



BOARD OF COUNTY COMMISSIONERS

T. PAGE THARP GOVERNMENTAL BUILDING
102 STARKSVILLE AVENUE NORTH, LEESBURG, GEORGIA 31763

TUESDAY, MAY 24, 2022 AT 6:00 P.M.
T. PAGE THARP BUILDING
OPAL CANNON AUDITORIUM
WWW.LEE.GA.US

MEETING AGENDA
VOTING SESSION

COUNTY COMMISSIONERS

Billy Mathis, Chairman	District 3
John Wheaton, Vice-Chairman	District 1
Luke Singletary, Commissioner	District 2
George Walls, Commissioner	District 5
	District 4

COUNTY STAFF

Christi Dockery, County Manager
Kaitlyn Sawyer, County Clerk
Jimmy Skipper, County Attorney

- | | <u>PAGE</u> |
|---|-------------|
| 1. <u>INVOCATION</u>
Senior Pastor Andrew Kornegay, Lakeside Baptist Church, to lead the invocation. | |
| 2. <u>PLEDGE OF ALLEGIANCE</u> | |
| 3. <u>CALL TO ORDER</u> | |
| 4. <u>APPROVAL OF MINUTES</u> | |
| (A) Consideration to approve the minutes for the Board of Commissioners meeting for May 10, 2022. | A - E |
| (B) Consideration to approve the minutes for the Special Called meeting for the Board of Commissioners for May 10, 2022. | F - H |
| 5. <u>CONSENT AGENDA</u>
NONE | |
| 6. <u>NEW BUSINESS</u> | |
| (A) Recognition of employee years of service. | 1 |
| (B) David Dixon, Flint Riverkeeper, to address the Board regarding future projects and waterway concerns. | |
| 7. <u>PUBLIC HEARING</u>
NONE | |
| 8. <u>DEPARTMENTAL MATTERS</u> | |
| <u>Planning, Zoning & Engineering</u> | |
| (A) Consideration to approve an application from Lexwig, LLC (Z22-001) to rezone a total of 151.361 acres from AG-1 (Active Agricultural District) to R-1 (Single-Family Residential District). The property owner is Lexwig, LLC, Parcel Number is 039D 121, being part of Land Lots 209 and 210 of the Second Land District of Lee County, GA. <i>Planning Commission members and Planning Department staff recommend approval. Public Hearing held May 10, 2022</i> | 2 - 13 |

9. **CONSTITUTIONAL OFFICERS & GOVERNMENTAL BOARDS/AUTHORITIES**

NONE

10. **COUNTY MANAGER'S MATTERS**

- (A) Updates on County projects. 14 - 19
- (B) Consideration to adopt a comp time policy for employees. 20 - 22
- (C) Consideration to adopt a social media policy for employees. 23 - 25
- (D) Discussion of a Resolution and Build Agreement with Windstream. 26 - 39
- (E) Consideration to approve a change order for Oxford Construction for the LMIG Resurfacing Projects. 40
- (F) Consideration to accept a proposal from Reliable Engineering for professional services. 41
- (G) Consideration to put out a RFQ for engineering services for the expansion of the wastewater treatment plant. 42

11. **COMMISSIONER'S MATTERS**

NONE

12. **UNFINISHED BUSINESS**

NONE

13. **COUNTY ATTORNEY'S MATTERS**

NONE

14. **EXECUTIVE SESSION**

NONE

15. **PUBLIC FORUM**

Citizens will be allowed to address the Board of Commissioners regarding any issues or complaints. Individuals should sign up prior to the start of the meeting.

16. **ANNOUNCEMENTS**

- (A) The next regularly scheduled County Commission Meeting is **Tuesday, June 14, 2022 at 6:00pm.**
- (B) Offices of the Lee County Board of Commissioners will be **closed Monday, May 30, 2022** in observance of Memorial Day.

17. **ADJOURNMENT**

AGENDA MAY CHANGE WITHOUT NOTICE

Lee County is a thriving vibrant community celebrated for its value of tradition encompassing a safe family oriented community, schools of excellence, and life long opportunities for prosperity and happiness without sacrificing the rural agricultural tapestry.

