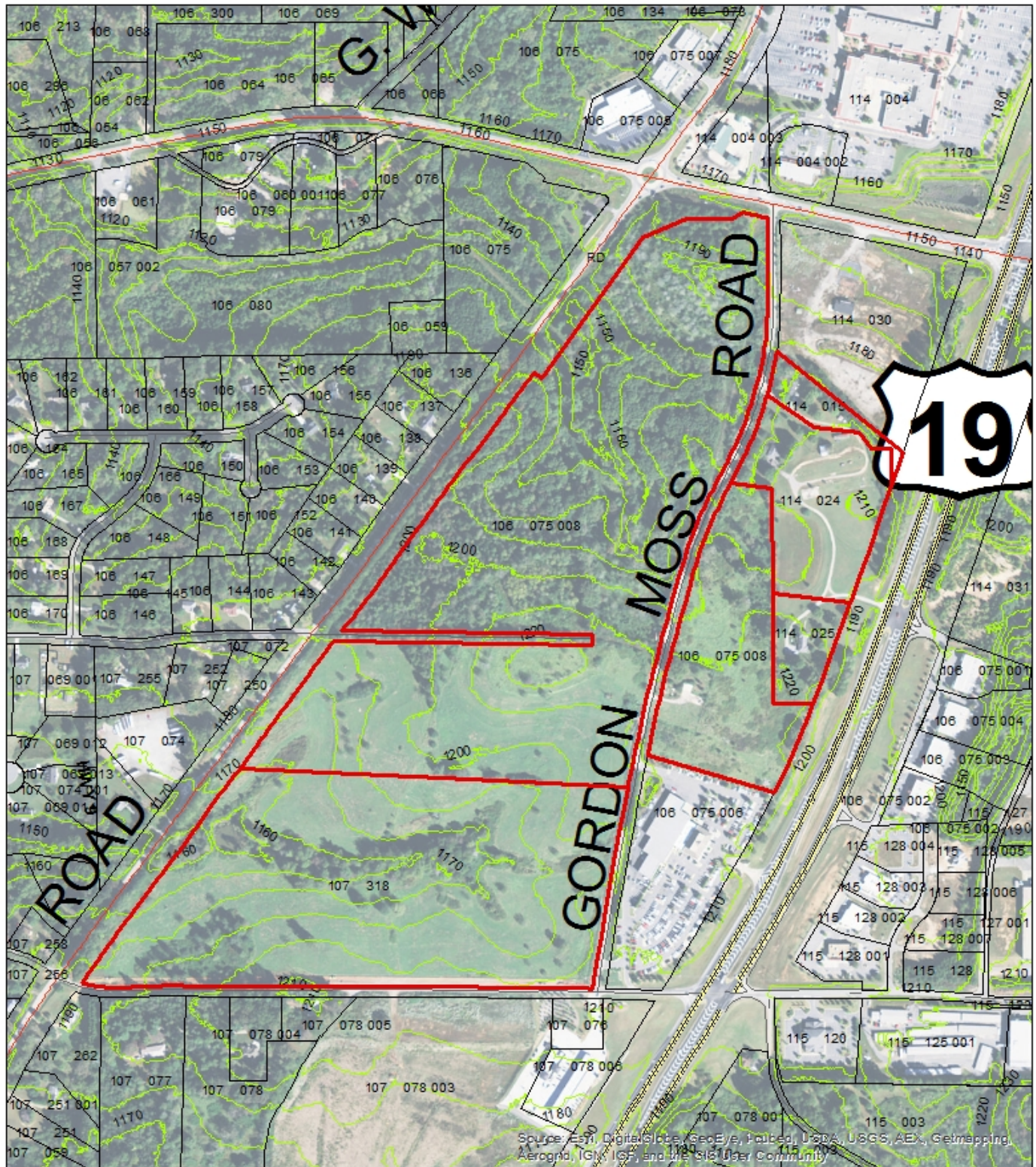
- a) **Engineering Department** – No comments necessary.
- b) **Environmental Health Department** – No comments necessary.
- c) **Emergency Services** – No comments necessary.
- d) **Etowah Water & Sewer Authority** – No comments necessary.
- e) **Dawson County Sheriff's Office** – No comments necessary.
- f) **Board of Education** – No comments necessary.
- g) **Georgia Department of Transportation** – No comments necessary.

Recommendation

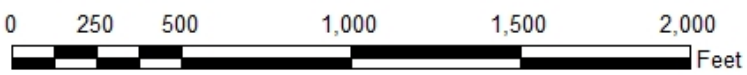
Staff has reviewed the application for the special use permit for the subject property. Based on the information provided and the surrounding uses staff recommends **APPROVAL** of the special use permit for the proposed Petco to allow for the proposed uses as applied.

cc: Dawson County Board of Commissioners
Cindy Campbell, County Manager
Joey Homans, County Attorney
Danielle Yarborough, County Clerk

