

**DAWSON COUNTY BOARD OF COMMISSIONERS  
VOTING SESSION AGENDA - THURSDAY, SEPTEMBER 21, 2017  
DAWSON COUNTY GOVERNMENT CENTER ASSEMBLY ROOM  
6:00 PM**

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**A. ROLL CALL**

**B. OPENING PRESENTATION**

Presentation of Citizen Valor Award to Michael Hall- Lanier Swafford, Director of Emergency Services

**C. INVOCATION**

**D. PLEDGE OF ALLEGIANCE**

**E. ANNOUNCEMENTS**

**F. APPROVAL OF MINUTES**

[Minutes](#) of the Special Called Meeting held on August 24, 2017 (*moved from the September 7, 2017 Voting Session*)

[Minutes](#) of the Voting Session held on September 7, 2017

**G. APPROVAL OF AGENDA**

**H. PUBLIC COMMENT**

**I. ALCOHOL LICENSE**

[Change](#) of Ownership- Alcohol License (*Retail Package Sale of Beer & Wine*) - Nasib Ventures, LLC D/B/A Sanky's Convenience Store

**J. PUBLIC HEARING**

1. Soil Erosion Ordinance Revision (*1st of 2 hearings. 2nd hearing will be held on October 5, 2017*)

**K. NEW BUSINESS**

1. Consideration of KARE for Kids request to utilize county property during 2017 Mountain Moonshine Festival
2. Consideration of request to amend contract #292-17 Rehabilitation Project of Four Dawson County Roads to include scope of work for Thompson Road
3. Consideration of request to cancel the B+C Consulting SR Hwy. 53 Overlay Contract
4. Consideration of Proposed FY 2018 Budget

**L. PUBLIC COMMENT**

**M. EXECUTIVE SESSION**

**N. ADJOURNMENT**

**Backup material for agenda item:**

Minutes of the Special Called Meeting held on August 24, 2017 (*moved from the September 7, 2017 Voting Session*)

**DAWSON COUNTY BOARD OF COMMISSIONERS  
SPECIAL CALLED MEETING MINUTES – AUGUST 24, 2017  
DAWSON COUNTY GOVERNMENT CENTER ASSEMBLY ROOM  
25 JUSTICE WAY, DAWSONVILLE  
4:00 PM**

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**ROLL CALL:** Those present were Commissioner Fausett, District 1; Commissioner Hamby, District 3; Commissioner Nix, District 4; CFO Neikirk filling in for County Manager Headley; County Attorney Frey; County Clerk Yarbrough and interested citizens of Dawson County. Chairman Thurmond, Commissioner Gaines, and County Manager Headley were not present.

**APPROVAL OF AGENDA:**

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

**PUBLIC HEARING:**

*Proposed FY 2018 Budget (2<sup>nd</sup> of 3 hearings. First hearing was held on August 17, 2017. Third hearing will be held on September 7, 2017.)*

Commissioner Nix opened the hearing by asking if there was anyone present who wished to speak on the Proposed FY 2018 Budget, and hearing none, closed the hearing.

**ADJOURNMENT:**

APPROVE:

ATTEST:

\_\_\_\_\_  
Billy Thurmond, Chairman

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

**Backup material for agenda item:**

Minutes of the Voting Session held on September 7, 2017



**DAWSON COUNTY BOARD OF COMMISSIONERS  
VOTING SESSION MINUTES – SEPTEMBER 7, 2017  
DAWSON COUNTY GOVERNMENT CENTER ASSEMBLY ROOM  
25 JUSTICE WAY, DAWSONVILLE  
6:00PM**

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**ROLL CALL:** Those present were Chairman Thurmond; Commissioner Fausett, District 1; Commissioner Gaines, District 2; Commissioner Nix, District 4; County Manager Headley; County Attorney Frey; County Clerk Yarbrough and interested citizens of Dawson County. Commissioner Hamby was not present.

**INVOCATION:** Chairman Thurmond

**PLEDGE OF ALLEGIANCE:** Chairman Thurmond

**ANNOUNCEMENTS:**

None

**APPROVAL OF MINUTES:**

Motion passed unanimously to approve the minutes from the Voting Session held on August 17, 2017 as presented. Fausett/Gaines

Minutes of the Special Called Meeting held on August 24, 2017 will be moved to the Voting Session on September 21, 2017 due to lack of an eligible quorum.

**APPROVAL OF THE AGENDA:**

Motion passed unanimously to approve the agenda as presented. Nix/Gaines

**PUBLIC COMMENT:**

None

**PUBLIC HEARING:**

*Proposed FY 2018 Budget (3<sup>rd</sup> of 3 hearings. First hearing was held on August 17, 2017, and second hearing was held on August 24, 2017)*

Chairman Thurmond opened the hearing by asking if there was anyone present who wished to speak on the Proposed FY 2018 Budget.

The following spoke on behalf of the Sheriff's Office:

- Joey Homans, Dawsonville
- Sheriff Jeff Johnson, Dawsonville
- Marlie Gardner, Dawsonville

Chairman Thurmond asked if there was anyone else present who wished to speak on the FY 2018 Proposed Budget, and hearing none, closed the hearing.

**NEW BUSINESS:**

Consideration of Etowah Water and Sewer Authority Fire Hydrant Pricing Option Effective July 2017

Motion passed unanimously to install the first seven (7) hydrants and then fund the remaining number at a future date. Gaines/Nix

Consideration of Special Event Permit Application- Bootlegger Triathlon/Five Star NTP

Motion passed unanimously to approve the Special Event Permit Application- Bootlegger Triathlon/Five Star NTP. Fausett/Gaines

Consideration of Special Event Alcohol Permit Application- Chamber of Commerce Business After Hours- September 21, 2017

Motion passed unanimously to approve the Special Event Alcohol Permit Application- Chamber of Commerce Business After Hours- September 21, 2017. Nix/Fausett

Consideration to move forward with public hearings on the Soil Erosion Ordinance

Motion passed unanimously to move forward with public hearings on the Soil Erosion Ordinance. Fausett/Gaines

Consideration of Request for Dawson County Senior Services Quilt Raffle

Motion passed unanimously to approve the request for Dawson County Senior Services Quilt Raffle. Fausett/Nix

Consideration of FY18 Deanna Specialty Transportation, Inc. Contract

Motion passed unanimously to approve the FY18 Deanna Specialty Transportation, Inc. Contract. Gaines/Fausett

Consideration of Quitclaim Deed Re: Lots 38 and 41, Charles Martin Subdivision

Motion passed unanimously to approve the Quitclaim Deed Re: Lots 38 and 41, Charles Martin Subdivision. Nix/Gaines

Consideration of Board Appointments:

**Dawson County Industrial Building Authority**

- a. Gary Coates- *Replacing Peter Hill* (Term: September 2017 through August 2021)

Motion passed unanimously to approve the appointment of Gary Coates to the Dawson County Industrial Building Authority with a term of September 2017 through August 2021). Fausett/Nix

**Commissioners' Compensation Committee** (*Item presented at work session for informational purposes only*)

- b. Bill Johnson
- c. Tara Hardwick
- d. Tony Passarrello

**PUBLIC COMMENT:**

None

**ADJOURNMENT:**

APPROVE:

ATTEST:

\_\_\_\_\_  
Billy Thurmond, Chairman

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

DRAFT

**Backup material for agenda item:**

Change of Ownership- Alcohol License (*Retail Package Sale of Beer & Wine*) - Nasib Ventures, LLC D/B/A Sanky's Convenience Store

# 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: NASIB VENTURES, LLC.

Date Received: 8-28-17 License Fee Enclosed: \$ 2

Approved: \_\_\_\_\_ Denied: \_\_\_\_\_

State License Number: \_\_\_\_\_

Local License Number: \_\_\_\_\_

Administrative/Investigative Fee Enclosed: \$ 250 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:
- |   |   |
|---|---|
| <input type="checkbox"/> Bona Fide Eating Establishment             | <input type="checkbox"/> Indoor Commercial Recreation Facility            |
| <input type="checkbox"/> Super Market                               | <input type="checkbox"/> Hotel/Motel                                      |
| <input checked="" type="checkbox"/> Convenience Store               | <input type="checkbox"/> Caterer (must have alcohol by the drink license) |
| <input type="checkbox"/> Package Liquor Store (see Item 14, Page 5) | <input type="checkbox"/> 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                       Add'l Fixed Bars # \_\_\_\_\_ \$ 500 (each bar)  
 Beer \$ 750     Movable Bars # \_\_\_\_\_ \$ 250 (each bar)  
 Wine \$ 750

**PRIVATE CLUB:**

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

Beer \$750                       Wine \$750                       Distilled Spirits \$3,300

**HOTEL IN-ROOM SERVICE:**

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

Beer \$750                       Wine \$750                       Hotel In-Service \$250

**SPECIAL EVENT ALCOHOL PERMIT:**

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

\$25 Per Day

5. **BUSINESS**

(a) Business Name: Nisib Ventures, LLC

(b) Location: 6566 Hwy 53 E  
Street Number                      Street Name

Dausonville                      GA                      30043                      706-216-6662  
City                      State                      Zip Code                      Phone Number

(c) Mailing Address: Same as above  
**For Renewals:** Street Number                      Street Name

City                      State                      Zip Code                      Phone Number

## APPLICATION FOR ALCOHOLIC BEVERAGE LICENSE

**6. OWNER:**  
 (a) Full Name: PARAMDEEP SHEHRAWAT \_\_\_\_\_ Social Security # \_\_\_\_\_

(b) Corporation or LLC Name (if applicable): NASIB Ventures, LLC \_\_\_\_\_

(c) Location: 6566 Highway 53 E \_\_\_\_\_  
Street Number Street Name

Dawsonville GA 30534 \_\_\_\_\_  
City State Zip Code Phone Number

(d) Mailing Address: 2018 CREPE MYRTLE CRT. \_\_\_\_\_  
Street Number Street Name

Dawsonville GA 30534 \_\_\_\_\_  
City State Zip Code

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

(a) Full Name: Monica Sangwan \_\_\_\_\_

(b) Address: 2018 Crepe Myrtle crt. \_\_\_\_\_  
Street Number Street Name

Dawsonville GA 30534 \_\_\_\_\_  
City State Zip Code

**8. TYPE OF OWNERSHIP:**

- |  |  |
|--|--|
| <input type="checkbox"/> Sole Proprietorship<br><input type="checkbox"/> Private Held Corporation<br><input type="checkbox"/> Public Held Corporation Subject to S.E.C. Regulations<br><input type="checkbox"/> Other; explain _____ | <input type="checkbox"/> Legally Registered Partnership<br><input type="checkbox"/> Public Held Corporation<br><input checked="" type="checkbox"/> Limited Liability Company |
|--|--|

**9. FOR PARTNERSHIP ONLY:**

(a) Date the Partnership was formed: \_\_\_\_\_

(b) Attach Partnership Agreement \_\_\_\_\_

(c) List Partners:

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

# APPLICATION FOR ALCOHOLIC BEVERAGE LICENSE

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

- (a) Date of Incorporation/Organization: 08/23/2017
- (b) Place of Incorporation/Organization: GA
- (c) State Parent Corporation, if applicable: \_\_\_\_\_
- (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>Rasamdeep Shekawat</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: Bank of Ozarks Dawsonville
- (b) State total amount of capital that is or will be invested in the business by any party or parties: 200K
- (c) State total amount of funds invested by the owner: 200K
- (d) State total amount of funds invested by parties other than the owner: 0
- (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.

Table with 3 columns: Name, Name or Business, Interest %. Entry: None.

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, Paramdeep Shehrawat, 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.

Paramdeep  
APPLICANT'S SIGNATURE

I HEREBY CERTIFY THAT Paramdeep Shehrawat 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 28<sup>th</sup> DAY OF August, 2017.

Jennifer Sanchez  
NOTARY PUBLIC



FOR OFFICIAL USE ONLY:

**PLANNING AND DEVELOPMENT REVIEW:**

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

Date: 8-29-17  
[Signature]  
Planning and Development Director

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

\_\_\_\_\_  
Planning and Development Director

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

N/A  
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: 8-30-17  
Sgt. K. Marshall  
Sheriff

# 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: SHEHRAWAT PARAMDEEP  
Last First Middle

RESIDENCE: 2018 CREPE MYRTLE CRT.  
Street Number Street Name  
DAWSONVILLE GA 30534  
City State Zip Code

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: NASIB VENTURES, LLC  
LOCATION: 6576 HIGHWAY 53 E.  
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: \_\_\_\_\_

6. DATE OF BIRTH: \_\_\_\_\_ PLACE OF BIRTH: FARIDABAD, HARYANA, 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: MEGAN SMITH SSN# \_\_\_\_\_

MAIDEN NAME: LYNN CHAMPAGNE PLACE OF BIRTH: \_\_\_\_\_

DATE OF BIRTH: \_\_\_\_\_ 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.:

N/A

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
<u>04/2013</u>	<u>04/2017</u>	<u>ASSISTANT MANAGER</u>	<u>35,000</u>	<u>Moe's Southwest Grill</u>	<u>Moved to GA</u>
<u>03/2012</u>	<u>08/2013</u>	<u>FRONT DESK CLERK</u>	<u>8.00/per hr.</u>	<u>DAY'S INN</u>	<u>FOR BETTER Future</u>

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

From	To	Street	City	State
<u>08/2017</u>	<u>Continue</u>	<u>2018 CREPE Mythe CRT.</u>	<u>Dawsonville</u>	<u>GA</u>
<u>09/2016</u>	<u>08/2017</u>	<u>8566 BARRINGTON PLACE</u>	<u>Montgomery</u>	<u>AL</u>
<u>03/2016</u>	<u>09/2016</u>	<u>306 Josephine Lane Apt #B101</u>	<u>Montgomery</u>	<u>AL</u>
<u>03/2013</u>	<u>03/2016</u>	<u>8380 Barrington Place</u>	<u>Montgomery</u>	<u>AL</u>
<u>07/2012</u>	<u>03/2013</u>	<u>Brantwood</u>	<u>Montgomery</u>	<u>AL</u>

**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 12, 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? AL.

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 \_\_\_\_\_
- 2. \_\_\_\_\_
- 3. \_\_\_\_\_
- 4. \_\_\_\_\_



**STATEMENT OF PERSONAL HISTORY**

19. LIST BELOW FOUR REFERENCES (PERSONAL AND BUSINESS). GIVE COMPLETE ADDRESS AND PHONE NUMBER INCLUDING AREA CODE. IF GIVING A BUSINESS REFERENCE, NAME A PERSON AT THE LOCATION TO BE CONTACTED. DO NOT INCLUDE RELATIVES OR EMPLOYERS OR FELLOW EMPLOYEES OF PARTICULAR BUSINESS.