Persons with special needs relating to handicapped accessibility or foreign language interpretation should contact the ADA Coordinator at (229) 759-6000 or through the Georgia Relay Service (800) 255-0056 (TDD) or (800) 355-0135 (voice). This person can be contacted at the T. Page Tharp Building in Leesburg, Georgia between the hours of 9:00 a.m. and 4:00 p.m., Monday through Friday, except holidays, and will assist citizens with special needs given proper notice of seven (7) working days. The meeting rooms and buildings are handicap accessible.



BOARD OF COUNTY COMMISSIONERS

T. PAGE THARP GOVERNMENTAL BUILDING
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TUESDAY, MAY 10, 2022 6:00 P.M.
T. PAGE THARP BUILDING
OPAL CANNON AUDITORIUM
WWW.LEE.GA.US

MEETING MINUTES
WORK SESSION

COUNTY COMMISSIONERS

Billy Mathis, Chairman	District 3
John Wheaton, Vice-Chairman	District 1
Luke Singletary, Commissioner	District 2
Rick Muggridge, Commissioner	District 4
George Walls, Commissioner	District 5

COUNTY STAFF

Christi Dockery, County Manager
Kaitlyn Sawyer, County Clerk
Jimmy Skipper, County Attorney

The Lee County Board of Commissioners met in a work session on Tuesday, May 10, 2022. The meeting was held in the Opal Cannon Auditorium of the Lee County T. Page Tharp Governmental Building in Leesburg, Georgia. Those present were Chairman Billy Mathis, Vice-Chairman John Wheaton, Commissioner Luke Singletary, Commissioner Rick Muggridge, and Commissioner George Walls. Staff in attendance was County Manager Christi Dockery and County Clerk Kaitlyn Sawyer. County Attorney Jimmy Skipper was absent. The meeting was also streamed on Facebook Live. Chairman Mathis called the meeting to order at 6:07pm.

INVOCATION

Apostle Malden Batten, the Church of Leesburg, led the invocation.

PLEDGE OF ALLEGIANCE

The Board and the audience said the Pledge of Allegiance in unison.

CALL TO ORDER

APPROVAL OF MINUTES

- (A) **Consideration to approve the Board of Commissioners meeting minutes for April 26, 2022.**
Commissioner Wheaton made the **MOTION** to approve the Board of Commissioners meeting minutes for April 26, 2022. Commissioner Walls seconded the **MOTION**. The **MOTION** was unanimous with Commissioner Singletary and Commissioner Muggridge voting yea.
- (B) **Consideration to approve the minutes for the Special Called meeting for the Board of Commissioners for April 26, 2022.**
Commissioner Muggridge made the **MOTION** to approve the minutes for the Special Called meeting for the Board of Commissioners for April 26, 2022. Commissioner Walls seconded the **MOTION**. The **MOTION** was unanimous with Commissioner Wheaton and Commissioner Singletary voting yea.

CONSENT AGENDA

NONE

NEW BUSINESS

- (A) **Dana Glass, CEO, ASPIRE Behavioral Health and Developmental Disability Services, to present on Mental Health Awareness Month and discuss services provided by ASPIRE.**
Ms. Glass addressed the Board regarding Mental Health Awareness Month and discussed services currently provided by ASPIRE. Informational handouts were provided to the Board. ASPIRE is contracted by the state

and provides mental health, substance abuse, and developmental disabilities services to individuals, both children and adults, who have no means to pay or are underinsured. ASPIRE serves approximately 20 counties, including Lee County, and has served approximately 1000 Lee County citizens this year; 13% of the service delivery. ASPIRE also employs 38 staff members and 9 medical contractors that are residents of Lee County. The office operates out of a county owned facility that has seen many notable improvements, both to the interior as well the exterior (i.e. installation of a new playground for the children of the after school program).

Ms. Glass thanked to Board for the \$10,000.00 Lee County contributes annually to ASPIRE and asked that the Board please continue to provide that support. Ms. Glass also mentioned an opportunity to partner for an engagement case manager specific to Lee County who will be boots on the ground in the community, linking resources and referrals and following up with the individuals in the program. Additionally, there has been an increase in intake and care through the emergency departments as well as the crisis stabilization unit and the jail. Ms. Glass stated that staff believes having a case manager who could intervene early and intervene often would greatly affect the community by providing the right level of care earlier in someone's life. Chairman Mathis thanked Ms. Glass for everything ASPIRE does for the citizens of the County.