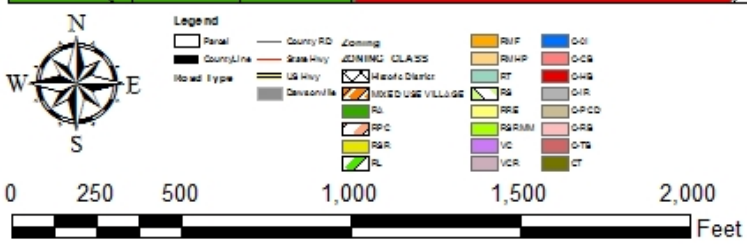
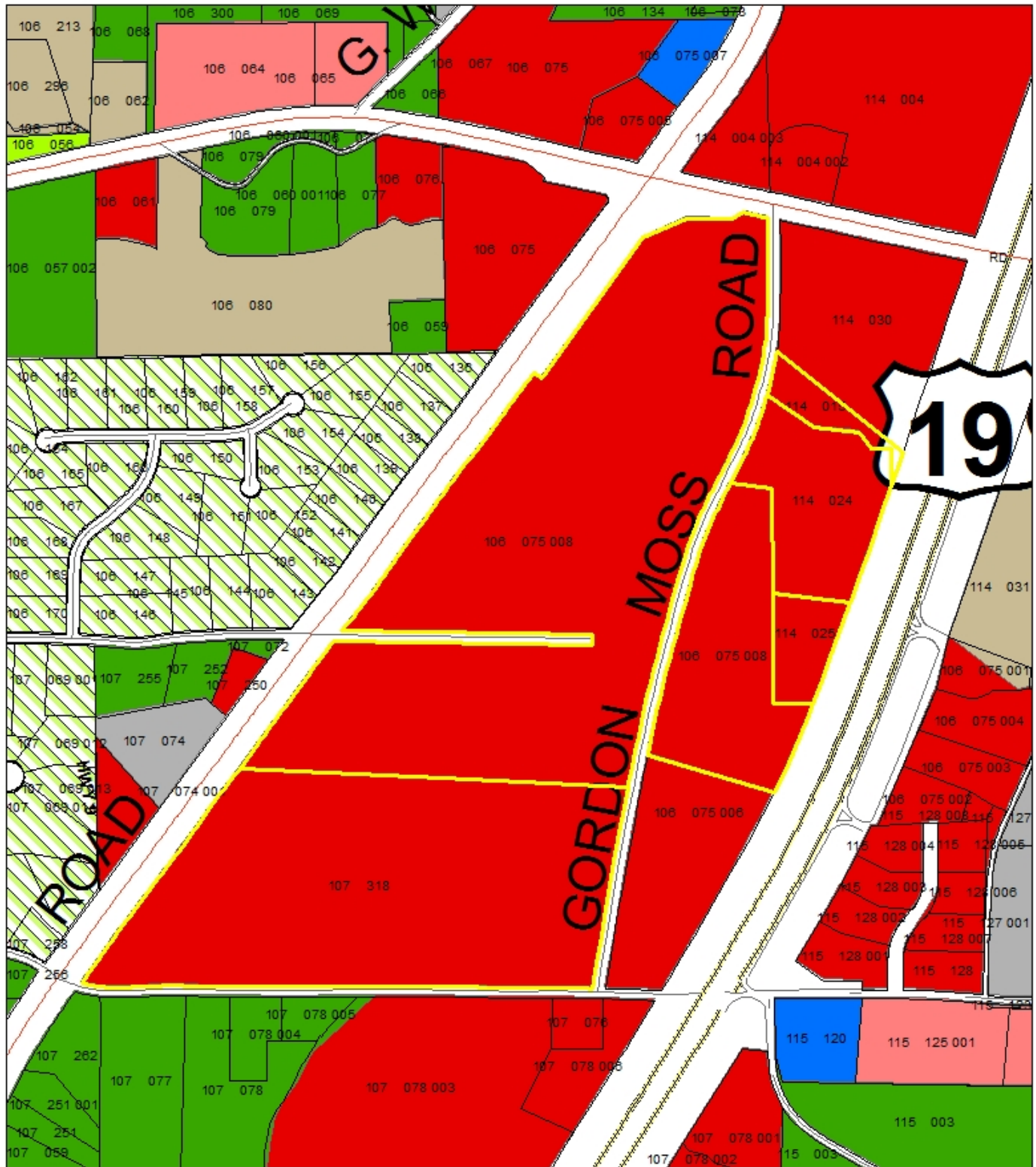
Attachments: Maps



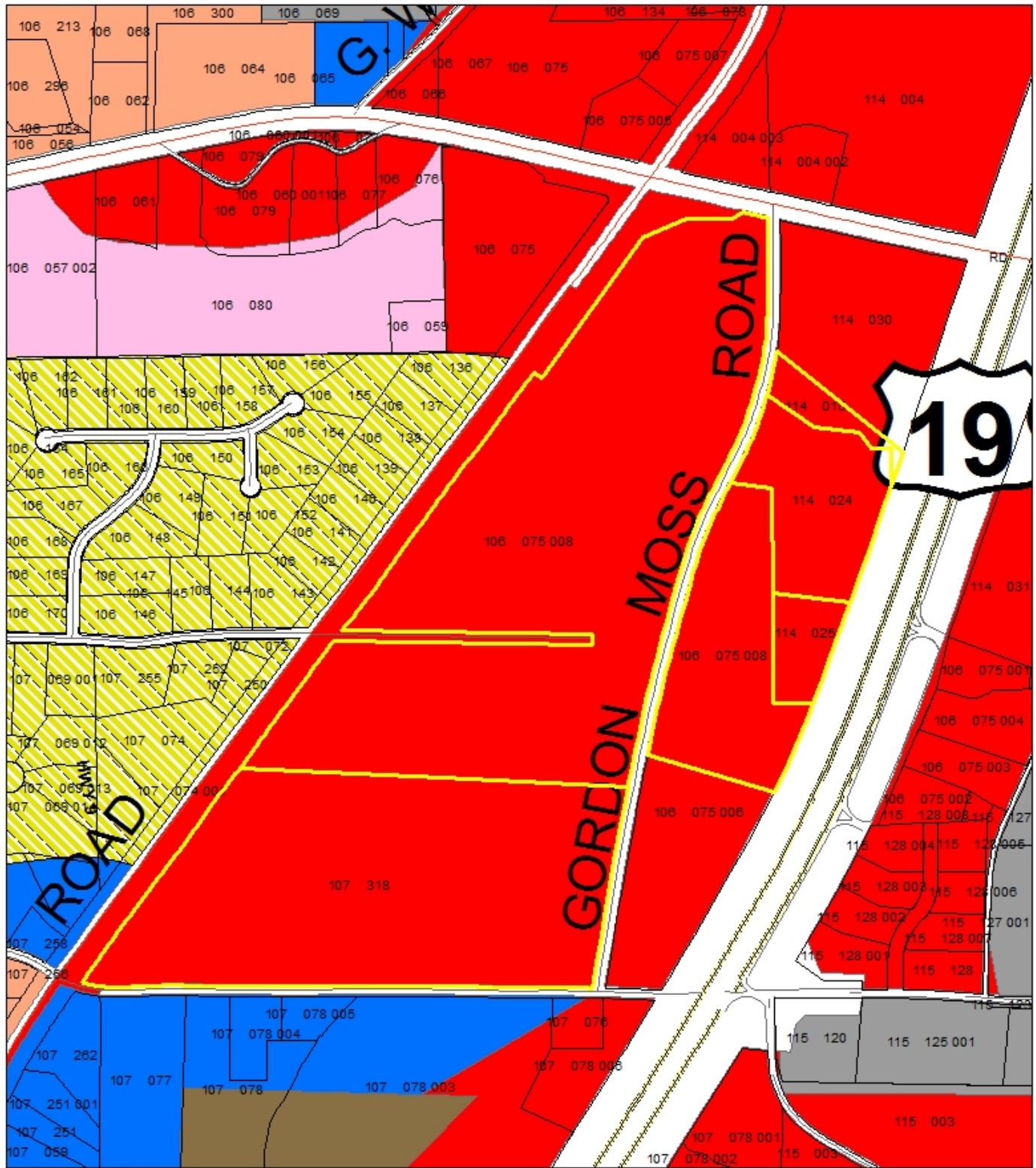
- Legend**
- Parcel
 - County Line
 - Road Type
 - County RD
 - State Hwy
 - US Hwy
 - Devonville
 - 10' Contours