1. \_\_\_\_\_  
\_\_\_\_\_

2. \_\_\_\_\_  
\_\_\_\_\_

3. \_\_\_\_\_  
\_\_\_\_\_

4. \_\_\_\_\_  
\_\_\_\_\_

20. HAVI \_\_\_\_\_  
SUSI \_\_\_\_\_  
\_\_\_\_\_ERS OF DAWSON COUNTY DENIED,  
FILING OF THIS APPLICATION?

IF SO, GIVE DETAILS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

21. ATTACH PHOTOGRAPH (Front View) TAKEN WITHIN THE PAST YEAR:



**NOTE: ATTACH A COPY OF YOUR DRIVER'S LICENSE TO THIS FORM.**

**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, PARAMDEEP SHEHRAWAT, 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.

Paramdeep

APPLICANT'S SIGNATURE

I HEREBY CERTIFY THAT PARAMDEEP SHEHRAWAT 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 28<sup>th</sup> DAY OF August, 2017



Jennifer Sanchez  
NOTARY PUBLIC





# 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, **Brian P. Kemp**, the Secretary of State and the Corporation Commissioner of the State of Georgia, hereby certify under the seal of my office that

**Nasib Ventures, LLC**  
a Domestic Limited Liability Company

has been duly organized under the laws of the State of Georgia on **08/21/2017** 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 **08/23/2017**.



A handwritten signature in black ink, appearing to read "B: P. Kemp".

Brian P. Kemp  
Secretary of State



**ARTICLES OF ORGANIZATION**

\*Electronically Filed\*  
Secretary of State  
Filing Date: 8/21/2017 10:34:02 AM

**BUSINESS INFORMATION**

**CONTROL NUMBER** 17090475  
**BUSINESS NAME** Nasib Ventures, LLC  
**BUSINESS TYPE** Domestic Limited Liability Company  
**EFFECTIVE DATE** 08/21/2017

**PRINCIPAL OFFICE ADDRESS**

**ADDRESS** 6566 Highway 53 E., Dawsonville, GA, 30534, USA

**REGISTERED AGENT'S NAME AND ADDRESS**

<b>NAME</b>	<b>ADDRESS</b>
Paramdeep Shehrawat	6566 Highway 53 E., Dawson, Dawsonville, GA, 30534, USA

**ORGANIZER(S)**

<b>NAME</b>	<b>TITLE</b>	<b>ADDRESS</b>
Paramdeep Shehrawat	ORGANIZER	6566 Highway 53 E., Dawsonville, GA, 30534, USA

**OPTIONAL PROVISIONS**

N/A

**AUTHORIZER INFORMATION**

**AUTHORIZER SIGNATURE** Paramdeep Shehrawat  
**AUTHORIZER TITLE** Organizer



Date of this notice: 08-23-2017

Employer Identification Number:  
82-2578326

Form: SS-4

Number of this notice: CP 575 A

NASIB VENTURES LLC  
SANKYS  
% PARAMDEEP SHEHRAWAT SOLE MBR  
6566 HIGHWAY 53 E  
DAWSONVILLE, GA 30534

For assistance you may call us at:  
1-800-829-4933

IF YOU WRITE, ATTACH THE  
STUB AT THE END OF THIS NOTICE.

WE ASSIGNED YOU AN EMPLOYER IDENTIFICATION NUMBER

Thank you for applying for an Employer Identification Number (EIN). We assigned you EIN 82-2578326. This EIN will identify you, your business accounts, tax returns, and documents, even if you have no employees. Please keep this notice in your permanent records.

When filing tax documents, payments, and related correspondence, it is very important that you use your EIN and complete name and address exactly as shown above. Any variation may cause a delay in processing, result in incorrect information in your account, or even cause you to be assigned more than one EIN. If the information is not correct as shown above, please make the correction using the attached tear off stub and return it to us.

Based on the information received from you or your representative, you must file the following form(s) by the date(s) shown.

Form 941	01/31/2018
Form 940	01/31/2018

If you have questions about the form(s) or the due date(s) shown, you can call us at the phone number or write to us at the address shown at the top of this notice. If you need help in determining your annual accounting period (tax year), see Publication 538, *Accounting Periods and Methods*.

We assigned you a tax classification based on information obtained from you or your representative. It is not a legal determination of your tax classification, and is not binding on the IRS. If you want a legal determination of your tax classification, you may request a private letter ruling from the IRS under the guidelines in Revenue Procedure 2004-1, 2004-1 I.R.B. 1 (or superseding Revenue Procedure for the year at issue). Note: Certain tax classification elections can be requested by filing Form 8832, *Entity Classification Election*. See Form 8832 and its instructions for additional information.

If you are required to deposit for employment taxes (Forms 941, 943, 940, 944, 945, CT-1, or 1042), excise taxes (Form 720), or income taxes (Form 1120), you will receive a Welcome Package shortly, which includes instructions for making your deposits electronically through the Electronic Federal Tax Payment System (EFTPS). A Personal Identification Number (PIN) for EFTPS will also be sent to you under separate cover. Please activate the PIN once you receive it, even if you have requested the services of a tax professional or representative. For more information about EFTPS, refer to Publication 966, *Electronic Choices to Pay All Your Federal Taxes*. If you need to make a deposit immediately, you will need to make arrangements with your Financial Institution to complete a wire transfer.



The IRS is committed to helping all taxpayers comply with their tax filing obligations. If you need help completing your returns or meeting your tax obligations, Authorized e-file Providers, such as Reporting Agents (payroll service providers) are available to assist you. Visit the IRS Web site at [www.irs.gov](http://www.irs.gov) for a list of companies that offer IRS e-file for business products and services. The list provides addresses, telephone numbers, and links to their Web sites.

To obtain tax forms and publications, including those referenced in this notice, visit our Web site at [www.irs.gov](http://www.irs.gov). If you do not have access to the Internet, call 1-800-829-3676 (TTY/TDD 1-800-829-4059) or visit your local IRS office.

**IMPORTANT REMINDERS:**

- \* Keep a copy of this notice in your permanent records. **This notice is issued only one time and the IRS will not be able to generate a duplicate copy for you.** You may give a copy of this document to anyone asking for proof of your EIN.
- \* Use this EIN and your name exactly as they appear at the top of this notice on all your federal tax forms.
- \* Refer to this EIN on your tax-related correspondence and documents.

If you have questions about your EIN, you can call us at the phone number or write to us at the address shown at the top of this notice. If you write, please tear off the stub at the bottom of this notice and send it along with your letter. If you do not need to write us, do not complete and return the stub.

Your name control associated with this EIN is NASI. You will need to provide this information, along with your EIN, if you file your returns electronically.

Thank you for your cooperation.

Keep this part for your records.

CP 575 A (Rev. 7-2007)

Return this part with any correspondence so we may identify your account. Please correct any errors in your name or address.

CP 575 A

9999999999

Your Telephone Number Best Time to Call  
( ) -

DATE OF THIS NOTICE: 08-23-2017  
EMPLOYER IDENTIFICATION NUMBER: 82-2578326  
FORM: SS-4 NOBOD

INTERNAL REVENUE SERVICE  
CINCINNATI OH 45999-0023



NASIB VENTURES LLC  
SANKYS  
% PARAMDEEP SHEHRAWAT SOLE MBR  
6566 HIGHWAY 53 E  
DAWSONVILLE, GA 30534







**DAWSON COUNTY, GEORGIA**

**Business License**

**License Number: LIC-8-17-21426**

**August  
2018**

Type of Business

Convenience Store w/Gas - 447110

VALID ONLY FOR THE BUSINESS SHOWN

Name

Nasib Ventures LLC dba Sanky's

6566 Highway 53 E

Dawsonville GA 30534

Location

FOR OPERATION IN UNINCORPORATED AREAS,  
SUBJECT TO ALL ZONING RESTRICTIONS AND  
ALL OTHER RESOLUTIONS OF THE BOARD OF  
COMMISSIONERS, DAWSON COUNTY, GEORGIA

Fee Paid: \$175.00

Date Issued: 08/29/2017

Expires: August 31, 2018

  
MARGARET A. SHAW  
LICENSE OFFICER

THIS LICENSE IS NOT TRANSFERABLE  
DISPLAY IN A CONSPICUOUS PLACE



**Backup material for agenda item:**

1. Soil Erosion Ordinance Revision (*1st of 2 hearings. 2nd hearing will be held on October 5, 2017*)



# DAWSON COUNTY BOARD OF COMMISSIONERS AGENDA FORM

Department: Planning

Work Session: \_\_\_\_\_

Prepared By: R. Irvin

Voting Session: \_\_\_\_\_

Presenter: R. Irvin

Public Hearing: Yes  No \_\_\_\_\_

Agenda Item Title: Soil Erosion Ordinance Revision

Background Information:

EPD requires periodic revisions of our Soil Erosion Ordinance in order to remain in compliance with state regulations. This ordinance revision will achieve said compliance.

Current Information:

PowerPoint presentation and revised ordinance provided

Budget Information: Applicable: \_\_\_\_\_ Not Applicable:  Budgeted: Yes \_\_\_\_\_ No \_\_\_\_\_

Fund	Dept.	Acct No.	Budget	Balance	Requested	Remaining

Recommendation/Motion: Approve

Department Head Authorization: *J. Sheets*

Date: 8/16/17

Finance Dept. Authorization: \_\_\_\_\_

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

County Manager Authorization: *[Signature]*

Date: 8/16/17

County Attorney Authorization: \_\_\_\_\_

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

Comments/Attachments:



# 2017 Dawson County Erosion and Sedimentation Control Ordinance Revision

By: RJ Irvin, Dawson County Planning and Development



# What is Erosion?

Erosion is the process by which the land surface is worn away by the action of water, wind, ice and gravity.



# What is Sedimentation?

Sedimentation is the process by which the eroded material is transported and deposited by wind, water, ice or gravity.



**Why Revise the Ordinance?**

**The Georgia Environmental  
Protection Division Required  
Changes**



# A Definition Has Changed

The definition of “Final Stabilization,” has been modified to include the use of landscaping and to state that grassing should not only be of a perennial type.



# CHANGES FOR SECTION 3 EXEMPTIONS

- The installation of fences has now been exempted from LDP's.
- The language in the exemption for Single Family Construction has been altered.



# Changes to Sections 4 thru 7

The wording of some subsections as well as parts of subsections have been revised to match the state model ordinance.

- An additional requirement has also been added to section 6 which states: The Local Issuing Authority must amend its ordinances to the extent appropriate within twelve (12) months of any amendments to the Erosion and Sedimentation Act of 1975.



# What Does It All Mean?

The bottom line...not much...but Dawson County is required to amend its ordinance to match the state model ordinance for erosion control.

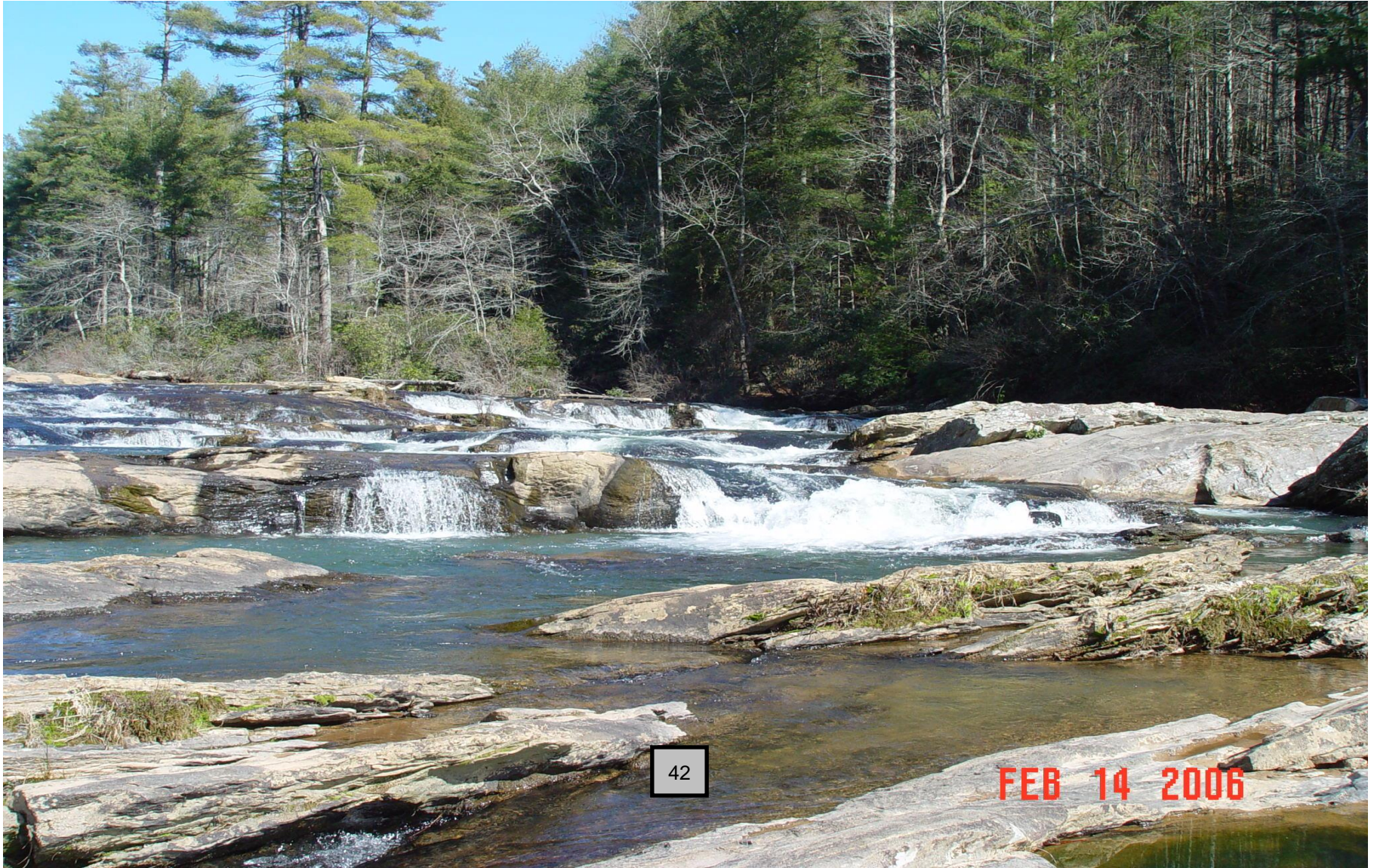


By updating and amending this ordinance, let's keep Dawson County from looking like this...