Consideration to adopt a proclamation declaring May 2022 as Mental Health Awareness Month in Lee County.

Commissioner Wheaton made the **MOTION** to adopt a proclamation declaring May 2022 as Mental Health Awareness Month in Lee County. Commissioner Singletary seconded the **MOTION**. The **MOTION** was unanimous with Commissioner Muggridge and Commissioner Walls voting yea.

(B) **Chad Slaughter, Senior Vice President of Employee Health and Benefits for Marsh McLennan Agency, LLC, to present healthcare.**

The Board, staff, and Mr. Slaughter met in a special called meeting immediately prior to this regularly scheduled meeting to discuss healthcare. Commissioner Singletary summarized the meeting, stating that he recommends keeping the current plan, Anthem BlueCross BlueShield, implementing the telemedicine program (Teledoc), implementing the two new drug programs discussed (Save On SP, LLC and the tighter formulary program), and keeping the rates of the Silver and Gold plans the same. Commissioner Muggridge agreed with Commissioner Singletary and would personally would like the Platinum plan to be removed as an option altogether; however would suggest a 5% increase in rate.

Consideration to approve a healthcare plan. HANDOUT

Consideration to approve an agreement with Save On SP, LLC.

Commissioner Muggridge made the **MOTION** to approve keeping the current healthcare plan, Anthem BlueCross BlueShield, implementing the telemedicine program (Teledoc), implementing the two new drug programs discussed (Save On SP, LLC and the tighter formulary program), keeping the rates of the Silver and Gold plans the same and increasing the rate of the Platinum plan by 5%. Commissioner Walls seconded the **MOTION**. The **MOTION** was unanimous with Commissioner Wheaton and Commissioner Singletary voting yea.

PUBLIC HEARING

(A) **Lexwig, LLC (Z22-001) has submitted an application to the Lee County Planning Commission requesting to rezone a total of 151.361 acres from AG-1 (Active Agricultural District) to R-1 (Single-Family Residential District). The property owner is Lexwig, LLC, Parcel Number is 039D 121, being part of Land Lots 209 and 210 of the Second Land District of Lee County, GA. Planning Commission members and Planning Department staff recommend approval.**

Chairman Mathis opened the Public Hearing.

Bobby Donley, Lanier Engineering, addressed the Board regarding this project. Mr. Donley summarized the project stating the property is a total of 354 acres, with approximately 60% of the property being zoned R-1 already (the southern end); this is just to rezone the northern part of the property to match (remaining 151.361 acres). Commissioner Muggridge asked if there were any preliminary plans. Mr. Donley explained that each lot will have county water (with a new well on Lovers Lane Road), septic, and be on 0.75 acre minimum lots, and

the General Development Plan will be completed and given to the Planning Commission this week. Commissioner Walls asked the approximate number of lots for this project, to which Mr. Donley stated there would be approximately 240 - 243 lots that will be spread out over six or seven phases. Commissioner Walls expressed concern that this development might put too much pressure on the new well and may also overload the Forrester Parkway/ Lovers Lane Road intersection, which already has a number of accidents. Mr. Donley stated there would be two entrances to the neighborhood on Lovers Lane Road and one on Forrester Parkway, which would hopefully help citizens bypass that intersection; however, a traffic study is to be done soon. Commissioner Wheaton asked for a proposed timeline in putting in the homes, to which Mr. Donley answered that Phase 1, with approximately 47 lots, will commence as soon as possible.

With no further comments or questions from the Board or audience, the Public Hearing was closed.

DEPARTMENTAL MATTERS

NONE

CONSTITUTIONAL OFFICERS & GOVERNMENTAL BOARDS/AUTHORITIES

- (A) **Consideration to reappoint Assistant Fire Chief/ EMA Director Cole Williams to the Regional Emergency Medical Services Advisory Council as County representative for a term of four (4) years, to end in 2025.**

Commissioner Wheaton made the **MOTION** to reappoint Assistant Fire Chief/ EMA Director Cole Williams to the Regional Emergency Medical Services Advisory Council as County representative for a term of four (4) years, to end in 2025. Commissioner Walls seconded the **MOTION**. The **MOTION** was unanimous with Commissioner Singletary and Commissioner Muggridge voting yea.