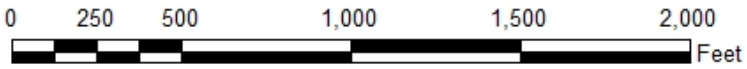
VR 15-16 Aerial w/Topo



VR 15-16 Existing Zoning



Legend		Future Land Use	Transportation/Communication/Utilities
Parcel	County RD	Lakefront Residential	Transportation/Communication/Utilities
County Line	State Hwy	Commercial - Highway	Agriculture
Road Type	US Hwy	Commercial - Retail	Park/Recreation/Conservation
Division	Division	Office/Professional	Water
		Public/Institutional	Water Supply Protection Line
		Light Industrial	
		Future Land Use	
		Urban Residential	
		Rural Residential	
		Sub-Rural Residential	
		Suburban Residential	
		Planned Residential Community	
		Open Residential	
		Multiple-Family Residential	



VR 15-16 Future Land Use

Backup material for agenda item:

1. Approval of Proposed FY 2016-2018 Budget (*Tabled from the October 1, 2015 Voting Session*)

[Click HERE for Proposed FY 2016-2018 Budget](#)



DAWSON COUNTY BOARD OF COMMISSIONERS AGENDA REQUEST

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

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

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

Department: Board of Commissioners

Presenter: Mike Berg

Submitted By: Dena Bosten on behalf of Mike Berg

Date Submitted: 9/15/2015

Item of Business/Agenda Title: Presentation of Proposed FY 2016-2018 Budget

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

THE ITEM IS FOR:

Work Session presentation only
(no action needed)

OR **Commission Action Needed.**

Is there a deadline on this item? If so, Explain: Budget must be adopted one month prior to beginning of fiscal year

Purpose of Request: Adopt annual budget

Department Recommendation: Adopt budget as presented

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

Yes Explanation/ Additional Information: _____

No

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

Yes Explanation/ Additional Information: _____

No

Amount Requested: _____ Amount Budgeted: _____

Fund Name and Account Number: _____

Administration Staff Authorization

Dept. Head Authorization: _____ Date: _____

Finance Dept. Authorization: Dena Bosten Date: 9/15/2015

County Manager Authorization: CINDY CAMPBELL Work Session Date: 9/24/2015

Comments: _____

Attachments: _____

Backup material for agenda item:

1. Presentation and Approval of Georgia Forestry Grant Application - Director of Emergency Services Billy Thurmond



DAWSON COUNTY BOARD OF COMMISSIONERS AGENDA REQUEST

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

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

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

Department: ESA

Presenter: Billy Thurmond

Submitted By: Billy Thurmond

Date Submitted: 10-02-2015

Item of Business/Agenda Title: Ga. Forestry Commission Grant

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

THE ITEM IS FOR:

Work Session presentation only
(no action needed)

OR **Commission Action Needed.**

Is there a deadline on this item? If so, Explain: October 30, 2015 is application deadline

Purpose of Request: To apply for a 50-50 match grant to purchase 4 sets of wild land personal protective equipment at a total cost of \$3400.00. Ga. Forestry Commission \$1700.00 County \$1700.00. County match funds would come from 2016 fire budget.

Department Recommendation: BOC approval to apply for GFC grant

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

Yes Explanation/ Additional Information: _____

No

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

Yes Explanation/ Additional Information: Amount budgeted is included in the FY 2016 proposed fire budget.

No

Amount Requested: \$1,700.00 match Amount Budgeted: \$27,500 proposed FY 2016 budget (100-00-3500-531700-000)

Fund Name and Account Number: 250-00-3920-XXXXXX-000

Administration Staff Authorization

Dept. Head Authorization: Billy Thurmond Date: 10-02-2015

Finance Dept. Authorization: Dena Bosten Date: 10-09-2015

County Manager Authorization: CINDY CAMPBELL Work Session Date: 10/15/2015

Comments: _____

Attachments: Grant Application, Grant narrative Grant announcement letter Federal documents, Executive summary Agenda item



DAWSON COUNTY BOARD OF COMMISSIONERS
EXECUTIVE SUMMARY

SUBJECT: Ga. Forestry Commission Grant

DATE: 10-02-2015

- RECOMMENDATION**
- POLICY DISCUSSION**
- STATUS REPORT**
- OTHER**

BUDGET INFORMATION:
ANNUAL-
CAPITAL-

COMMISSION ACTION REQUESTED ON: Approval to apply for Ga. Forestry Commission Grant

PURPOSE: If approved the grant would be used to purchase 4 sets of wild land personal protective equipment for our current and future certified wild land firefighting personnel

HISTORY: Currently we have 6 certified wild land personnel

FACTS AND ISSUES: Each set of gear is approximately \$850.00 Total request will be \$3400.00. 50/50 match GFC \$1700.00 county match \$1700.00 out of 2016 fire budget

OPTIONS: Fund gear from county fire budget only

RECOMMENDED SAMPLE MOTION: BOC approval to apply for matching Ga. Forestry Commission grant to purchase wild land gear.

DEPARTMENT:

Prepared by: Billy Thurmond

Director Billy Thurmond



**GEORGIA FORESTRY COMMISSION VOLUNTEER FIRE ASSISTANCE
GRANT APPLICATION**

Name of Community Organization Dawson County Emergency Services

*Federal ID Number 58-6011882

COMMUNITY CONTACT INFORMATION

Contact Name: Lanier Swafford

Address: 393 Memory Lane

City: Dawsonville Zip Code: 30534 County: Dawson

Phone (primary): 706-344-3666 ext 226 Phone (other): 678-776-4436

Email: lswafford@dawsoncounty.org Fax: 706-344-3669

Fire Department: Dawson County

Fire Chief: Lanier Swafford Phone: 706-344-3666

Is the community in question bordered by any federally controlled land, such as a national park or forest? yes US forest land If not, how close is the nearest one? _____ miles

Other Community Contacts:

Name	Title	Phone
Billy Thurmond	Director	706-344-3666
Mike Berg	Chairman	706-344-3501

*If the community applying for grant money does not have a Federal ID number, the community will need to apply for one by going to <http://www.irs.gov/index.html>

PROJECT DESCRIPTION

We are applying for a Georgia Forestry Volunteer Fire Assistance Grant to:

purchase 4 sets of wild land PPE to supplement our departments ability to fight wild land fires. Each set will cost \$850.00 for a total of \$3400.00. GFC \$1700.00 County \$1700.00

Please attach a short narrative on the situation(s) you want to mitigate and your expected results from completing this project. Include a timeline for completion, who is responsible, amount being requested, and measures of project accomplishments.