And keep Dawson County looking  
like this...





Thank you for your kind  
attention.

**THE END**

**AN ORDINANCE OF  
DAWSON COUNTY BOARD OF COMMISSIONERS**

**TO ENACT, AMEND, AND UPDATE THE SOIL EROSION AND SEDIMENTATION CONTROL ORDINANCE; TO  
REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; AND FOR OTHER PURPOSES.**

It is hereby ordained by the Board of Commissioners of Dawson County, Georgia as follows:

**SECTION I: TITLE**

This ordinance shall be known as the “Dawson County Soil Erosion and Sedimentation Control Ordinance.”

**SECTION II: DEFINITIONS**

The following definitions shall apply in the interpretation and enforcement of this ordinance, unless otherwise specifically stated:

1. Best Management Practices (BMPs):

These include sound conservation and engineering practices to prevent and minimize erosion and resultant sedimentation, which are consistent with, and no less stringent than, those practices contained in the ‘Manual for Erosion and Sediment Control in Georgia’ published by the Commission as of January 1 of the year in which the land-disturbing activity was permitted.

2. Board: The Board of Natural Resources.

3. Buffer: The area of land immediately adjacent to the banks of state waters in its natural state of vegetation, which facilitates the protection of water quality and aquatic habitat.

4. Certified Personnel: A person who has successfully completed the appropriate certification course approved by the Georgia Soil and Water Conservation Commission.

5. Coastal Marshlands: Shall have the same meaning as in O.C.G.A. 12-5-282.



6. Commission: The Georgia Soil and Water Conservation Commission (GSWCC).
7. CPESC: Certified Professional in Erosion and Sediment Control with current certification by EnviroCert, Inc., which is also referred to as CPESC or CPESC, Inc.
8. Cut: A portion of land surface or area from which earth has been removed or will be removed by excavation; the depth below original ground surface to the excavated surface. Also known as excavation.
9. Department: The Georgia Department of Natural Resources (DNR).
10. Design Professional: A professional licensed by the State of Georgia in the field of: engineering, architecture, landscape architecture, forestry, geology, or land surveying; or a person that is a Certified Professional in Erosion and Sediment Control (CPESC) with a current certification by EnviroCert, Inc. Design Professionals shall practice in a manner that complies with applicable Georgia law governing professional licensure.
11. Director: The Director of the Environmental Protection Division or an authorized representative.
12. District: The Upper Chattahoochee Soil and Water Conservation District.
13. Division: The Environmental Protection Division (EPD) of the Department of Natural Resources.
14. Drainage Structure: A device composed of a virtually nonerodible material such as concrete, steel, plastic or other such material that conveys water from one place to another by intercepting the flow and carrying it to a release point for storm water management, drainage control, or flood control purposes.
15. Erosion: The process by which land surface is worn away by the action of wind, water, ice or gravity.
16. Erosion, Sedimentation and Pollution Control Plan: A plan required by the Erosion and Sedimentation Act, O.C.G.A. Chapter 12-7, that includes, as a minimum protections at least as stringent as the State General Permit, best management practices, and requirements in section IV.C. of this ordinance.
17. Fill: A portion of land surface to which soil or other solid material has been added; the depth above the original ground surface or an excavation.
18. Final Stabilization: All soil disturbing activities at the site have been completed, and that for unpaved areas and areas not covered by permanent structures and areas located outside the waste disposal limits of a landfill cell that has been certified by EPD for waste disposal, 100% of the soil surface is uniformly covered in permanent vegetation with a density of 70% or greater, or landscaped according to the Plan (uniformly covered with landscaping materials in planned landscape areas), or equivalent permanent stabilization measures as defined in the Manual (excluding a crop of annual vegetation and seeding of target crop perennials appropriate for the region). Final stabilization applies to each phase of construction.

19. Finished Grade: The final elevation and contour of the ground after cutting or filling and conforming to the proposed design.
20. Grading: Altering the shape of ground surfaces to a predetermined condition; this includes stripping, cutting, filling, stockpiling and shaping or any combination thereof and shall include the land in its cut or filled condition.
21. Ground Elevation: The original elevation of the ground surface prior to cutting or filling.
22. Land-Disturbing Activity: Any activity which may result in soil erosion from water or wind and the movement of sediments into state waters or onto lands within the state, including, but not limited to, clearing, dredging, grading, excavating, transporting, and filling of land but not including agricultural practices as described in Section III, Paragraph 5.
23. Larger Common Plan of Development or Sale: A contiguous area where multiple separate and distinct construction activities are occurring under one plan of development or sale. For the purposes of this paragraph, "plan" means an announcement; piece of documentation such as a sign, public notice or hearing, sales pitch, advertisement, drawing, permit application, zoning request, or computer design; or physical demarcation such as boundary signs, lot stakes, or surveyor markings, indicating that construction activities may occur on a specific plot.
24. Local Issuing Authority: The governing authority of any county or municipality which is certified pursuant to subsection (a) O.C.G.A. 12-7-8.
25. Metropolitan River Protection Act (MRPA): A state law referenced as O.C.G.A. 12-5-440 et.seq. which addresses environmental and developmental matters in certain metropolitan river corridors and their drainage basins.
26. Natural Ground Surface: The ground surface in its original state before any grading, excavation or filling.
27. Nephelometric Turbidity Units (NTU): Numerical units of measure based upon photometric analytical techniques for measuring the light scattered by finely divided particles of a substance in suspension. This technique is used to estimate the extent of turbidity in water in which colloiddally dispersed or suspended particles are present.
28. NOI: A Notice of Intent form provided by EPD for coverage under the State General Permit.
29. NOT: A Notice of Termination form provided by EPD to terminate coverage under the State General Permit.
30. Operator: The party or parties that have: (A) operational control of construction project plans and specifications, including the ability to make modifications to those plans and specifications; or (B) day-to-day operational control of those activities that are necessary to ensure compliance with an erosion, sedimentation and pollution control plan for the site or other permit conditions, such as

a person authorized to direct workers at a site to carry out activities required by the erosion, sedimentation and pollution control plan or to comply with other permit conditions.

31. Outfall: The location where storm water in a discernible, confined and discrete conveyance, leaves a facility or site or, if there is a receiving water on site, becomes a point source discharging into that receiving water.
32. Permit: The authorization necessary to conduct a land-disturbing activity under the provisions of this ordinance.
33. Person: Any individual, partnership, firm, association, joint venture, public or private corporation, trust, estate, commission, board, public or private institution, utility, cooperative, state agency, municipality or other political subdivision of the State of Georgia, any interstate body or any other legal entity.
34. Phase or Phased: Sub-parts or segments of construction projects where the sub-part or segment is constructed and stabilized prior to completing construction activities on the entire construction site.
35. Project: The entire proposed development project regardless of the size of the area of land to be disturbed.
36. Properly Designed: Designed in accordance with the design requirements and specifications contained in the "Manual for Erosion and Sediment Control in Georgia" (Manual) published by the Georgia Soil and Water Conservation Commission as of January 1 of the year in which the land-disturbing activity was permitted and amendments to the Manual as approved by the Commission up until the date of NOI submittal.
37. Roadway Drainage Structure: A device such as a bridge, culvert, or ditch, composed of a virtually nonerodible material such as concrete, steel, plastic, or other such material that conveys water under a roadway by intercepting the flow on one side of a traveled roadway consisting of one or more defined lanes, with or without shoulder areas, and carrying water to a release point on the other side.
38. Sediment: Solid material, both organic and inorganic, that is in suspension, is being transported, or has been moved from its site of origin by wind, water, ice, or gravity as a product of erosion.
39. Sedimentation: The process by which eroded material is transported and deposited by the action of water, wind, ice or gravity.
40. Soil and Water Conservation District Approved Plan: An erosion, sedimentation and pollution control plan approved in writing by the Upper Chattahoochee Soil and Water Conservation District.
41. Stabilization: The process of establishing an enduring soil cover of vegetation by the installation of temporary or permanent structures for the purpose of reducing to a minimum the erosion process and the resultant transport of sediment by wind, water, ice or gravity.

42. State General Permit: The National Pollution Discharge Elimination System (NPDES) general permit or permits for storm water runoff from construction activities as is now in effect or as may be amended or reissued in the future pursuant to the state's authority to implement the same through federal delegation under the Federal Water Pollution Control Act, as amended, 33 U.S.C. Section 1251, et seq., and subsection (f) of Code Section 12-5-30.
43. State Waters: Any and all rivers, streams, creeks, branches, lakes, reservoirs, ponds, drainage systems, springs, wells, and other bodies of surface or subsurface water, natural or artificial, lying within or forming a part of the boundaries of Georgia which are not entirely confined and retained completely upon the property of a single individual, partnership, or corporation.
44. Structural Erosion, Sedimentation and Pollution Control Practices: Practices for the stabilization of erodible or sediment-producing areas by utilizing the mechanical properties of matter for the purpose of either changing the surface of the land or storing, regulating or disposing of runoff to prevent excessive sediment loss. Examples of structural erosion and sediment control practices are riprap, sediment basins, dikes, level spreaders, waterways or outlets, diversions, grade stabilization structures and sediment traps, etc. Such practices can be found in the publication Manual for Erosion and Sediment Control in Georgia.
45. Trout Streams: All streams or portions of streams within the watershed as designated by the Wildlife Resources Division of the Georgia Department of Natural Resources under the provisions of the Georgia Water Quality Control Act, O.C.G.A. 12-5-20, in the rules and regulations for Water Quality Control, Chapter 391-3-6 at [www.epd.georgia.gov](http://www.epd.georgia.gov). Streams designated as primary trout waters are defined as water supporting a self-sustaining population of rainbow, brown or brook trout. Streams designated as secondary trout waters are those in which there is no evidence of natural trout reproduction, but are capable of supporting trout throughout the year. First order trout waters are streams into which no other streams flow except springs.
46. Vegetative Erosion and Sedimentation Control Measures: Measures for the stabilization of erodible or sediment-producing areas by covering the soil with:
- a. Permanent seeding, sprigging or planting, producing long-term vegetative cover, or
  - b. Temporary seeding, producing short-term vegetative cover; or
  - c. Sodding, covering areas with a turf of perennial sod-forming grass.

Such measures can be found in the publication Manual for Erosion and Sediment Control in Georgia.

47. Watercourse: Any natural or artificial watercourse, stream, river, creek, channel, ditch, canal, conduit, culvert, drain, waterway, gully, ravine, or wash in which water flows either continuously or intermittently and which has a definite channel, bed and banks, and including any area adjacent thereto subject to inundation by reason of overflow or floodwater.