- (B) **Consideration to appoint four members to the Development Authority Board for a term of four years. Current term expires 05/31/2022. New term expires 05/31/2026. Letters of interest in appointment received from David Brokamp (current member), Greg Crowder (current member), Dr. Jason Miller, and Keith Miller.**

Commissioner Wheaton made the **MOTION** to appoint David Brokamp (current member), Greg Crowder (current member), Dr. Jason Miller, and Keith Miller to the Development Authority Board for a term of four (4) years, expiring 05/31/2026. Commissioner Singletary seconded the **MOTION**. The **MOTION** was unanimous with Commissioner Muggridge and Commissioner Walls voting yea.

- (C) **Consideration to appoint one member to the Housing Task Force for a term of two years. Current term expires 05/31/2022. New term expires 05/31/2024. Letter of interest in reappointment received by Marian Grant-Whitlock.**

Commissioner Wheaton made the **MOTION** to reappoint Marian Grant-Whitlock to the Housing Task Force for a term of two (2) years, expiring 05/31/2024. Commissioner Walls seconded the **MOTION**. The **MOTION** was unanimous with Commissioner Singletary and Commissioner Muggridge voting yea.

COUNTY MANAGER'S MATTERS

- (A) **Updates on County projects.**

County Manager Christi Dockery discussed ongoing projects in the County: (1) Bill Walter will be onsite this week to conduct a final inspection of the Tharp Building following the completion of the restoration project, and (2) Motorola has the radios, they are waiting on the FCC license and an engineering report for the new tower in the northern part of the county to ensure it can handle the new equipment.

Further Discussion of the Tower and Motorola Radios

Chairman Mathis asked when the radios would be delivered. County Manager Dockery stated that there had been a delay - waiting on the FCC license and the tower. Chairman Mathis asked if the current radios could be programmed to work with the current system, to which Ms. Dockery replied that they could, but they would have to take them all back and reissue them once programmed.

Chairman Mathis asked E-911 Director Nikkie Celinski what the timeframe was for getting the new tower, as he understood it could take months. Ms. Celinski stated she was waiting on the engineering report for the new tower. Chairman Mathis asked the status on the tower on Hwy 32 E. Ms. Celinski stated that both she and Ms. Dockery have had a difficult time contacting American Tower to even discuss the issue with them. American Tower does not pay rent for the tower even though it's on County property and we maintain it; the tower was completed with a \$10.00 easement from the Board when it was constructed around 10 years ago. Chairman Mathis stated he would talk with County Attorney Skipper about next steps.

Chairman Mathis also stated he would like to go ahead and get the portable radios from Motorola. Ms. Celinski offered to speak to Motorola on the Board's behalf to see if the delivery for the portables could be expedited.

(B) **Consideration to approve a six-month (07/01/2022 – 12/31/2022) proposed contract and budget for the Office of the Circuit Public Defender David T. Winheim.**

County Manager Christi Dockery stated that the fees did increase a little due to a rise in both rent and population; we now have the largest population in the circuit.

Commissioner Singletary made the **MOTION** to approve a six-month (07/01/2022 – 12/31/2022) proposed contract and budget for the Office of the Circuit Public Defender David T. Winheim. Commissioner Muggridge seconded the **MOTION**. The **MOTION** was unanimous with Commissioner Wheaton and Commissioner Walls voting yea.

COMMISSIONER'S MATTERS

(A) **Consideration to approve the Certificate of Distribution and adopt the Resolution for LOST.**

Chairman Mathis summarized the resolution stating that Lee County would receive 85%, Leesburg would receive 13% (as agreed to by City officials), and Smithville would receive 2% (an amount above their population) as City officials did not get in touch with County officials. Both the Resolution and the Certificate of Distribution will be sent to the state.

Smithville Councilman Dwight Hickman disputed the percentage, stating the City needs 6% and officials were not told to contact anyone from the County following the joint meetings where Smithville had asked for 8%. With 2%, Councilman Hickman stated that County officials should have just said they wanted to take over the City of Smithville. Chairman Mathis stated that a meeting occurred that didn't include the County, the City of Smithville has forfeited six figures in LMIG funding from GDOT over the past few years by failing to submit paperwork, and the Smithville City Council recently voted for a 50% pay increase for City Council. Smithville has lost population and that was figured into the percentage. Councilman Hickman confirmed the salary raises, stating that was done with the understanding the city would be receiving 6% in LOST.