Estimated time it will take to complete this project: one Month(s)

Anticipated date to start this project 01-02-2016

Anticipated date the project will be finished 02-15-2016

Please attach a proposed timeline with milestones that need to be reached. All local governing bodies and authorities, if applicable, must approve all projects. Attach letters of approval as needed.

Authorized signature: _____ Date: _____

Position: Chairman Dawson County BOC

Other signatures, as required by the community:

Authorized signature: _____ Date: _____

Position: _____

Authorized signature: _____ Date: _____

Position: _____

Authorized signature: _____ Date: _____

Position: _____

Return completed application to:

Mark Millirons
GA Forestry Commission RFD
5645 Riggins Mill Rd
Dry Branch, GA 31020
Phone: 478-751-3504 Fax: 478-314-6668

RFD Staff Only

GRANT # _____ CONTACT _____

AMOUNT OF AWARD RECEIVED _____

APPROVAL SIGNATURE _____

APPENDIX A

AGREEMENT ADDENDUM

FFATA (Federal Funding Accountability and Transparency Act)

The Federal Funding Accountability and Transparency Act (FFATA) was signed on September 26, 2006. The intent is to empower every American with the ability to hold the government accountable for each spending decision. The end result is to reduce wasteful spending in the government. The FFATA legislation requires information on federal awards (federal financial assistance and expenditures) be made available to the public via a single, searchable website. Federal awards include grants, sub grants, loans, awards, cooperative agreements and other forms of financial assistance as well as contracts, subcontracts, purchase orders, task orders, and delivery orders. The legislation does not require inclusion of individual transactions below \$25,000 or credit card transactions before October 1, 2008.

Definitions

A. "FFATA funds" means funds expended or obligated from appropriations The Federal Funding Accountability and Transparency Act.

B. "Contractor" is defined as any person, including, but not limited to, a bidder, offertory, loan recipient, grantee, or sub-grantee, who has furnished or seeks to furnish goods, supplies, services, or leased space, or who has performed or seeks to perform construction activity under contract, subcontract, grant, or sub-grant with the Georgia Forestry Commission, or with a person under contract, subcontract, grant, or sub-grant with the Georgia Forestry Commission. The term contractor may include a permit, licensee, or any agency, political subdivision, instrumentality, public authority, or other entity of the Georgia Forestry Commission.

FFATA Terms & Conditions

1. **Revisions to Requirements.** Contractor acknowledges that this Addendum may be revised pursuant to ongoing guidance from the relevant Federal agency or Georgia Forestry Commission regarding requirements for FFATA funds. Contractor agrees to abide by any such revisions upon receipt of written notification from the Georgia Forestry Commission of the revisions, which will automatically

become a material part of this Addendum, without the necessity of either party executing any further instrument.

2. **Reporting Requirements** – To meet the reporting requirements of FFATA and ensure transparency and accountability in the use of funds provided through FFATA. Activities carried out and results achieved with FFATA funds will be tracked carefully, reported clearly and quantifiably.

In an effort to meet this requirement, all project information will be reported by GFC at www.fsr.gov/

Contractors will be responsible for submitting the attached financial and management reports once the contract is signed to Georgia Forestry Commission, Attn: Lee Brown, P. O. Box 819, Macon, GA 31202-0819 within 5 business days.

Detailed information on any subcontracts or sub-grants awarded by the Contractor must include the data elements required to comply with the Federal Funding Accountability and Transparency Act of 2006 (Public Law 109–282), allowing aggregate reporting on awards below \$25,000 or to individuals, as prescribed by the Director of the Office of Management and Budget;

Contractor may be required to submit backup documentation for expenditures of FFATA funds including such items as timecards and invoices. Contractor shall provide copies of backup documentation at the request of the Georgia Forestry Commission upon.

3. **Registrations and Identification Information**

(a) Contractor must maintain current registrations in the Center Contractor Registration (www.ccr.gov) at all times during which they have active federal awards funded with FFATA funds. A Dun and Bradstreet Data Universal Numbering System (DUNS) Number (www.dnb.com) is one of the requirements for registration in the Central Contractor Registration.

(b) If applicable, the Contractor agrees to separately identify to each sub-contractor and document at the time of award of contract or approval of application and at the time of disbursement of funds, the Federal award number, CFDA number, and amount of FFATA funds.

4. **Flow Down Requirement.** Contractor must include these FFATA Terms and Conditions in any sub-contract, sub-grants, loans and cooperative agreements.

5. Prohibition on Use of Funds. FFATA Section 1604 states no FFATA funds may be used for any casino or other gambling establishment, aquarium, zoo, golf course, or swimming pool, or any other items prohibited by FFATA.

6. Wage Rate Requirements. FFATA requires that all laborers employed by contractors and subcontractors on projects funded directly by or assisted in whole or in part by and through the Federal Government pursuant to FFATA shall be paid wages at rates not less than those prevailing on projects of a character similar in the locality as determined by the U.S. Secretary of Labor in accordance with subchapter IV of chapter 31 of title 40, United States Code (Davis-Bacon Act). Will comply with the Copeland Act (40 U.S.C. Section 276C and 18 U.S.C. Section 874) and the Contract Work Hours and Safety Standards Act (40 U.S.C. Section 327-333), regarding labor standards for federally assisted construction sub-agreements.