48. Wetlands: Those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas.

### SECTION III

#### EXEMPTIONS

This ordinance shall apply to any land-disturbing activity undertaken by any person on any land except for the following

1. Surface mining, as the same is defined in O.C.G.A. 12-4-72, "The Georgia Surface Mining Act of 1968".
2. Granite quarrying and land clearing for such quarrying;
3. Such minor land-disturbing activities as home gardens and individual home landscaping, repairs, maintenance work, fences, and other related activities which result in minor soil erosion;
4. The construction of single-family residences, when such construction disturbs less than one (1) acre and is not a part of a larger common plan of development or sale with a planned disturbance of equal to or greater than one (1) acre and not otherwise exempted under this paragraph; provided, however, that construction of any such residence shall conform to the minimum requirements as set forth in O.C.G.A. 12-7-6 and this paragraph. For single-family residence construction covered by the provisions of this paragraph, there shall be a buffer zone between the residence and any state waters classified as trout streams pursuant to Article 2 of Chapter 5 of the Georgia Water Quality Control Act. In any such buffer zone, no land-disturbing activity shall be constructed between the residence and the point where vegetation has been wrested by normal stream flow or wave action from the banks of the trout waters. For primary trout waters, the buffer zone shall be at least 50 horizontal feet, and no variance to a smaller buffer shall be granted. For secondary trout waters, the buffer zone shall be at least 50 horizontal feet, but the Director may grant variances to no less than 25 feet. Regardless of whether a trout stream is primary or secondary, for first order trout waters, which are streams into which no other streams flow except for springs, the buffer shall be at least 25 horizontal feet, and no variance to a smaller buffer shall be granted. The minimum requirements of subsection (b) of O.C.G.A. 12-7-6 and the buffer zones provided by this paragraph shall be enforced by the Local Issuing Authority;
5. Agricultural operations as defined in O.C.G.A. 1-3-3, "definitions", to include raising, harvesting or storing of products of the field or orchard; feeding, breeding or managing livestock or poultry; producing or storing feed for use in the production of livestock, including but not limited to cattle, calves, swine, hogs, goats, sheep, and rabbits or for use in the production of poultry, including but

not limited to chickens, hens and turkeys; producing plants, trees, fowl, or animals; the production of aqua culture, horticultural, dairy, livestock, poultry, eggs and apiarian products; farm buildings and farm ponds;

6. Forestry land management practices, including harvesting; provided, however, that when such exempt forestry practices cause or result in land-disturbing or other activities otherwise prohibited in a buffer, as established in paragraphs (15) and (16) of Section IV C. of this ordinance, no other land-disturbing activities, except for normal forest management practices, shall be allowed on the entire property upon which the forestry practices were conducted for a period of three (3) years after completion of such forestry practices;
7. Any project carried out under the technical supervision of the Natural Resources Conservation Service (NRCS) of the United States Department of Agriculture;
8. Any project involving less than one (1) acre of disturbed area; provided, however, that this exemption shall not apply to any land-disturbing activity within a larger common plan of development or sale with a planned disturbance of equal to or greater than one (1) acre or within 200 feet of the bank of any state waters, and for purposes of this paragraph, "State Waters" excludes channels and drainage ways which have water in them only during and immediately after rainfall events and intermittent streams which do not have water in them year-round; provided, however, that any person responsible for a project which involves less than one (1) acre, which involves land-disturbing activity, and which is within 200 feet of any such excluded channel or drainage way, must prevent sediment from moving beyond the boundaries of the property on which such project is located and provided, further, that nothing contained herein shall prevent the Local Issuing Authority from regulating any such project which is not specifically exempted by paragraphs 1, 2, 3, 4, 5, 6, 7, 9 or 10 of this section;
9. Construction or maintenance projects, or both, undertaken or financed in whole or in part, or both, by the Department of Transportation, the Georgia Highway Authority, or the State Road and Tollway Authority; or any road construction or maintenance project, or both, undertaken by any county or municipality; provided, however, that construction or maintenance projects of the Department of Transportation or the State Road and Tollway Authority which disturb one or more contiguous acres of land shall be subject to provisions of O.C.G.A. 12-7-7.1; except where the Department of Transportation, the Georgia Highway Authority, or the State Road and Tollway Authority is a secondary permittee for a project located within a larger common plan of development or sale under the state general permit, in which case a copy of a notice of intent under the state general permit shall be submitted to the Local Issuing Authority, the Local Issuing Authority shall enforce compliance with the minimum requirements set forth in O.C.G.A. 12-7-6 as if a permit had been issued, and violations shall be subject to the same penalties as violations by permit holders;
10. Any land-disturbing activities conducted by any electric membership corporation or municipal electrical system or any public utility under the regulatory jurisdiction of the Public Service Commission, any utility under the regulatory jurisdiction of the Federal Energy Regulatory Commission, any cable television system as defined in O.C.G.A. 36-18-1, or any agency or

instrumentality of the United States engaged in the generation, transmission, or distribution of power; except where an electric membership corporation or municipal electrical system or any public utility under the regulatory jurisdiction of the Public Service Commission, any utility under the regulatory jurisdiction of the Federal Energy Regulatory Commission, any cable television system as defined in O.C.G.A. 36-18-1, or any agency or instrumentality of the United States engaged in the generation, transmission, or distribution of power is a secondary permittee for a project located within a larger common plan of development or sale under the state general permit, in which case the Local Issuing Authority shall enforce compliance with the minimum requirements set forth in O.C.G.A. 12-7-6 as if a permit had been issued, and violations shall be subject to the same penalties as violations by permit holders; and

11. Any public water system reservoir.

## **SECTION IV**

### **MINIMUM REQUIREMENTS FOR EROSION, SEDIMENTATION AND POLLUTION CONTROL USING BEST MANAGEMENT PRACTICES**

#### **A. GENERAL PROVISIONS**

Excessive soil erosion and resulting sedimentation can take place during land-disturbing activities if requirements of the ordinance and the NPDES General Permit are not met. Therefore, plans for those land-disturbing activities which are not exempted by this ordinance shall contain provisions for application of soil erosion, sedimentation and pollution control measures and practices. The provisions shall be incorporated into the erosion, sedimentation and pollution control plans. Soil erosion, sedimentation and pollution control measures and practices shall conform to the minimum requirements of Section IV B. & C. of this ordinance. The application of measures and practices shall apply to all features of the site, including street and utility installations, drainage facilities and other temporary and permanent improvements. Measures shall be installed to prevent or control erosion, sedimentation and pollution during all stages of any land-disturbing activity in accordance with requirements of this ordinance and the NPDES General Permit.

#### **B. MINIMUM REQUIREMENTS/ BMPs**

1. Best management practices as set forth in Section IV B. & C. of this ordinance shall be required for all land-disturbing activities. Proper design, installation, and maintenance of best management practices shall constitute a complete defense to any action by the Director or to any other allegation of noncompliance with paragraph (2) of this subsection or any substantially similar terms contained in a permit for the discharge of storm water issued pursuant to subsection (f) of O.C.G.A. 12-5-30, the

"Georgia Water Quality Control Act". As used in this subsection the terms "proper design" and "properly designed" mean designed in accordance with the hydraulic design specifications contained in the "Manual for Erosion and Sediment Control in Georgia" specified in O.C.G.A. 12-7-6 subsection (b).

2. A discharge of storm water runoff from disturbed areas where best management practices have not been properly designed, installed, and maintained shall constitute a separate violation of any land-disturbing permit issued by a local Issuing Authority or of any state general permit issued by the Division pursuant to subsection (f) of O.C.G.A. 12-5-30, the "Georgia Water Quality Control Act", for each day on which such discharge results in the turbidity of receiving waters being increased by more than twenty-five (25) nephelometric turbidity units for waters supporting warm water fisheries or by more than ten (10) nephelometric turbidity units for waters classified as trout waters. The turbidity of the receiving waters shall be measured in accordance with guidelines to be issued by the Director. This paragraph shall not apply to any land disturbance associated with the construction of single family homes which are not part of a larger common plan of development or sale unless the planned disturbance for such construction is equal to or greater than five (5) acres.
3. Failure to properly design, install, or maintain best management practices shall constitute a violation of any land-disturbing permit issued by a Local Issuing Authority or of any state general permit issued by the Division pursuant to subsection (f) of Code Section 12-5-30, the "Georgia Water Quality Control Act", for each day on which such failure occurs.
4. The Director may require, in accordance with regulations adopted by the Board, reasonable and prudent monitoring of the turbidity level of receiving waters into which discharges from land disturbing activities occur.
5. The LIA may set more stringent buffer requirements than stated in C.15,16 and 17, in light of O.C.G.A. § 12-7-6 (c).

C.

The rules and regulations, ordinances, or resolutions adopted pursuant to O.C.G.A. 12-7-1 et. seq. for the purpose of governing land-disturbing activities shall require, as a minimum, protections at least as stringent as the state general permit; and best management practices, including sound conservation and engineering practices to prevent and minimize erosion and resultant sedimentation, which are consistent with, and no less stringent than, those practices contained in the Manual for Erosion and Sediment Control in Georgia published by the Georgia Soil and Water Conservation Commission as of January 1 of the year in which the land-disturbing activity was permitted, as well as the following:

1. Stripping of vegetation, regrading and other development activities shall be conducted in a manner so as to minimize erosion;
2. Cut-fill operations must be kept to a minimum;



3. Development plans must conform to topography and soil type so as to create the lowest practicable erosion potential;
4. Whenever feasible, natural vegetation shall be retained, protected and supplemented;
5. The disturbed area and the duration of exposure to erosive elements shall be kept to a practicable minimum;
6. Disturbed soil shall be stabilized as quickly as practicable;
7. Temporary vegetation or mulching shall be employed to protect exposed critical areas during development;
8. Permanent vegetation and structural erosion control practices shall be installed as soon as practicable;
9. To the extent necessary, sediment in run-off water must be trapped by the use of debris basins, sediment basins, silt traps, or similar measures until the disturbed area is stabilized. As used in this paragraph, a disturbed area is stabilized when it is brought to a condition of continuous compliance with the requirements of O.C.G.A. 12-7-1 et. seq.;
10. Adequate provisions must be provided to minimize damage from surface water to the cut face of excavations or the sloping of fills;
11. Cuts and fills may not endanger adjoining property;
12. Fills may not encroach upon natural watercourses or constructed channels in a manner so as to adversely affect other property owners;
13. Grading equipment must cross flowing streams by means of bridges or culverts except when such methods are not feasible, provided, in any case, that such crossings are kept to a minimum;
14. Land-disturbing activity plans for erosion, sedimentation and pollution control shall include provisions for treatment or control of any source of sediments and adequate sedimentation control facilities to retain sediments on-site or preclude sedimentation of adjacent waters beyond the levels specified in Section IV B. 2. of this ordinance;
15. Except as provided in paragraph (16) and (17) of this subsection, there is established a 25 foot buffer along the banks of all state waters, as measured horizontally from the point where vegetation has been wrested by normal stream flow or wave action, except where the Director determines to allow a variance that is at least as protective of natural resources and the environment, where otherwise allowed by the Director pursuant to O.C.G.A. 12-2-8, where a drainage structure or a roadway drainage structure must be constructed, provided that adequate erosion control measures are incorporated in the project plans and specifications, and are implemented; or where bulkheads and sea walls are installed to prevent shoreline erosion on Lake Oconee and Lake Sinclair; or along any ephemeral stream. As used in this provision, the term 'ephemeral stream' means a stream: that

under normal circumstances has water flowing only during and for a short duration after precipitation events; that has the channel located above the ground-water table year round; for which ground water is not a source of water; and for which runoff from precipitation is the primary source of water flow, Unless exempted as along an ephemeral stream, the buffers of at least 25 feet established pursuant to part 6 of Article 5, Chapter 5 of Title 12, the "Georgia Water Quality Control Act", shall remain in force unless a variance is granted by the Director as provided in this paragraph. The following requirements shall apply to any such buffer:

- a. No land-disturbing activities shall be conducted within a buffer and a buffer shall remain in its natural, undisturbed state of vegetation until all land-disturbing activities on the construction site are completed. Once the final stabilization of the site is achieved, a buffer may be thinned or trimmed of vegetation as long as a protective vegetative cover remains to protect water quality and aquatic habitat and a natural canopy is left in sufficient quantity to keep shade on the stream bed; provided, however, that any person constructing a single-family residence, when such residence is constructed by or under contract with the owner for his or her own occupancy, may thin or trim vegetation in a buffer at any time as long as protective vegetative cover remains to protect water quality and aquatic habitat and a natural canopy is left in sufficient quantity to keep shade on the stream bed; and
- b. The buffer shall not apply to the following land-disturbing activities, provided that they occur at an angle, as measured from the point of crossing, within 25 degrees of perpendicular to the stream; cause a width of disturbance of not more than 50 feet within the buffer; and adequate erosion control measures are incorporated into the project plans and specifications and are implemented: (i) Stream crossings for water lines; or (ii) Stream crossings for sewer lines; and

16. There is established a 50 foot buffer as measured horizontally from the point where vegetation has been wrested by normal stream flow or wave action, along the banks of any state waters classified as "trout streams" pursuant to Article 2 of Chapter 5 of Title 12, the "Georgia Water Quality Control Act", except where a roadway drainage structure must be constructed ; provided, however, that small springs and streams classified as trout streams which discharge an average annual flow of 25 gallons per minute or less shall have a 25 foot buffer or they may be piped, at the discretion of the landowner, pursuant to the terms of a rule providing for a general variance promulgated by the Board, so long as any such pipe stops short of the downstream landowner's property and the landowner complies with the buffer requirement for any adjacent trout streams. The Director may grant a variance from such buffer to allow land-disturbing activity, provided that adequate erosion control measures are incorporated in the project plans and specifications and are implemented. The following requirements shall apply to such buffer:

- a. No land-disturbing activities shall be conducted within a buffer and a buffer shall remain in its natural, undisturbed, state of vegetation until all land-disturbing activities on the construction site are completed. Once the final stabilization of the site is achieved, a buffer may be thinned or trimmed of vegetation as long as a protective vegetative cover remains to

protect water quality and aquatic habitat and a natural canopy is left in sufficient quantity to keep shade on the stream bed: provided, however, that any person constructing a single-family residence, when such residence is constructed by or under contract with the owner for his or her own occupancy, may thin or trim vegetation in a buffer at any time as long as protective vegetative cover remains to protect water quality and aquatic habitat and a natural canopy is left in sufficient quantity to keep shade on the stream bed; and

- b. The buffer shall not apply to the following land-disturbing activities, provided that they occur at an angle, as measured from the point of crossing, within 25 degrees of perpendicular to the stream; cause a width of disturbance of not more than 50 feet within the buffer; and adequate erosion control measures are incorporated into the project plans and specifications and are implemented: (i) Stream crossings for water lines; or (ii) Stream crossings for sewer lines; and

17. Construction site operators shall control waste at the construction site, such as discarded building materials, concrete truck washout, chemicals, litter, and sanitary waste.

D.