Councilman Hickman stated it was his opinion that the County does not care about the northern part of the County or its citizens because whenever something is asked for, the County shoots it down. Councilman Hickman again asked for 6% for the City of Smithville, as he thought was understood. Chairman Mathis stated at the previously held joint meeting they asked for 8%, to which Councilman Hickman replied that they did that knowing they wouldn't receive that much just to see what the response of the County would be, which there was none. Commissioner Muggridge stated that while it was mentioned the County has never done anything for Smithville, a fire station was built that serves Smithville; Councilman Hickman interrupted saying it took 12 years to get that fire station. Commissioner Muggridge continued by stating that the fire station that serves Smithville is County funded as the City could not fund and operate that fire station. Furthermore, the County has given Smithville vehicles and equipment when they needed them; whenever Smithville asks, we do our best to see that help is provided. The County wished to provide a more consistent distribution of the LOST funds by suggesting a split by population and 2% of the people live in Smithville.

Commissioner Muggridge made the **MOTION** to approve the Certificate of Distribution and adopt the Resolution for LOST. Commissioner Singletary seconded the **MOTION**. The **MOTION** was unanimous with Commissioner Wheaton and Commissioner Walls voting yea.

UNFINISHED BUSINESS

NONE

COUNTY ATTORNEY'S MATTERS

NONE

EXECUTIVE SESSION

NONE

PUBLIC FORUM

Citizens will be allowed to address the Board of Commissioners regarding any issues or complaints. Individuals should sign up prior to the start of the meeting.

No citizens took part in the Public Forum.

Special Presentation

Chairman Mathis acknowledged that this would be Commissioner Rick Muggridge's last meeting as a Commissioner for Lee County. Commissioner Muggridge was presented with a framed historical map of Lee County as well as a Proclamation, signed by Chairman Mathis, Vice-Chairman Wheaton, Commissioner Singletary, and Commissioner Walls. Chairman Mathis read the proclamation and thanked Commissioner Muggridge for his service to the County and comradery while on the Board.

Commissioner Muggridge thanked the Board and staff, extending special thanks to Commissioner Luke Singletary, County Attorney Jimmy Skipper, Finance Director Heather Jones, and County Manager Christi Dockery. Commissioner Muggridge stated he was not worried because the County was in good hands. Commissioner Muggridge also thanked those who voted for him and allowed him to be their representation on the Board.

ANNOUNCEMENTS

- (A) The next regularly scheduled County Commission Meeting is **Tuesday, May 24, 2022 at 6:00pm.**
- (B) **Advance-in-Person Voting** is open to all eligible voters at the Elections and Registration Office, 100 Starksville Avenue North, Suite C in Leesburg **Monday through Friday from 8:15am to 5:00pm.** Advance-in-Person Voting will also be available on **Saturday, May 14, 2022 from 9:00am to 5:00pm.** **The last day for Advance-in-Person Voting is Friday, May 20, 2022.**
- (C) The last day to mail an **absentee ballot** will be **Friday, May 13, 2022.**

ADJOURNMENT

The meeting adjourned at 6:46PM.

CHAIRMAN

ATTEST: _____
COUNTY CLERK

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TUESDAY, MAY 10, 2022 AT 5:15PM
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SPECIAL CALLED MEETING

COUNTY COMMISSIONERS

Billy Mathis, Chairman	District 3
John Wheaton, Vice-Chairman	District 1
Luke Singletary, Commissioner	District 2
Rick Muggridge, Commissioner	District 4
George Walls, Commissioner	District 5

COUNTY STAFF

Christi Dockery, County Manager
Kaitlyn Sawyer, County Clerk
Jimmy Skipper, County Attorney

The Lee County Board of Commissioners met for a Special Called Meeting on Tuesday, May 10, 2022 at 5:15pm. The meeting was held in the Opal Cannon Auditorium of the Lee County T. Page Tharp Governmental Building in Leesburg, Georgia. Those present were Chairman Billy Mathis, Vice-Chairman John Wheaton, Commissioner Luke Singletary, Commissioner Rick Muggridge, Commissioner George Walls, County Manager Christi Dockery, Finance Director Heather Jones, and County Clerk Kaitlyn Sawyer. County Attorney Jimmy Skipper was absent.

Commissioner Singletary called the meeting to order at 5:15PM.