7. Whistleblower Provision.

(a) An employee of any non-Federal employer receiving covered funds may not be discharged, demoted, or otherwise discriminated against as a reprisal for disclosing, including a disclosure made in the ordinary course of an employee's duties, to an inspector general, the Comptroller General, a member of Congress, a State or Federal regulatory or law enforcement agency, a person with supervisory authority over the employee (or such other person working for the employer who has the authority to investigate, discover, or terminate misconduct), a court or grand jury, the head of a Federal agency, or their representatives, information that the employee reasonably believes is evidence of:

(1) gross mismanagement of an agency contract, agreement or grant relating to covered funds;

(2) a gross waste of covered funds;

(3) a substantial and specific danger to public health or safety related to the implementation or use of covered funds;

(4) an abuse of authority related to the implementation or use of covered funds; or

(5) a violation of law, rule, or regulation related to an agency contract or agreement (including the competition for or negotiation of a contract) or grant, awarded or issued relating to covered funds.

(b) A person who believes that the person has been subjected to a reprisal prohibited by subsection (a) may submit a complaint regarding the reprisal to the appropriate U.S. Office of the Inspector General.

9. False Claims Act. Contractors and subcontractors shall promptly refer to the U.S. Office of Inspector General any credible evidence that a principal, employee, agent, contractor, sub-grantee, subcontractor or other person has submitted a false claim under the False Claims Act or has committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity or similar misconduct involving those funds.

10. Environmental and Preservation Requirements. The Contractor shall comply with all applicable Federal, State, and local environmental and historic preservation (EHP) requirements and shall provide any information requested by the awarding Federal agency to ensure compliance with applicable laws including: National Environmental Policy Act, National Historic Preservation Act, Endangered Species Act, the Clean Air Act, the Federal Water Pollution and Control Act, and Executive Orders on Floodplains (11988), Wetlands (11990) and Environmental Justice (12898). Failure of the Contractor to meet Federal, State, and local EHP requirements and obtain applicable permits may jeopardize Federal funding. The Contractor shall not undertake any project having the potential to impact EHP resources without the prior approval of the awarding Federal agency, including but not limited to communication towers, physical security enhancements, new construction, and modification to buildings that are 50 years old or greater. The Contractor must comply with all conditions placed on the project as a result of the EHP review. Any change to the approved project scope of work will require re-evaluation for compliance with these EHP requirements. If ground disturbing activities occur during project implementation, the Contractor must ensure monitoring of ground disturbance and if any potential archeological resources are discovered, the Contractor will immediately cease construction in that area and notify the Georgia Forestry Commission. Any construction activities that have been initiated prior to the full environmental and historic preservation review will result in a non-compliance finding.

11. No Contracts/Agreements with Debarred or Suspended Entities. The Contractor shall not enter into any contract or subcontract with any party that has been debarred or suspended from either:

(a) contracting with the Federal Government or the State of Georgia; or

(b) participating in any Federal or State of Georgia assistance programs.

12. Prohibition on Lobbying.

(a) The Contractor covenants and agrees that it will not expend any funds appropriated by Congress to pay any person for influencing or attempting to influence an officer or employee of any agency, or a Member of Congress, or an employee of an Member of Congress in connection with any of the following covered Federal actions: the awarding of any Federal contract; the making of any Federal grant; the making of any Federal loan; the entering into of any cooperative Agreement; and, the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative Agreement.

(b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with this Federal contract, grant, loan or cooperative agreement, the contractor/grantee shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying", in accordance with it's instructions.

(c) Section 319 of Public Law 101-121 (31 U.S.C. Section 1352) and any applicable regulations are incorporated by reference and the Contractor agrees to comply with all the provisions thereof, including any amendments to the Interim Final Rule that may hereafter be issued.

13. Nondiscrimination Provisions. The Contractor covenants and agrees that no person shall be denied benefits of, or otherwise be subjected to discrimination in connection with the Contractor's performance under this Agreement. Accordingly, and to the extent applicable, the Contractor covenants and agrees to comply with the following on the basis of:

(a) Race, color or national origin, in Title VI of the Civil Rights Act of 1964 (42 U.S.C. Section 2000d et seq.) as implemented by applicable regulations.

- (b) Race, color, religion, sex, or national origin, in Executive Order 11246 (3 CFR, 1964-1965 Comp. pg. 339), as implemented by applicable regulations.
- (c) Sex or blindness, in Title IX of the Education Amendments of 1972 (20 U.S.C. 1681, et seq.), as implemented by applicable regulations.
- (d) Age, in The Age Discrimination Act of 1975 (42 U.S.C. Section 6101 et seq.), as implemented by applicable regulations.
- (e) Handicap, in Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), as implemented by applicable regulations.
- (f) Drug abuse, the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-225) as amended.
- (g) Alcohol abuse or alcoholism, the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616) as amended.
- (h) Confidentiality of alcohol and drug abuse patient records, Section 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C., Section 290 dd-3 and 290 ee3).
- (i) Any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and

14. DBE Provisions. The Contractor shall comply with all applicable federal Disadvantaged Business Enterprises (DBE) requirements related to DBE programs. In the event this Contract/Agreement is a grant Contract not covered by federal DBE requirements, the Contractor shall use reasonable and good faith efforts to solicit and utilize DGS-certified Minority Business Enterprises (MBEs) and Women Business Enterprises (WBEs) for those contracting, subcontracting and purchase opportunities that exist and report utilization to DGS.

15. Access to Records. Contractor agrees that with respect to each FFATA Contract using, in whole or in part, FFATA funds, any representative of an appropriate U.S. Inspector General appointed under section 3 or 8G of the Inspector General Act of 1988 (5 U.S.C. App.) or of the U.S. Comptroller General is authorized to examine any records of the Contractor, any of its subcontractors, or any state or local agency administering such contract that pertain to, and involve transactions relating to the contract; and to interview any officer or employee of the contractor, subcontractor or agency regarding such transactions.

16. Access to Information. This section provides authority for the Inspector General or authorized representative during the term of this agreement/contract plus an additional three (3) years thereafter to examine any records or interview any employee or officers working on this agreement/contract. The contractor is advised representatives of the inspector general have the authority to examine any record and interview any employee or officer of the contractor, its subcontractors or other firms working on this agreement/contract. Section 1515(b) further provides nothing in this section shall be interpreted to limit or restrict in any way any existing authority of the inspector general. This agreement/contract and any records or expenditures related thereto may be subject to disclosure under Freedom of Information Act, 5 U.S.C. §552.

17. Right to Inspect. The Office of the State Inspector General shall have access to all records, information, data, reports, plans, projects, matters, contracts, memoranda, correspondence, and any other materials of Georgia Forestry Commission and shall be deemed to be an authorized representative and agent of Georgia Forestry Commission for purposes of determining whether fraud, waste, corruption and abuse have occurred. Contractor agrees to make available, at all reasonable times during the term of this agreement/contract plus an additional three (3) years thereafter, any and all records, information, data, reports, plans, projections, matters,

contracts, memoranda, correspondence and other materials relating to this agreement/contract, for inspection by the Office of the State Inspector General.