Nothing contained in O.C.G.A. 12-7-1 et. seq. shall prevent any Local Issuing Authority from adopting rules and regulations, ordinances, or resolutions which contain stream buffer requirements that exceed the minimum requirements in Section IV B. & C. of this ordinance.

E.

The fact that land-disturbing activity for which a permit has been issued results in injury to the property of another shall neither constitute proof of nor create a presumption of a violation of the standards provided for in this ordinance or the terms of the permit.

## **SECTION V**

### **APPLICATION/PERMIT PROCESS**

A. GENERAL

The property owner, developer and designated planners and engineers shall design and review before submittal the general development plans. The Local Issuing Authority shall review the tract to be developed and the area surrounding it. They shall consult the zoning ordinance, storm water management ordinance, subdivision ordinance, flood damage prevention ordinance, this ordinance,

and any other ordinances, rules, regulations or permits, which regulate the development of land within the jurisdictional boundaries of the Local Issuing Authority. However, the owner and/or operator are the only parties who may obtain a permit.

B. APPLICATION REQUIREMENTS

1. No person shall conduct any land-disturbing activity within the jurisdictional boundaries of Dawson County without first obtaining a permit from the Planning and Development Department to perform such activity and providing a copy of Notice of Intent submitted to EPD if applicable.
2. The application for a permit shall be submitted to the Planning and Development Department and must include the applicant's erosion, sedimentation and pollution control plan with supporting data, as necessary. Said plans shall include, as a minimum, the data specified in Section V C. of this ordinance. Erosion, sedimentation and pollution control plans, together with supporting data, must demonstrate affirmatively that the land disturbing activity proposed will be carried out in such a manner that the provisions of Section IV B. & C. of this ordinance will be met. Applications for a permit will not be accepted unless accompanied by an appropriate number of copies of the applicant's erosion, sedimentation and pollution control plans. All applications shall contain a certification stating that the plan preparer or the designee thereof visited the site prior to creation of the plan in accordance with EPD Rule 391-3-7-.10.
3. In addition to the local permitting fees which shall be charged in accordance with the Dawson County Planning and Development Fee Schedule, fees will also be assessed pursuant to paragraph (5) subsection (a) of O.C.G.A. 12-5-23, provided that such fees shall not exceed \$80.00 per acre of land-disturbing activity, and these fees shall be calculated and paid by the primary permittee as defined in the state general permit for each acre of land-disturbing activity included in the planned development or each phase of development. All applicable fees shall be paid prior to issuance of the land disturbance permit. In a jurisdiction that is certified pursuant to subsection (a) of O.C.G.A. 12-7-8 half of such fees levied shall be submitted to the Division; except that any and all fees due from an entity which is required to give notice pursuant to paragraph (9) or (10) of O.C.G.A. 12-7-17 shall be submitted in full to the Division, regardless of the existence of a Local Issuing Authority in the jurisdiction.
4. Immediately upon receipt of an application and plan for a permit, the Local Issuing Authority shall refer the application and plan to the District for its review and approval or disapproval concerning the adequacy of the erosion, sedimentation and pollution control plan. The District shall approve or disapprove a plan within 35 days of receipt. Failure of the District to act within 35 days shall be considered an approval of the pending plan. The results of the District review shall be forwarded to the Local Issuing Authority. No permit will be issued unless the plan has been approved by the District, and any variances required by Section IV C. 15, 16 and 17 have been obtained, all fees have been paid, and bonding, if required as per Section V B.6., have been obtained. Such review will not be required if the Local Issuing Authority and the District have entered into an agreement which

allows the Local Issuing Authority to conduct such review and approval of the plan without referring the application and plan to the District. The Local Issuing Authority with plan review authority shall approve or disapprove a revised Plan submittal within 35 days of receipt. Failure of the Local Issuing Authority with plan review authority to act within 35 days shall be considered an approval of the revised Plan submittal.

5. If a permit applicant has had two or more violations of previous permits, this ordinance section, or the Erosion and Sedimentation Act, as amended, within three years prior to the date of filing the application under consideration, the Local Issuing Authority may deny the permit application.
6. The Local Issuing Authority may require the permit applicant to post a bond in the form of government security, cash, irrevocable letter of credit, or any combination thereof up to, but not exceeding, \$3,000.00 per acre or fraction thereof of the proposed land-disturbing activity, prior to issuing the permit. If the applicant does not comply with this section or with the conditions of the permit after issuance, the Local Issuing Authority may call the bond or any part thereof to be forfeited and may use the proceeds to hire a contractor to stabilize the site of the land-disturbing activity and bring it into compliance. These provisions shall not apply unless there is in effect an ordinance or statute specifically providing for hearing and judicial review of any determination or order of the Local Issuing Authority with respect to alleged permit violations.

#### C. PLAN REQUIREMENTS

1. Plans must be prepared to meet the minimum requirements as contained in Section IV B. & C. of this ordinance, or through the use of more stringent, alternate design criteria which conform to sound conservation and engineering practices. The Manual for Erosion and Sediment Control in Georgia is hereby incorporated by reference into this ordinance. The plan for the land-disturbing activity shall consider the interrelationship of the soil types, geological and hydrological characteristics, topography, watershed, vegetation, proposed permanent structures including roadways, constructed waterways, sediment control and storm water management facilities, local ordinances and State laws. Maps, drawings and supportive computations shall bear the signature and seal of the certified design professional. Persons involved in land development design, review, permitting, construction, monitoring, or inspections or any land disturbing activity shall meet the education and training certification requirements, dependent on his or her level of involvement with the process, as developed by the Commission and in consultation with the Division and the Stakeholder Advisory Board created pursuant to O.C.G.A. 12-7-20.
2. Data Required for Site Plan shall include all the information required from the appropriate Erosion, Sedimentation and Pollution Control Plan Review Checklist established by the Commission as of January 1 of the year in which the land-disturbing activity was permitted.

#### D. PERMITS

1. Permits shall be issued or denied as soon as practicable but in any event not later than forty-five (45) days after receipt by the Local Issuing Authority of a completed application, providing variances and bonding are obtained, where necessary and all applicable fees have been paid prior to permit issuance. The permit shall include conditions under which the activity may be undertaken.
2. No permit shall be issued by the Local Issuing Authority unless the erosion, sedimentation and pollution control plan has been approved by the District and the Local Issuing Authority has affirmatively determined that the plan is in compliance with this ordinance, any variances required by Section IV C. 15, 16 and 17 are obtained, bonding requirements, if necessary, as per Section V B. 6. are met and all ordinances and rules and regulations in effect within the jurisdictional boundaries of the Local Issuing Authority are met. If the permit is denied, the reason for denial shall be furnished to the applicant.
3. Any land-disturbing activities by a local issuing authority shall be subject to the same requirements of this ordinance, and any other ordinances relating to land development, as are applied to private persons and the division shall enforce such requirements upon the local issuing authority.
4. If the tract is to be developed in phases, then a separate permit shall be required for each phase.
5. The permit may be suspended, revoked, or modified by the Local Issuing Authority, as to all or any portion of the land affected by the plan, upon finding that the holder or his successor in the title is not in compliance with the approved erosion and sedimentation control plan or that the holder or his successor in title is in violation of this ordinance. A holder of a permit shall notify any successor in title to him as to all or any portion of the land affected by the approved plan of the conditions contained in the permit.
6. The LIA may reject a permit application if the applicant has had two or more violations of previous permits or the Erosion and Sedimentation Act permit requirements within three years prior to the date of the application, in light of O.C.G.A. 12-7-7 (f) (1).

## SECTION VI

### INSPECTION AND ENFORCEMENT

- A. The Planning and Development Department will periodically inspect the sites of land-disturbing activities for which permits have been issued to determine if the activities are being conducted in accordance with the plan and if the measures required in the plan are effective in controlling erosion and sedimentation. Also, the Local Issuing Authority shall regulate primary, secondary and tertiary permittees as such terms are defined in the state general permit. Primary permittees shall be responsible for installation and maintenance of best management practices where the primary permittee is conducting land-disturbing activities. Secondary permittees shall be responsible for installation and maintenance of best management practices where the secondary permittee is conducting land-disturbing activities. Tertiary permittees shall be responsible for installation and maintenance where the tertiary permittee is conducting land-disturbing activities. If, through inspection, it is deemed that a person engaged in land-disturbing activities as defined herein has failed to comply with the approved plan, with permit conditions, or with the provisions of this ordinance, a written notice to comply shall be served upon that person. The notice shall set forth the measures necessary to achieve compliance and shall state the time within which such measures must be completed. If the person engaged in the land-disturbing activity fails to comply within the time specified, he shall be deemed in violation of this ordinance.
- B. The Local Issuing Authority must amend its ordinances to the extent appropriate within twelve (12) months of any amendments to the Erosion and Sedimentation Act of 1975.
- C. The Planning and Development Department shall have the power to conduct such investigations as it may reasonably deem necessary to carry out duties as prescribed in this ordinance, and for this purpose to enter at reasonable times upon any property, public or private, for the purpose of investigation and inspecting the sites of land-disturbing activities.
- D. No person shall refuse entry or access to any authorized representative or agent of the Local Issuing Authority, the Commission, the District, or Division who requests entry for the purposes of inspection, and who presents appropriate credentials, nor shall any person obstruct, hamper or interfere with any such representative while in the process of carrying out his official duties.
- E. The District or the Commission or both shall semi-annually review the actions of counties and municipalities which have been certified as Local Issuing Authorities pursuant to O.C.G.A. 12-7-8 (a). The District or the Commission or both may provide technical assistance to any county or municipality for the purpose of improving the effectiveness of the county's or municipality's erosion, sedimentation and pollution control program. The District or the Commission shall notify the Division and request investigation by the Division if any deficient or ineffective local program is found.



F. The Division may periodically review the actions of counties and municipalities which have been certified as Local Issuing Authorities pursuant to Code Section 12-7-8 (a). Such review may include, but shall not be limited to, review of the administration and enforcement of a governing authority's ordinance and review of conformance with an agreement, if any, between the district and the governing authority. If such review indicates that the governing authority of any county or municipality certified pursuant to O.C.G.A. 12-7-8 (a) has not administered or enforced its ordinances or has not conducted the program in accordance with any agreement entered into pursuant to O.C.G.A. 12-7-7 (e), the Division shall notify the governing authority of the county or municipality in writing. The governing authority of any county or municipality so notified shall have 90 days within which to take the necessary corrective action to retain certification as a Local Issuing Authority. If the county or municipality does not take necessary corrective action within 90 days after notification by the division, the division shall revoke the certification of the county or municipality as a Local Issuing Authority.

## **SECTION VII**

### **PENALTIES AND INCENTIVES**

#### **A. FAILURE TO OBTAIN A PERMIT FOR LAND-DISTURBING ACTIVITY**

If any person commences any land-disturbing activity requiring a land-disturbing permit as prescribed in this ordinance without first obtaining said permit, the person shall be subject to revocation of his business license, work permit or other authorization for the conduct of a business and associated work activities within the jurisdictional boundaries of the Local Issuing Authority.

#### **B. STOP-WORK ORDERS**

1. For the first and second violations of the provisions of this ordinance, the Director or the Local Issuing Authority shall issue a written warning to the violator. The violator shall have five days to correct the violation. If the violation is not corrected within five days, the Director or the Local Issuing Authority shall issue a stop-work order requiring that land-disturbing activities be stopped until necessary corrective action or mitigation has occurred; provided, however, that, if the violation presents an imminent threat to public health or waters of the state or if the land-disturbing activities are conducted without obtaining the necessary permit, the Director or the Local Issuing Authority shall issue an immediate stop-work order in lieu of a warning;
2. For a third and each subsequent violation, the Director or the Local Issuing Authority shall issue an immediate stop-work order; and;
3. All stop-work orders shall be effective immediately upon issuance and shall be in effect until the necessary corrective action or mitigation has occurred.

4. When a violation in the form of taking action without a permit, failure to maintain a stream buffer, or significant amounts of sediment, as determined by the Local Issuing Authority or by the Director or his or her Designee, have been or are being discharged into state waters and where best management practices have not been properly designed, installed, and maintained, a stop work order shall be issued by the Local Issuing Authority or by the Director or his or her Designee. All such stop work orders shall be effective immediately upon issuance and shall be in effect until the necessary corrective action or mitigation has occurred. Such stop work orders shall apply to all land-disturbing activity on the site with the exception of the installation and maintenance of temporary or permanent erosion and sediment controls.

#### C. BOND FORFEITURE

If, through inspection, it is determined that a person engaged in land-disturbing activities has failed to comply with the approved plan, a written notice to comply shall be served upon that person. The notice shall set forth the measures necessary to achieve compliance with the plan and shall state the time within which such measures must be completed. If the person engaged in the land-disturbing activity fails to comply within the time specified, he shall be deemed in violation of this ordinance and, in addition to other penalties, shall be deemed to have forfeited his performance bond, if required to post one under the provisions of Section V B. 6. The Local Issuing Authority may call the bond or any part thereof to be forfeited and may use the proceeds to hire a contractor to stabilize the site of the land-disturbing activity and bring it into compliance.

#### D. MONETARY PENALTIES

1. Any person who violates any provisions of this ordinance, or any permit condition or limitation established pursuant to this ordinance, or who negligently or intentionally fails or refuses to comply with any final or emergency order of the Director issued as provided in this ordinance shall be liable for a civil penalty not to exceed \$2,500.00 per day. For the purpose of enforcing the provisions of this ordinance, notwithstanding any provisions in any City charter to the contrary, municipal courts shall be authorized to impose penalty not to exceed \$2,500.00 for each violation. Notwithstanding any limitation of law as to penalties which can be assessed for violations of county ordinances, any magistrate court or any other court of competent jurisdiction trying cases brought as violations of this ordinance under county ordinances approved under this ordinance shall be authorized to impose penalties for such violations not to exceed \$2,500.00 for each violation. Each day during which violation or failure or refusal to comply continues shall be a separate violation.

**SECTION VIII**  
**EDUCATION AND**  
**CERTIFICATION**

- A. Persons involved in land development design, review, permitting, construction, monitoring, or inspection or any land-disturbing activity shall meet the education and training certification requirements, dependent on their level of involvement with the process, as developed by the commission in consultation with the division and the stakeholder advisory board created pursuant to O.C.G.A. 12-7-20.
- B. For each site on which land-disturbing activity occurs, each entity or person acting as either a primary, secondary, or tertiary permittee, as defined in the state general permit, shall have as a minimum one person who is in responsible charge of erosion and sedimentation control activities on behalf of said entity or person and meets the applicable education or training certification requirements developed by the Commission present on site whenever land-disturbing activities are conducted on that site. A project site shall herein be defined as any land-disturbance site or multiple sites within a larger common plan of development or sale permitted by an owner or operator for compliance with the state general permit.
- C. Persons or entities involved in projects not requiring a state general permit but otherwise requiring certified personnel on site may contract with certified persons to meet the requirements of this ordinance.
- D. If a state general permittee who has operational control of land-disturbing activities for a site has met the certification requirements of paragraph (1) of subsection (b) of O.C.G.A. 12-7-19, then any person or entity involved in land-disturbing activity at that site and operating in a subcontractor capacity for such permittee shall meet those educational requirements specified in paragraph (4) of subsection (b) of O.C.G.A 12-7-19 and shall not be required to meet any educational requirements that exceed those specified in said paragraph.

**SECTION IX**

**ADMINISTRATIVE APPEAL**

**JUDICIAL REVIEW**

**A. ADMINISTRATIVE REMEDIES**

The suspension, revocation, modification or grant with condition of a permit by the Local Issuing Authority upon finding that the holder is not in compliance with the approved erosion, sediment and pollution control plan; or that the holder is in violation of permit conditions; or that the holder is in violation of any ordinance; shall entitle the person submitting the plan or holding the permit to a hearing before the Dawson County Board of Commissioners within 30 days after receipt by the Local Issuing Authority of written notice of appeal.

**B. JUDICIAL REVIEW**

Any person, aggrieved by a decision or order of the Local Issuing Authority, after exhausting his administrative remedies, shall have the right to appeal denovo to the Superior Court of Dawson County.

**SECTION X**

**EFFECTIVITY, VALIDITY**

**AND LIABILITY**

**A. EFFECTIVITY**

This ordinance shall become effective on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

**B. VALIDITY**

If any section, paragraph, clause, phrase, or provision of this ordinance shall be adjudged invalid or held unconstitutional, such decisions shall not affect the remaining portions of this ordinance.

**C. LIABILITY**

1. Neither the approval of a plan under the provisions of this ordinance, nor the compliance with provisions of this ordinance shall relieve any person from the responsibility for damage to any person or property otherwise imposed by law nor impose any liability upon the Local Issuing Authority or District for damage to any person or property.

2. The fact that a land-disturbing activity for which a permit has been issued results in injury to the property of another shall neither constitute proof of nor create a presumption of a violation of the standards provided for in this ordinance or the terms of the permit.
3. No provision of this ordinance shall permit any persons to violate the Georgia Erosion and Sedimentation Act of 1975, the Georgia Water Quality Control Act or the rules and regulations promulgated and approved thereunder or pollute any Waters of the State as defined thereby.

ATTEST: Dawson County Board of Commissioners

\_\_\_\_\_

By: \_\_\_\_\_

Danielle Yarbrough, County Clerk

Billy Thurmond, Chairman

Dates of Advertisement:

Dates of Public Hearings:

Vote: Yes \_\_\_\_\_

No \_\_\_\_\_

**Backup material for agenda item:**

1. Consideration of KARE for Kids request to utilize county property during 2017 Mountain Moonshine Festival



## DAWSON COUNTY BOARD OF COMMISSIONERS AGENDA FORM

Department: Public Works

Work Session: 9-28-17

Prepared By: McKee

Voting Session: 10-5-17

Presenter: David McKee

Public Hearing: Yes  No

Agenda Item Title: Request for KARE for Kids to use County Parking Lots

Background Information:

KARE for Kids is a 501c3 non-profit organization that provides Christmas items for Kids in need within Dawson County. KARE puts on the Mountain Moonshine Festival annually as a sole fundraiser to provide for local Kids.

Current Information:

KARE has requested the use of the county parking lots for use during the moonshine festival for parking. KARE will provide all insurance certificates in Dawson County BOC name.

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

Fund	Dept.	Acct No.	Budget	Balance	Requested	Remaining

Recommendation/Motion: Motion to approve KARE for Kids to utilize the county parking lots

Department Head Authorization: David McKee

Date: 9-6-17

Finance Dept. Authorization: Vickie Neikirk

Date: 9/6/2017

County Manager Authorization: DH

Date: 9/06/17

County Attorney Authorization:

Date:

Comments/Attachments:

KARE Letter, Lease Agreement, insurance certificate



# KARE for Kids, Inc.

P.O. Box 211  
Dawsonville, GA 30534  
706-216-KARE (5273)

Chairman and Commissioners,

As you are most likely aware, the 50th Annual Mountain Moonshine Festival is right around the corner, this year the festival will be held on the weekend of October 27<sup>th</sup>, 28th and 29th,.

KARE for Kids would like to ask you to allow us to use your parking areas to help accommodate the large number of people that will be coming to our city for this event. As done in previous years, we will charge a parking fee of \$10.00 per vehicle that will go to aid needy children in Dawson County. Other Dawson County organizations have agreed to staff the lots and collect fees. All money made from parking will be split between the organization parking your lot and KARE for Kids, Inc.

As many business owners have asked, KARE for Kids, Inc. is a 501(C)(3) non-profit organization and is fully insured.

For more information on how we are helping to make a difference in the lives of children in our community, we invite you to visit our website at [www.kareforkids.org](http://www.kareforkids.org); you can also find information on our upcoming events for this year and volunteer opportunities.

Thank you again, and we look forward to your continued support. Please let Tiffany or I know if you have any questions. 706-216-KARE (5273)

Sincerely,

David McKee  
President  
KARE for Kids, Inc.

## LEASE AGREEMENT

For and in consideration of the mutual promises contained herein and other good and valuable consideration, Dawson County, Georgia (hereinafter referenced as “County”) and KARE for Kids, Inc., a 501(c)(3) non-profit organization (hereinafter referenced as “KARE for Kids”), agree to this lease agreement as follows:

1. Premises

The County agrees to lease to KARE for Kids parking areas at the County Courthouse/Administrative Center, County Extension Office, Health Department, Elections Office, Library, and other County Offices (K.H. Long Building) within Dawsonville (“leased premises”).

2. Term

This lease shall be for the days of October 28, 2017 and October 29, 2017.

3. Use of Premises

The leased premises shall be used by KARE for Kids only for purposes of the 50<sup>th</sup> Annual Mountain Moonshine Festival and for no other purpose. KARE for Kids shall not use the leased premises or allow or permit the leased premises to be used in any way or for any purpose that the County, in its sole discretion, deems hazardous. KARE for Kids shall be responsible for providing maintenance for the leased premises. Litter and trash shall be removed from the leased premises by KARE for Kids at the conclusion of the 50<sup>th</sup> Annual Mountain Moonshine Festival on October 28, 2017.

4. Insurance

KARE for Kids shall, at its expense, maintain comprehensive public liability insurance for any occurrence resulting in property damage, bodily or personal injury or death and consequential damages arising therefrom and shall provide the County a certificate of insurance for such liability insurance policy and shall list Dawson County as an additional named insured on the liability insurance policy.

5. Indemnity

KARE for Kids agrees to indemnify and hold harmless the County, the County’s officers, agents, and employees from and against all liability, loss, costs, damages, fees and expenses (including attorney’s fees) for any suit, claim, settlement, award, penalty, fine, defense or judgment because of any loss or damage to any person, property, or right arising out of or in consequence of this lease and KARE for Kids’ operations authorized in accord with this lease. This indemnity shall apply whether or not the loss or damage is caused or alleged to be caused in whole or in part by the joint or concurrent act or omission (whether negligent or otherwise) of KARE of Kids or the County or their agents, employees, invitees, permittees or guests. This

indemnity shall not extend to acts caused by the lone, sole negligence or other act of any person or party claiming benefit of this provision.

6. Entire Agreement

This lease contains the entire agreement of the parties and no representation, inducement or promise, oral or otherwise, between the parties not embodied herein shall be of any force and effect unless in writing and signed by both parties hereto. If any of the terms of this lease shall be finally determined to be invalid or unenforceable in whole or in part, then the remaining provisions hereof shall remain in full force and effect and shall be binding upon the parties hereto.

7. Law

This lease shall be interpreted and construed under the laws of the state of Georgia.

This \_\_\_\_ day of \_\_\_\_\_, 2017.

DAWSON COUNTY

ATTEST

By: \_\_\_\_\_  
Billy Thurmond, Chairman

By: \_\_\_\_\_  
Danielle Yarbrough, County Clerk

KARE FOR KIDS, INC.

ATTEST

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

**Backup material for agenda item:**

2. Consideration of request to amend contract #292-17 Rehabilitation Project of Four Dawson County Roads to include scope of work for Thompson Road



## DAWSON COUNTY BOARD OF COMMISSIONERS AGENDA FORM

Department: Public Works

Work Session: 09/14/17

Prepared By: Melissa Hawk/ McKee

Voting Session: 9/21/17

Presenter: David McKee/Melissa Hawk

Public Hearing: Yes  No

Agenda Item Title: Contract #292-17 Rehabilitation Project of Four Dawson County Roads - Amendment

**Background Information:**

The Dawson County Board of Commissioners approved the award of IFB #292-17 Rehabilitation Project of Four Dawson County Roads on May 4, 2017. The scope of work contracted included Tanner Road, Kelly Bridge Road and Steve Tate Highway as part of the SPLOST VI project list for fiscal year 2017. Although included in the bid, the alternate project for Thompson Road was not awarded due to lack of fund availability.

**Current Information:**

Current SPLOST VI revenue allows for the addition of the alternate scope of work to the contract #292-17 executed after the award of the aforementioned bid. C.W. Matthews Contracting Co., Inc., although no longer obligated, agreed to complete the amended scope of work at the same cost as submitted previously at the cost of \$925,899.20.

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

**Amended Scope of Work – Thompson Bridge Road**

Fund	Dept.	Acct No.	Budget	Balance	Requested	Remaining
324	4420	541401-R31			\$925,899.20	

Recommendation/Motion: To approve an amendment to contract #292-17 Rehabilitation Project of Four Dawson County Roads with CW Mathews in the amount of \$925,899.20 for the rehabilitation project of Thompson Road as per the attached contract amendment.

Department Head Authorization: David McKee

Date: 9-06-17

Finance Dept. Authorization: Vickie Neikirk

Date: 9-07-17

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

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

County Attorney Authorization: \_\_\_\_\_

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

**Comments/Attachments:**





DAWSON COUNTY PURCHASING DEPARTMENT  
25 JUSTICE WAY, SUITE 2223, DAWSONVILLE, GA 30534  
PHONE: 706-344-3500 X 42223 FAX: 706-531-2728  
EMAIL: mhawk@dawsoncounty.org

### CONTRACT AMENDMENT

This amendment by and between the Contractor and Dawson County Board of Commissioners defined below shall be effective as of the date this Amendment is fully executed.

DAWSON COUNTY CONTRACT	
<b>Contractor's Full Legal Name:</b>	C.W. Matthews Contracting Co., Inc.
<b>Contract No.:</b>	292-17
<b>Solicitation No./Event ID:</b>	292-17
<b>Solicitation Title/Event Name:</b>	Rehabilitation Project for Four Dawson County Roads
<b>Contract Award Date:</b>	May 4, 2017
<b>Current Contract Term:</b>	May 25, 2017 until project accepted by Dawson County Public Works staff.
<b>Amendment No.:</b>	1

WHEREAS, the Contract is in effect through the Current Contract Term as defined above; and

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties do hereby agree as follows:

1. WHEREAS, the Board of Commissioners approved on \_\_\_\_\_, \_\_\_\_\_, 2017 to amend the scope of work contracted with C.W. Matthews Contracting Co., Inc. in relation to the project known as the Rehabilitation Project for Four Dawson County Roads.

The Contractor shall perform all the work required, implied or reasonably inferable from this Contract Amendment, all in accordance with specifications and amendments of the Project and in accordance with the bid, specifications and amendments as outlined in Invitation for Bid #292-17 Rehabilitation Project for Four



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CONTRACT NUMBER: 292-17

Dawson County Roads for the Alternate portion for Thompson Road as set forth in Exhibit A of this contract amendment.

The Owner shall pay, and the Contractor shall accept, as full and complete payment for all of the work required in the Bid Documents and amendments, the fixed sum as set forth in Exhibit B for furnishings, materials, labor and equipment necessary for the completion of this amendment. The sum set forth in the Exhibit B shall constitute the Contract Price which shall not be modified except by Change Order as provided in this Contract. Actual quantities used for the subject work will be verified and paid using unit pricing as detailed on the Price Proposal Form, unless stipulated as "lump sum".

2. **SUCCESSORS AND ASSIGNS.** This Amendment shall be binding upon and inure to the benefit of the successors and permitted assigns of the parties hereto.
  
3. **ENTIRE AGREEMENT.** Except as expressly modified by this Amendment, the contract shall be and remain in full force and effect in accordance with its terms and shall constitute the legal, valid, binding and enforceable obligations to the parties. This Amendment and the contract (including any written amendments thereto), collectively, are the complete agreement of the parties and supersede any prior agreements or representations, whether oral or written, with respect thereto.