18. Each party hereby certifies that it has complied with the Immigration Reform and Compliance Act of 1986 (IRCA), D.L. 99-603 and the Georgia Security and Immigration Compliance Act, O.C.G.A. 13-10-90 et seq., by registering at <https://e-verify.uscis.gov/enroll/StartPage.aspx?JS=YES> verifying information for all new employees and executing any affidavits by Ga. Comp. R. & Regs. R. 300-10-1-.01 et, Seq

19. Compliance. The Contractor shall comply with all applicable laws, regulations and program guidance. A **non-exclusive** list of statutes, regulations and/or guidance commonly applicable to Federal funds follows:

General

- Drug-Free Workplace Act of 1988 (Public Law 100-690, Title V, Subtitle D; 41 U.S.C. 701 et seq.; 32 CFR part 26, Subpart B
- Copeland "Anti-Kickback Act", 18 U.S.C. Section 874; 29 CFR Part 3
- Contract Work Hours and Safety Standards Act, 40 U.S.C. §§327-330; 29 CFR Part 5
- Americans with Disabilities Act of 1990, as amended; 42 U.S.C. Chapter 126; 28 C.F.R. §35.101 et seq.

Administrative Requirements

- OMB Circular A-102, State and Local Governments (10/07/94, amended 08/28/07) (44 CFR Part 13)
- OMB Circular A-110, Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations (11/19/93, amended 09/30/99) (2 CFR Part 215)

Cost Principles

- OMB Circular A-87, State and Local Governments (05/10/04) (2 CFR Part 225)
- OMB Circular A-21, Educational Institutions (5/10/04) (2 CFR Part 220)
- OMB Circular A-122, Non-Profit Organizations (5/10/04) (2 CFR Part 230)

Audit Requirement

- OMB Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations (6/24/97, includes revisions published in the Federal Register 6/27/03)

IN WITNESS WHEREOF, the **COMMISSION** and the **AWARDEE** hereto have affixed signatures this _____ day of _____, 20_____.

WITNESS: _____ AWARDEE _____

DATE _____

October 2, 2015

Dawson County Emergency Services is requesting funds to purchase wild land personal protective gear. DCES initially trained our personnel as wild land firefighters. Since that time, over ½ of those trained have left the department. The DCES Training Division has identified Wild land training as a priority for 2016, and to conduct the training and outfit personnel for duty will require additional gear.

With the retirement of our local chief ranger last year, and now those duties being absorbed by the chief ranger at the Lumpkin Office, GFC resources again have been reduced in Dawson County. This trend began when Dawson absorbed the Forsyth County office and had to cover two counties. Through cooperative efforts between Dawson County and GFC, two Type 6 Wildland Engines are assigned to the local fire department. Local GFC employees depend upon our response, operational support. Training and gear is needed to meet their expectations and protect our community. Thank you for your consideration of this request.

Sincerely,

A handwritten signature in black ink, appearing to read "Lanier Swafford". The signature is written in a cursive, flowing style.

Lanier Swafford, Fire Chief



5645 Riggins Mill Rd
Dry Branch, GA 31020
P. 478-751-3504
F. 478-314-6668

*An Equal Opportunity
Employer & Service Provider*



October 1, 2015

Nathan Deal
Governor

Robert D. Farris
Director

Board of Commissioners:

Wesley Langdale, Chairman
Valdosta

Jimmy Allen
Chula

Victor Beadles
Moultrie

Jim L. Gillis, Jr.
Soperton

Robert Pollard
Appling

W. Earl Smith
Greensboro

H. G. Yeomans
Swainsboro

MEMO TO: Bob Farris, Devon Dartnell, Frank Sorrells, District Management, and Chief Rangers

MEMO FROM: Mark Millirons

SUBJECT: VFA/NFP Grant Program Announcement

Please share the following information with fire departments serving communities of less than 10,000 populations in your counties.

We will begin accepting requests for the NFP/VFA 50/50 and VFA Wildland PPE 50/50 grant, which allows purchases from the options listed below on October 1, 2015. The attached grant application will be utilized to establish priority awards. If requesting from both grants, Cooperating Fire Departments should return a completed application, for each grant, to RFD offices in Macon by mail or fax no later than 4:30 P.M. on October 30, 2015. (See above mail / fax information)

Complete application, W-9 form and obtain three bids (with the exception of option 1, if RFD fabrication services are utilized), prior to submitting the packet. Be prepared to make the purchase and have all reimbursement documentation submitted no later than 4:30 PM on February 29, 2016. Any funds not spent by this date will be withdrawn.

Remember, a grant application is not valid unless signed by the appropriate head of the Government entity requesting assistance. The Federal Funding Accountability and Transparency Act (see appendix A) must also be signed and included in application paperwork.

Options/Priorities

1. Skid units for quick response vehicles and GFC built water tenders
2. Wildland PPE (make separate application for Wildland PPE)
3. Firefighter safety equipment
4. Class A and/or B foam systems and foam.
5. All other ISO equipment

Note: Breathing Apparatus and Radios are not available for purchase under this grant!

This is a 50/50 matching grant! Fire Departments may qualify for reimbursement of up to 50% of \$10,000.00 or \$5,000.00 maximum per government entity. The 50/50 matching rule will apply to all amounts less than the maximum.

Helpful Hints: Grants will be awarded based on the above mentioned priorities. Exact project descriptions, including pricing breakdown, will increase an application's chance for approval. **No** grant application will be considered without the signed Federal Funding Accountability and Transparency Act Agreement.

*All applicants will be notified of their status, by mail.

I am available to answer any questions you may have regarding the current NFP/VFA Grant.

APPENDIX A

AGREEMENT ADDENDUM **FFATA (Federal Funding Accountability and Transparency Act)**

The Federal Funding Accountability and Transparency Act (FFATA) was signed on September 26, 2006. The intent is to empower every American with the ability to hold the government accountable for each spending decision. The end result is to reduce wasteful spending in the government. The FFATA legislation requires information on federal awards (federal financial assistance and expenditures) be made available to the public via a single, searchable website. Federal awards include grants, sub grants, loans, awards, cooperative agreements and other forms of financial assistance as well as contracts, subcontracts, purchase orders, task orders, and delivery orders. The legislation does not require inclusion of individual transactions below \$25,000 or credit card transactions before October 1, 2008.