IN WITNESS WHEREOF, the parties have caused this Amendment to be duly executed by their authorized representatives.

**CONTRACTOR**

<b>Contractor's Full Legal Name: (PLEASE TYPE OR PRINT)</b>	
<b>Authorized Signature:</b>	
<b>Printed Name and Title of Person Signing:</b>	
<b>Date:</b>	
<b>Company Address:</b>	



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EMAIL: mhawk@dawsoncounty.org

**DAWSON COUNTY**

<b>Authorized Signature:</b>	
<b>Printed Name and Title of Person Signing:</b>	
<b>Date:</b>	
<b>Address:</b>	



**Exhibit A**  
**Scope of Work**

Contractors must provide all equipment, materials and labor to complete the scope of work.

- All connector roads and all driveways shall be tied in to make a smooth transition as agreed upon by the Owner and the Contractor.
- All GDOT paving specifications shall be met upon completion of the project.
- Paving plan and design mix shall be presented with bid proposal.
- Contractor shall work daylight hours only, 6 days per week Monday-Saturday, until October 1<sup>st</sup>. Beginning October 1<sup>st</sup>, Contractor shall work daylight hours only, 5 days per week Monday – Friday.
- Contractor pricing will include all driveway tie in, as well as intersections and turn lanes.
- Contractor pricing will include seeding, sewing and dressing all shoulders to 3% no more than 4% fall following final paving. Shoulders shall be a minimum of 2' from edge of payment as approved by Public Works Director prior to sewing/seeding and straw. Any deviation will be pre-approved by the Public Works Director. Shoulder shall be re-built with materials agreed upon by the Owner and the Contractor, not including millings.
- Contractor pricing will include adjusting all mailboxes 2' from edge of pavement.
- Contractor pricing shall include all signage where required during and upon completion of the paving project to meet MUTCD.
- All traffic control shall be the responsibility of the contractor.
- Materials Transfer Vehicle (MTV) shall be utilized throughout the entire project. MTV and paving equipment shall meet the following:
  - MTV has a truck unloading system which receives mixture from the hauling equipment and independently delivers mixtures from the hauling equipment to the paving equipment. Has mixture remixing capability by either a storage bin in the MTV with a minimum capacity of 14 tons (13 megagrams) of mixture and a remixing system in the bottom of MTV storage bin, or a dual pugmill system located in the paver hopper insert with two full length transversely mounted paddle mixers to continuously blend the mixture as it discharges to a conveyor system. Provides to the paver a homogeneous, non-segregated mixture of uniform temperature with no more than 20 °F(18 oC) difference between the highest and lowest temperatures when measured transversely across the width of the mat in a straight line at a distance of one foot to three feet from the screed while the paver is operating.
- If the MTV malfunctions during spreading operations, discontinue placement of hot mix asphaltic concrete after there is sufficient hot mix placed to maintain



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CONTRACT NUMBER: 292-17

**Scope of Work (cont)**

traffic in a safe manner. However, placement of hot mix asphaltic concrete in a lift not exceeding 2 in. (50 mm) may continue until any additional hot mix in transit at the time of the malfunction has been placed. Cease spreading operations thereafter until the MTV is operational.

- Contractor to provide all temporary raised pavement markers (TRMP) during reclaiming work.
- Contractor shall pave reclaimed surface within three (3) days of an acceptable PSI break.
- Any deviation of the start date of each phase will be agreed upon by the Owner and Contractor. No phase shall take more than 120 days unless agreed upon by the Owner and the Contractor.

-End of Exhibit A-





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 PHONE: 706-344-3500 X 42223 FAX: 706-531-2728  
 EMAIL: mhawk@dawsoncounty.org

CONTRACT NUMBER: 292-17

**Exhibit B**

**Price for Thompson Road**

Line Item	Description	Estimated Quantity	Unit	Unit Cost	Total Estimated Cost
<b>Thompson Road: Intersection of SR 9 South to SR 53 Approximately 2.49 Miles</b>					
Phase 1 - 1	Traffic Control, Shoulder	1	LS	\$ 83,251.70	\$ 83,251.70
Phase 1 - 2	10" Cement Reclaimed Base (Includes temp raised lane markers)	35,410	SY	\$ 4.50	\$ 159,345.00
Phase 1 - 3	Portland Cement - 55lb/s	975	TN	\$ 151.50	\$ 147,712.50
Phase 1 - 4	19MM Asphalt Binder 2	4,000	TN	\$ 71.67	\$ 286,680.00
Phase 1 - 5	1.5" 12.5MM SP Aspha	3,000	TN	\$ 82.97	\$ 248,910.00
				<b>Total Cost</b>	<b>\$ 925,899.20</b>

-End of Exhibit B-

**Backup material for agenda item:**

3. Consideration of request to cancel the B+C Consulting SR Hwy. 53 Overlay Contract



## DAWSON COUNTY BOARD OF COMMISSIONERS AGENDA FORM

Department: Pln. & Dev.

Work Session: 09/14/2017

Prepared By: J. Streetman

Voting Session: 09/21/2017

Presenter: J. Streetman

Public Hearing: Yes  No

Agenda Item Title: Cancellation of B+C Consultants SR Hwy. 53 Overlay Study/plan

**Background Information:**

This contract was approved mid- 2016; primarily to provide development overlay for Hwy. 53 from 400/53 intersection down to the Forsyth County line. The GA 400 overlay as approved already covers a large swath of Hwy. 53 within its boundaries. As such, this leaves an area of Hwy. 53 approximately 8/10's of a mile in length and being such a short distance, the planning staff believes that extending the GA 400 corridor overlay would be the most practical and cost effective measure.

**Current Information:**

The cost for B+C to do this project is approximately \$45k. I feel we could extend the GA 400 corridor overlay guidelines to this small portion of Hwy. 53 and any cost will be far less than the original project and mostly tied to postage/advertising and mapping we could do in house. I would think less than \$1,000 and we could absorb this cost within our existing budget as approved.

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

Fund	Dept.	Acct No.	Budget	Balance	Requested	Remaining

Recommendation/Motion: \_\_\_\_\_

Department Head Authorization: J. Streetman

Date: 08/30/17

Finance Dept. Authorization: \_\_\_\_\_

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

County Manager Authorization: DH

Date: 9/06/17

County Attorney Authorization: \_\_\_\_\_

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

**Comments/Attachments:**

This request is for the BOC to cancel the contract so planning staff can in house move forward the process of extending the GA 400 corridor overlay guidelines down Hwy. 53 to the Forsyth County line. Staff has already identified potentially impacted parcels within this proposed extension and is ready to move forward with a time line of dates for open houses, planning commission and BOC meetings/approval for adoption.

**Backup material for agenda item:**

4. Consideration of Proposed FY 2018 Budget

# DAWSON COUNTY GOVERNMENT BUDGET PRESENTATION FY 2018



Presented by:  
Chairman Billy Thurmond  
August 10, 2017



# Budget Goals

- ▶ Prepare a realistic, revenue based budget
- ▶ Budget conforms to the current millage rate with no increase to millage
- ▶ Provide same or improved level of funding for all departments—thus improving level of service
- ▶ Allow all departments/agencies the opportunity to present their requests to the full Board during public hearings



# Budget Challenges

- ▶ Increases to salary costs from prior year as result of salary study implemented last year, increased \$1.08 million, or 9.66%
- ▶ Increased health insurance cost of over \$500k, or 18%
- ▶ Increased operational needs of multiple departments



# General Fund

- ▶ Main operating fund of the County. All property tax received by the County government provides revenue to the General Fund.
- ▶ Property tax provides 42% of revenue for General Fund



# Where we started.....

- ▶ General Fund requests totaled \$27,017,017
- ▶ This included over \$1.6 million in new personnel/salary change requests
- ▶ This represents an increase of \$2.7 million from prior year original budget



# General Fund Revenue Changes

- ▶ Projections are for L.O.S.T to increase 5% from actual in 2016 and an increase of approx. \$964K, or 10% in property tax
- ▶ This proposed budget includes use of fund balance (reserves) of \$1.382 million



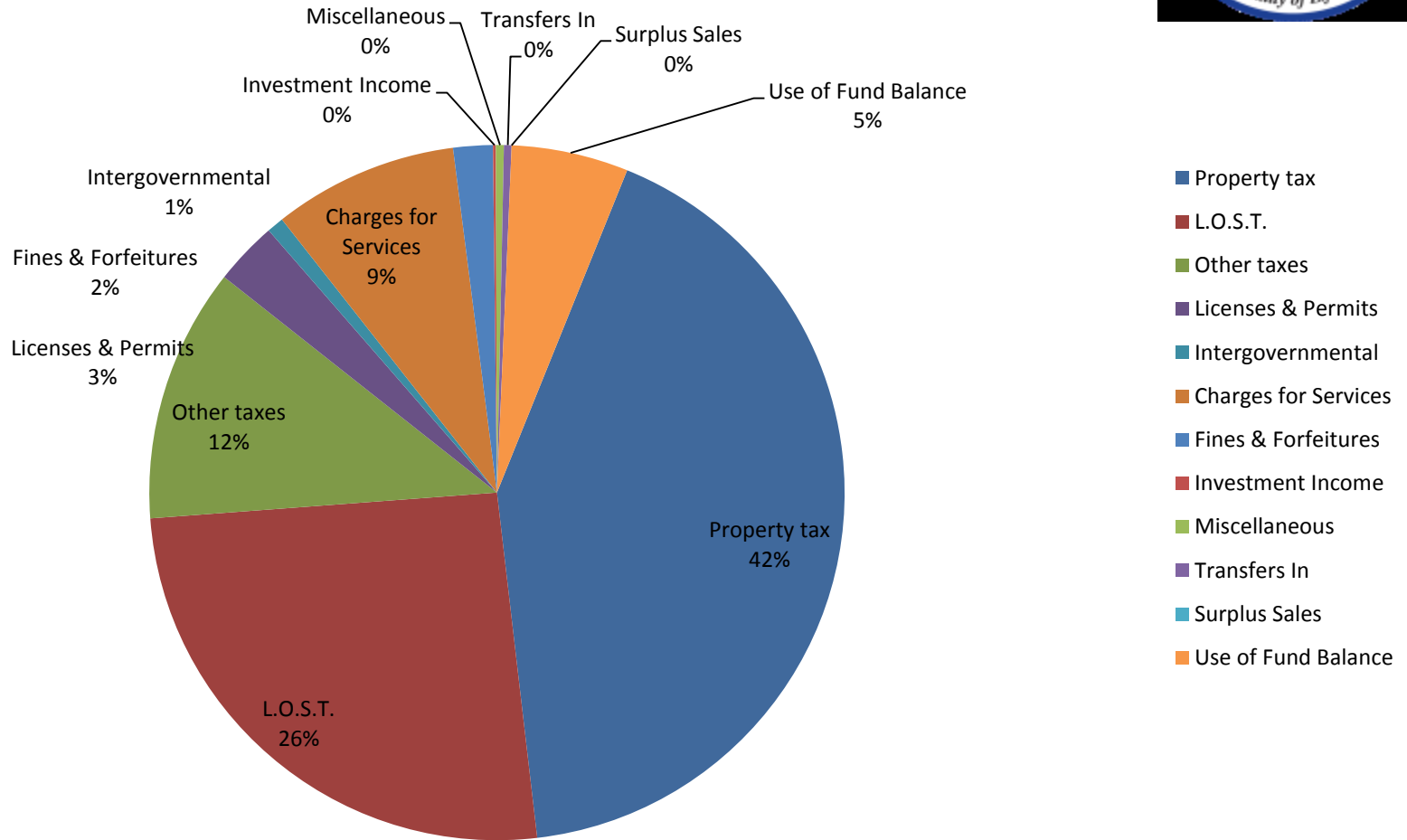
# Proposed General Fund Revenues

	<u>FY 2018 Proposed</u>	<u>FY 2017</u>	<u>% Chg</u>
<b>REVENUES:</b> Property tax	\$ 10,692,221	\$ 9,817,909	8.91%
L.O.S.T.	6,528,055	6,600,000	-1.09%
Other taxes	3,007,991	3,006,000	0.07%
Licenses & Permits	751,422	541,850	38.68%
Intergovernmental	200,000	194,056	3.06%
Charges for Services	2,185,605	2,290,875	-4.60%
Fines & Forfeitures	467,500	442,500	5.65%
Investment Income	33,870	21,645	56.48%
Miscellaneous	94,075	90,175	4.32%
Transfers In	90,000	90,000	0.00%
Surplus Sales	-	20,000	-100.00%
Use of Fund Balance	1,382,810	1,112,403	24.31%
<b>TOTAL REVENUE</b>	<b>\$ 25,433,549</b>	<b>\$ 24,227,413</b>	<b>4.98%</b>





# Revenue Sources



# Proposed General Fund Expenditures by function

<b>EXPENDITURES</b>	<b>FY 2018</b>	<b>FY 2017</b>	<b>% Change</b>
General Government	4,992,083	4,772,304	4.61%
Judicial	2,958,939	2,763,101	7.09%
Public Safety	4,713,985	4,450,684	5.92%
Sheriff	7,334,486	6,822,566	7.50%
Public Works	1,687,906	1,604,055	5.23%
Health & Welfare	284,826	278,522	2.26%
Culture & Recreation	1,575,123	1,437,811	9.55%
Housing & Development	573,613	507,951	12.93%
Other Financing Uses	1,312,588	1,590,419	-17.47%
<b>TOTAL</b>	<b>\$ 25,433,549</b>	<b>\$ 24,227,413</b>	<b>4.98%</b>



# General Government



General Government	FY 2018 Proposed	FY 2017	% Chg
Commissioners	158,829	237,434	-33.11%
Administration	244,490	321,738	-24.01%
Elections	260,691	215,864	20.77%
Attorney	110,458		
General Govt	797,040	769,900	3.53%
Finance	525,599	518,384	1.39%
I.T.	356,940	317,749	12.33%
Human Resources	189,008	165,130	14.46%
Tax Commissioner	451,672	437,661	3.20%
Tax Assessor	576,853	520,740	10.78%
Board of Equalization	16,565	16,540	0.15%
Risk Management	279,400	235,000	18.89%
Facility Management	1,024,538	1,016,164	0.82%
<b>Total General Govt.</b>	<b>4,992,083</b>	<b>4,772,304</b>	<b>4.61%</b>

90 4,540 included in Gen Govt for 2% salary increase

# Judicial

Judicial	FY 2018 Proposed	FY 2017	% Chg
Superior Court	500,674	461,525	8.48%
Clerk of Court	626,125	591,161	5.91%
District Attorney	689,972	649,142	6.29%
Magistrate Court	396,442	359,798	10.18%
Probate Court	309,028	280,770	10.06%
Juvenile Court	127,459	116,675	9.24%
Public Defender	309,239	304,030	1.71%
<b>Total Judicial</b>	<b>2,958,939</b>	<b>2,763,101</b>	<b>7.09%</b>



# Public Safety



Public Safety	FY 2018 Proposed	FY 2017	% Chg
Marshals	127,308	128,892	-1.23%
Fire	1,639,108	1,485,585	10.33%
ESA	-	156,688	-100.00%
EMS	2,553,190	2,434,641	4.87%
Coroner	107,674	71,278	51.06%
Humane Society	133,000	126,000	5.56%
EMA	153,705	47,600	222.91%
<b>Total Public Safety</b>	<b>4,713,985</b>	<b>4,450,684</b>	<b>5.92%</b>

# Sheriff

Sheriff	FY 2018 Proposed	FY 2017	% Chg
Sheriff	3,329,882	3,088,622	7.81%
Sheriff-K9	27,750	21,750	27.59%
Sheriff-Jail	2,981,312	2,803,381	6.35%
Sheriff-SRO	245,279	242,294	1.23%
Sheriff-Court Svcs.	750,263	666,519	12.56%
<b>Total Sheriff</b>	<b>7,334,486</b>	<b>6,822,566</b>	<b>7.50%</b>





# Public Works

<b>Public Works</b>	<b>FY 2018 Proposed</b>	<b>FY 2017</b>	<b>% Chg</b>
PW Admin	145,551	120,300	20.99%
Roads	1,542,355	1,483,755	3.95%
<b>Total Public Works</b>	<b>1,687,906</b>	<b>1,604,055</b>	<b>5.23%</b>



# Health & Welfare

Health & Welfare	FY 2018 Proposed	FY 2017	% Chg
Health Dept.	162,000	162,000	0.00%
CASA	6,000	6,000	0.00%
DFACS	29,800	28,740	3.69%
NOA	2,500	2,500	0.00%
Indigent Welfare	7,000	4,000	75.00%
Senior Center	77,526	75,282	2.98%
<b>Total Health &amp; Welfare</b>	<b>284,826</b>	<b>278,522</b>	<b>2.26%</b>



# Culture & Recreation

<b>Culture &amp; Recreation</b>	<b>FY 2018 Proposed</b>	<b>FY 2017</b>	<b>% Chg</b>
Silver Sneakers	6,250	5,600	11.61%
Parks	1,119,076	997,165	12.23%
Park Pool	30,024	30,024	0.00%
War Hill Park	29,773	26,742	11.33%
Library	390,000	378,280	3.10%
<b>Total Culture &amp; Recreation</b>	<b>1,575,123</b>	<b>1,437,811</b>	<b>9.55%</b>



# Housing & Development

Housing & Development	<u>FY 2018 Proposed</u>	<u>FY 2017</u>	<u>% Chg</u>
Conservation	800	800	0.00%
County Extension	83,926	77,826	7.84%
Planning& Development	488,887	429,325	13.87%
Development Authority	-	-	
<b>Total Housing &amp; Development</b>	<b>573,613</b>	<b>507,951</b>	<b>12.93%</b>

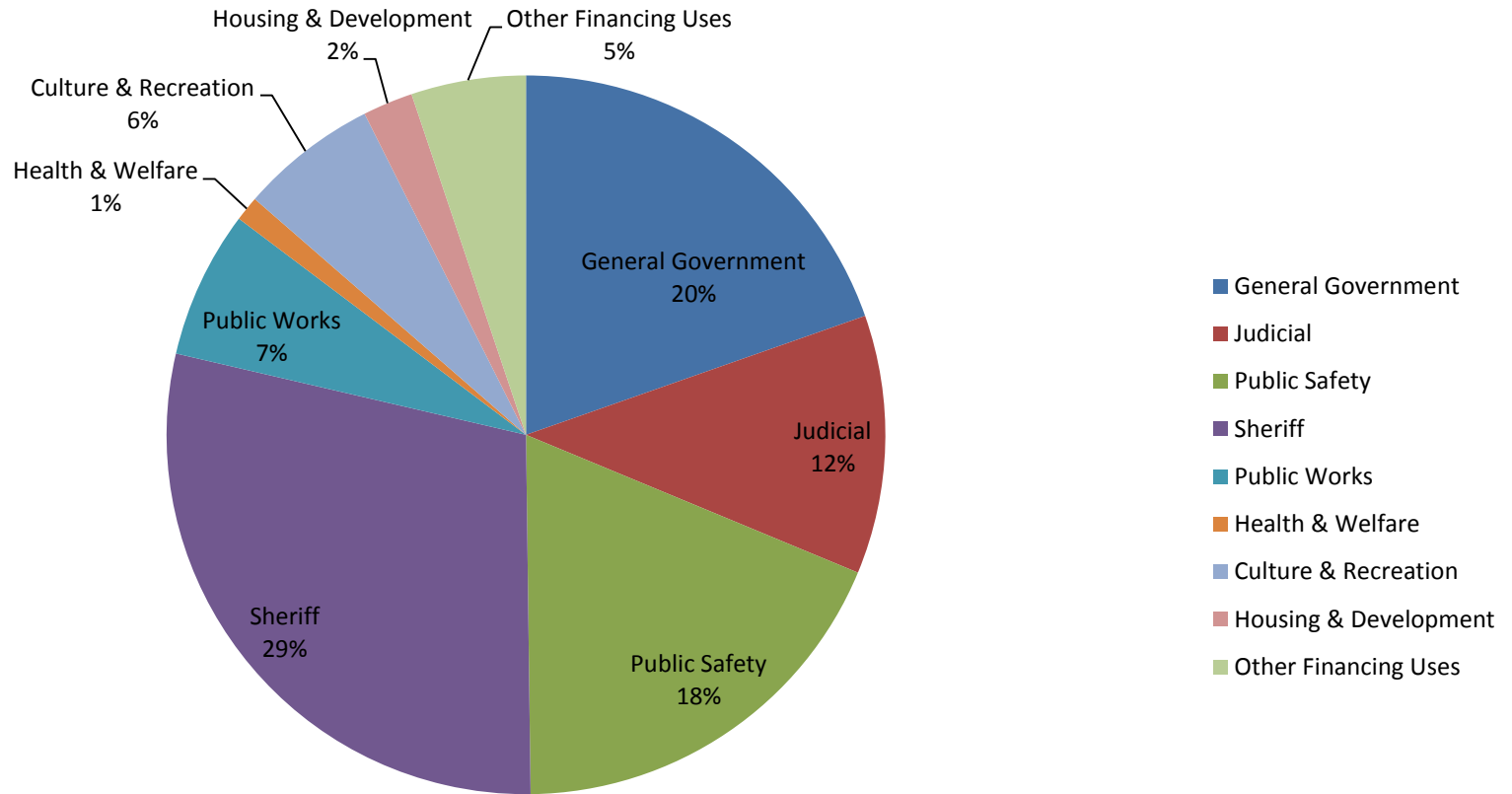


# Other financing uses

Other Financing Uses	FY 2018 Proposed	FY 2017	% Chg
Transfer to Family Connection	22,483	22,044	1.99%
Transfer to Grants	600,000	578,530	3.71%
Transfer to Capital	67,304	491,062	-86.29%
Transfer to Fleet	299,570	170,632	75.56%
Transfer to E-911	235,533	255,487	-7.81%
Transfer to DCARGIS	87,698	72,664	20.69%
<b>Total Other Financing Uses</b>	<b>1,312,588</b>	<b>1,590,419</b>	<b>-17.47%</b>



# Expenditure allocation





# Proposed budget highlights

- ▶ 2% pay increase for all full time employees
- ▶ Increase \$345k for health insurance
- ▶ No new positions
- ▶ Total increase to General Fund from prior year original budget of 4.98%, or \$1,206,136



# All funds proposed budgets

## DAWSON COUNTY GOVERNMENT PROPOSED FY 2018 BUDGET-ALL FUNDS

<u>ALL FUNDS</u>	<u>FY 2018 Proposed</u>	<u>FY 2017</u>	<u>% Chg</u>
General Fund	\$ 25,433,549	\$ 24,227,413	4.98%
E-911	849,533	840,237	1.11%
Law library	15,500	15,127	2.47%
Capital Projects	67,304	491,062	-86.29%
Family Connection	253,197	222,757	13.67%
Grant Fund	1,926,271	1,707,162	12.83%
Hotel-Motel Fund	425,000	422,500	0.59%
SPLOST VI	6,000,000	5,800,000	3.45%
D.A.T.E. Fund	34,222	33,775	1.32%
DA Seizure Fund	3,500	2,000	75.00%
Sheriff Seizure Fund	10,000	43,000	-76.74%
Inmate Welfare Fund	110,000	90,050	22.15%
Inmate Escrow	100,000	100,000	0.00%
Crime Victims Fund	24,300	24,300	0.00%
Jail Fund	55,000	55,000	0.00%
Solid Waste Fund	797,000	511,487	55.82%
DCARGIS Fund	90,898	74,164	22.56%
Fleet/Fuel Fund	1,147,970	1,331,533	-13.79%
<b>Total All Funds</b>	<b>\$ 37,343,244</b>	<b>\$ 35,991,567</b>	<b>3.76%</b>



# Capital Projects Fund

- ▶ Capital Projects Fund is funded by transfers from General Fund
- ▶ There are no additions to Capital Projects Fund in this budget, with the exception of the \$67,304 for debt service. All other funding will come from fund balance



# Available Capital Projects Funds

Fund balance at 12/31/16      \$667,652

Chairman's Proposal for 2018:

\$ 55,000    Comprehensive Plan

\$ 67,304    Amount currently budgeted (debt)

\$122,304



# Earmarked Capital Projects Funds as of 12/31/2017

Department	\$ Programmed
Roads	\$ 31,836
Sheriff	\$ 5,445
IT	\$239,376
Park	\$ 21,288
Fire	\$ 7,448
General Government	\$ 78,136
Unassigned	\$350,374



# SPLOST VI

- ▶ \$145,000 for county-wide PC replacement plan
- ▶ \$6,000,000 budget for 2018





# Solid Waste Fund – Capital

- ▶ \$70,000 for Permanent Scale house at Transfer Station
- ▶ \$60,000 for Mini-excavator
- ▶ Funding will come from reserves of Solid Waste Fund



# In closing.....

Thank you to all the department heads, elected officials and staff for all their hard work in putting this proposed budget together. It takes all of us working together to make Dawson County Government a successful operation providing quality services to its Citizens.



**Proposed Changes to 2018 Budget**

**GENERAL FUND**

Remove 2% salary increase	\$ (294,540.00)	
Increase insurance contingency	\$ 25,000.00	
Take out 1500-521200 Pro Svcs	\$ (25,000.00)	
Facilities reduce electricity	\$ (5,000.00)	
Clerk of court gen supplies	\$ (4,500.00)	
DA Addition for supplements	\$ 2,000.00	
Public Def. Add \$3000 for supplement (Turk)	\$ 3,000.00	
Sheriff 3300 - small equipment	\$ 10,000.00	
Sheriff 3300 - swat - small equip	\$ 15,000.00	
Sheriff - Jail Site improvements	\$ (10,000.00)	
Move radio maint all to E911	\$ (29,000.00)	\$ (29,000.00)
Reduce PW Roads -Drain pipes	\$ (15,000.00)	
Roads - Uniforms	\$ (2,000.00)	
Parks - Food	\$ (500.00)	
Change Humane Society audit req		no impact to budget
Parks - Gas, Fuel	\$ (700.00)	
<b>Change in General Fund</b>	<b>\$ (302,240.00)</b>	

NOTE: The Board would like to put forth the suggestion that if the departments and offices funded by the County continue to do a great job of staying under budget for 2017, and revenue continues upward trend, the 2% salary increase could be added to the budget in April 2018. This would be a year since the salary study changes were implemented.

**CAPITAL PROJECTS FUND**

<b>Sheriff</b>	\$ 260,000.00	For 911 CAD	<b>IT</b>	\$ 250,000.00	Phones
<b>Sheriff</b>	\$ 40,000.00	HVAC		\$ (239,376.00)	Take from IT Capital projects allocation
	\$ 300,000.00			\$ 10,624.00	Take out of Unassigned
	\$ (5,445.00)	Sheriff Capital allocation			
	\$ 294,555.00				
<b>Unassigned</b>	\$ 350,374.00	(projected at 12/31/17)			
	\$ (294,555.00)	Sheriff			
	\$ (10,624.00)	IT			
	<b>\$ 45,195.00</b>	<b>Ending unassigned balance</b>			