Definitions

A. "FFATA funds" means funds expended or obligated from appropriations The Federal Funding Accountability and Transparency Act.

B. "Contractor" is defined as any person, including, but not limited to, a bidder, offeror, loan recipient, grantee, or sub-grantee, who has furnished or seeks to furnish goods, supplies, services, or leased space, or who has performed or seeks to perform construction activity under contract, subcontract, grant, or sub-grant with the Georgia Forestry Commission, or with a person under contract, subcontract, grant, or sub-grant with the Georgia Forestry Commission. The term contractor may include a permit, licensee, or any agency, political subdivision, instrumentality, public authority, or other entity of the Georgia Forestry Commission.

FFATA Terms & Conditions

1. **Revisions to Requirements.** Contractor acknowledges that this Addendum may be revised pursuant to ongoing guidance from the relevant Federal agency or Georgia Forestry Commission regarding requirements for FFATA funds. Contractor agrees to abide by any such revisions upon receipt of written notification from the Georgia Forestry Commission of the revisions, which will automatically become a material part of this Addendum, without the necessity of either party executing any further instrument.

2. **Reporting Requirements** – To meet the reporting requirements of FFATA and ensure transparency and accountability in the use of funds provided through FFATA. Activities carried out and results achieved with FFATA funds will be tracked carefully, reported clearly and quantifiably.

In an effort to meet this requirement, all project information will be reported by GFC at www.fsr.gov/

Contractors will be responsible for submitting the attached financial and management reports once the contract is signed to Georgia Forestry Commission, Attn: Lee Brown, P. O. Box 819, Macon, GA 31202-0819 within 5 business days.

Detailed information on any subcontracts or sub-grants awarded by the Contractor must include the data elements required to comply with the Federal Funding Accountability and Transparency Act of 2006 (Public Law 109–282), allowing aggregate reporting on awards below \$25,000 or to individuals, as prescribed by the Director of the Office of Management and Budget;

Contractor may be required to submit backup documentation for expenditures of FFATA funds including such items as timecards and invoices. Contractor shall provide copies of backup documentation at the request of the Georgia Forestry Commission upon.

3. Registrations and Identification Information

(a) Contractor must maintain current registrations in the Center Contractor Registration (www.ccr.gov) at all times during which they have active federal awards funded with FFATA funds. A Dun and Bradstreet Data Universal Numbering System (DUNS) Number (www.dnb.com) is one of the requirements for registration in the Central Contractor Registration.

(b) If applicable, the Contractor agrees to separately identify to each sub-contractor and document at the time of award of contract or approval of application and at the time of disbursement of funds, the Federal award number, CFDA number, and amount of FFATA funds.

4. Flow Down Requirement. Contractor must include these FFATA Terms and Conditions in any sub-contract, sub-grants, loans and cooperative agreements.

5. Prohibition on Use of Funds. FFATA Section 1604 states no FFATA funds may be used for any casino or other gambling establishment, aquarium, zoo, golf course, or swimming pool, or any other items prohibited by FFATA.

6. Wage Rate Requirements. FFATA requires that all laborers employed by contractors and subcontractors on projects funded directly by or assisted in whole or in part by and through the Federal Government pursuant to FFATA shall be paid wages at rates not less than those prevailing on projects of a character similar in the locality as determined by the U.S. Secretary of Labor in accordance with subchapter IV of chapter 31 of title 40, United States Code (Davis-Bacon Act). Will comply with the Copeland Act (40 U.S.C. Section 276C and 18 U.S.C. Section 874) and the Contract Work Hours and Safety Standards Act (40 U.S.C. Section 327-333), regarding labor standards for federally assisted construction sub-agreements.

7. Whistleblower Provision.

(a) An employee of any non-Federal employer receiving covered funds may not be discharged, demoted, or otherwise discriminated against as a reprisal for disclosing, including a disclosure made in the ordinary course of an employee's duties, to an inspector general, the Comptroller General, a member of Congress, a State or Federal regulatory or law enforcement agency, a person with supervisory authority over the employee (or such other person working for the employer who has the authority to investigate, discover, or terminate misconduct), a court or grand jury, the head of a Federal agency, or their representatives, information that the employee reasonably believes is evidence of:

- (1) gross mismanagement of an agency contract, agreement or grant relating to covered funds;
- (2) a gross waste of covered funds;
- (3) a substantial and specific danger to public health or safety related to the implementation or use of covered funds;
- (4) an abuse of authority related to the implementation or use of covered funds; or
- (5) a violation of law, rule, or regulation related to an agency contract or agreement (including the competition for or negotiation of a contract) or grant, awarded or issued relating to covered funds.

(b) A person who believes that the person has been subjected to a reprisal prohibited by subsection (a) may submit a complaint regarding the reprisal to the appropriate U.S. Office of the Inspector General.

9. False Claims Act. Contractors and subcontractors shall promptly refer to the U.S. Office of Inspector General any credible evidence that a principal, employee, agent, contractor, sub-grantee, subcontractor or other person has submitted a false claim under the False Claims Act or has committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity or similar misconduct involving those funds.

10. Environmental and Preservation Requirements. The Contractor shall comply with all applicable Federal, State, and local environmental and historic preservation (EHP) requirements and shall provide any information requested by the awarding Federal agency to ensure compliance with applicable laws including: National Environmental Policy Act, National Historic Preservation Act, Endangered Species Act, the Clean Air Act, the Federal Water Pollution and Control Act, and Executive Orders on Floodplains (11988), Wetlands (11990) and Environmental Justice (12898). Failure of the Contractor to meet Federal, State, and local EHP requirements and obtain applicable permits may jeopardize Federal funding. The Contractor shall not undertake any project having the potential to impact EHP resources without the prior approval of the awarding Federal agency, including but not limited to communication towers, physical security enhancements, new construction, and modification to buildings that are 50 years old or greater. The Contractor must comply with all conditions placed on the project as a result of the EHP review. Any change to the approved project scope of work will require re-evaluation for compliance with these EHP requirements. If ground disturbing activities occur during project implementation, the Contractor must ensure monitoring of ground disturbance and if any potential archeological resources are discovered, the Contractor will immediately cease construction in that area and notify the Georgia Forestry Commission. Any construction activities that have been initiated prior to the full environmental and historic preservation review will result in a non-compliance finding.

11. No Contracts/Agreements with Debarred or Suspended Entities. The Contractor shall not enter into any contract or subcontract with any party that has been debarred or suspended from either:

- (a) contracting with the Federal Government or the State of Georgia; or
- (b) participating in any Federal or State of Georgia assistance programs.

12. Prohibition on Lobbying.

(a) The Contractor covenants and agrees that it will not expend any funds appropriated by Congress to pay any person for influencing or attempting to influence an officer or employee of any agency, or a Member of Congress, or an employee of an Member of Congress in connection with any of the following covered Federal actions: the awarding of any Federal contract; the making of any Federal grant; the making of any Federal loan; the entering into of any cooperative Agreement; and, the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative Agreement.

(b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with this Federal contract, grant, loan or cooperative agreement, the contractor/grantee shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying", in accordance with it's instructions.

(c) Section 319 of Public Law 101-121 (31 U.S.C. Section 1352) and any applicable regulations are incorporated by reference and the Contractor agrees to comply with all the provisions thereof, including any amendments to the Interim Final Rule that may hereafter be issued.

13. Nondiscrimination Provisions. The Contractor covenants and agrees that no person shall be denied benefits of, or otherwise be subjected to discrimination in connection with the Contractor's performance under this Agreement. Accordingly, and to the extent applicable, the Contractor covenants and agrees to comply with the following on the basis of:

- (a) Race, color or national origin, in Title VI of the Civil Rights Act of 1964 (42 U.S.C. Section 2000d et seq.) as implemented by applicable regulations.
- (b) Race, color, religion, sex, or national origin, in Executive Order 11246 (3 CFR, 1964-1965 Comp. pg. 339), as implemented by applicable regulations.
- (c) Sex or blindness, in Title IX of the Education Amendments of 1972 (20 U.S.C. 1681, et seq.), as implemented by applicable regulations.

- (d) Age, in The Age Discrimination Act of 1975 (42 U.S.C. Section 6101 et seq.), as implemented by applicable regulations.
- (e) Handicap, in Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), as implemented by applicable regulations.
- (f) Drug abuse, the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-225) as amended.
- (g) Alcohol abuse or alcoholism, the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616) as amended.
- (h) Confidentiality of alcohol and drug abuse patient records, Section 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C., Section 290 dd-3 and 290 ee3).
- (i) Any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and

14. DBE Provisions. The Contractor shall comply with all applicable federal Disadvantaged Business Enterprises (DBE) requirements related to DBE programs. In the event this Contract/Agreement is a grant Contract not covered by federal DBE requirements, the Contractor shall use reasonable and good faith efforts to solicit and utilize DGS-certified Minority Business Enterprises (MBEs) and Women Business Enterprises (WBEs) for those contracting, subcontracting and purchase opportunities that exist and report utilization to DGS.

15. Access to Records. Contractor agrees that with respect to each FFATA Contract using, in whole or in part, FFATA funds, any representative of an appropriate U.S. Inspector General appointed under section 3 or 8G of the Inspector General Act of 1988 (5 U.S.C. App.) or of the U.S. Comptroller General is authorized to examine any records of the Contractor, any of its subcontractors, or any state or local agency administering such contract that pertain to, and involve transactions relating to the contract; and to interview any officer or employee of the contractor, subcontractor or agency regarding such transactions.

16. Access to Information. This section provides authority for the Inspector General or authorized representative during the term of this agreement/contract plus an additional three (3) years thereafter to examine any records or interview any employee or officers working on this agreement/contract. The contractor is advised representatives of the inspector general have the authority to examine any record and interview any employee or officer of the contractor, its subcontractors or other firms working on this agreement/contract. Section 1515(b) further provides nothing in this section shall be interpreted to limit or restrict in any way any existing authority of the inspector general. This agreement/contract and any records or expenditures related thereto may be subject to disclosure under Freedom of Information Act, 5 U.S.C. §552.

17. Right to Inspect. The Office of the State Inspector General shall have access to all records, information, data, reports, plans, projects, matters, contracts, memoranda, correspondence, and any other materials of Georgia Forestry Commission and shall be deemed to be an authorized representative and agent of Georgia Forestry Commission for purposes of determining whether fraud, waste, corruption and abuse have occurred. Contractor agrees to make available, at all reasonable times during the term of this agreement/contract plus an additional three (3) years thereafter, any and all records, information, data, reports, plans, projections, matters, contracts, memoranda, correspondence and other materials relating to this agreement/contract, for inspection by the Office of the State Inspector General.

18. Each party hereby certifies that it has complied with the Immigration Reform and Compliance Act of 1986 (IRCA), D.L. 99-603 and the Georgia Security and Immigration Compliance Act, O.C.G.A. 13-10-90 et seq., by registering at <https://e-verify.uscis.gov/enroll/StartPage.aspx?JS=YES> verifying information for all new employees and executing any affidavits by Ga. Comp. R. & Regs. R. 300-10-1-.01 et, Seq

19. Compliance. The Contractor shall comply with all applicable laws, regulations and program guidance. A non-exclusive list of statutes, regulations and/or guidance commonly applicable to Federal funds follows:

General

- Drug-Free Workplace Act of 1988 (Public Law 100-690, Title V, Subtitle D; 41 U.S.C. 701 et seq.; 32 CFR part 26, Subpart B
- Copeland "Anti-Kickback Act", 18 U.S.C. Section 874; 29 CFR Part 3
- Contract Work Hours and Safety Standards Act, 40 U.S.C. §§327-330; 29 CFR Part 5
- Americans with Disabilities Act of 1990, as amended; 42 U.S.C. Chapter 126; 28 C.F.R. §35.101 et seq.

Administrative Requirements

- OMB Circular A-102, State and Local Governments (10/07/94, amended 08/28/07) (44 CFR Part 13)
- OMB Circular A-110, Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations (11/19/93, amended 09/30/99) (2 CFR Part 215)

Cost Principles

- OMB Circular A-87, State and Local Governments (05/10/04) (2 CFR Part 225)
- OMB Circular A-21, Educational Institutions (5/10/04) (2 CFR Part 220)
- OMB Circular A-122, Non-Profit Organizations (5/10/04) (2 CFR Part 230)

Audit Requirement

- OMB Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations (6/24/97, includes revisions published in the Federal Register 6/27/03)

IN WITNESS WHEREOF, the **COMMISSION** and the **AWARDEE** hereto have affixed signatures this _____ day of _____, 20_____.

WITNESS: _____ AWARDEE _____ Mike Berg; Chairman

DATE _____