CALL TO ORDER

- (A) **Chad Slaughter, Senior Vice President of Employee Health and Benefits for Marsh McLennan Agency, LLC, to present on healthcare.**

Mr. Slaughter began the annual discussion on healthcare plans by discussing a report created examining healthcare trends of the claims and making projections. Of the top 10 highest cost claimants, four (4) are predicted to be on-going, five (5) are predicted to exceed the stop loss limit of \$80,000.00, and three (3) are high cost pharmacy cases. The top chronic conditions are hypertension, hyperlipidemia, diabetes, back pain, and osteoarthritis.

There is a recommendation for a program for specialty drugs, Save On SP. When signing up for this program, clients can receive manufacturer's assistance where there may be no out of pocket costs for some specialty medications. Mr. Slaughter explained that we will receive significant discounts and savings on some of the medications. Chairman Mathis asked what the incentive was to not take those drugs, to which Commissioner Singletary replied that in many cases, there is no other option. Mr. Slaughter agreed stating the goal is to incent people to choose the most cost effective channel in order to get these medications. Commissioner Singletary added that employees should be educated about the vouchers companies provide.

Mr. Slaughter stated it was also highly recommended to have a diabetes-specific program put in place and after an RFP process, a demo was held for the Livongo program. Chairman Mathis stated the hard part is getting people to change their behavior and inquired about how we could encourage employees to change their behaviors to benefit their health. Mr. Slaughter explained the technology and equipment the employees will receive with this program, stating that participants will be provided scales and glucose monitors and will have coaches who will monitor and engage with them, providing suggestions and nudges towards healthy habits. This program is priced at \$80.00 per participant.

This year, there was an approximate \$35,000.00 in savings with members utilizing the Know Your Cost benefit, which allows members to have outpatient imaging services completed at a specific partner facility for no out of pocket cost. Finance Director Heather Jones verified that the facility will continue to honor this agreement into

the next fiscal year.

In looking at the overall claims report, with around 200 enrolled employees and 400 total enrolled members throughout the year, and the report being from July 2021 through February 2022, the maximum claim liability was \$2.5 million, the medical paid claims came out to be \$1.3 million, and the pharmacy claims were \$545,353.00, totaling to approximately \$1.9 million in paid claims. Again, there were three (3) claims that exceeded the stop loss limit of \$80,000.00, which resulted in \$155,000.00 being paid by reinsurance. As a whole, the County is running at a 67% loss ratio, which is great.

There are currently 63 employees covered by the Platinum plan (including the three that exceeded the stop loss limit), 81 covered by the Gold plan, and 51 covered by the Silver plan. Chairman Mathis asked Mr. Slaughter his thoughts on doing away with the Platinum plan and how that might affect the cost basis. Mr. Slaughter stated that the estimated savings for the claims projection alone would be \$270,000.00. Commissioner Muggridge asked what the loss ratio would be if everyone currently on the Platinum plan were to go to the Gold plan, to which Mr. Slaughter replied that it would be approximately 90%. Commissioner Singletary asked what the loss ratio might be if the three (3) high cost individuals were lasered and removed from the Platinum plan. Mr. Slaughter explained that the utilization for that plan is high and shared that the net claim cost average for the Platinum plan was \$2,012.00, the net for Gold was \$854.00, and the net for Silver was \$221.00.

Chairman Mathis stated he would like to incentivize people to take better care of themselves. County Manager Christi Dockery stated that with the expanded telemedicine program, employees will save employees time and money as there are a lot of options. Chairman Mathis inquired about the deductibles for the three plans, which are \$750.00 for Platinum, \$1,500.00 for Gold, and \$2,800.00 for Silver. The largest claim of the year was approximately \$285,000.00, with the majority of that being for medication. This case has several different conditions/diagnoses and is an ongoing claim. The top three claims are ongoing.

In terms of healthcare plans, Mr. Slaughter stated that Anthem BlueCross BlueShield had provided a renewal for consideration and out of the many companies contacted, the only other company comparable to Anthem was Granular Insurance. In the current year (through February 2022) with Anthem, the annual fixed and maximum claim cost was \$4,578,629.00. If we renew with Anthem, the annual admin cost would decrease a little, the annual total fixed cost increase by approximately \$138,000.00, and the projected annual fixed and maximum claim cost at a change of 2% (\$4,679,502.00). Anthem does not now allow you to carve out the stop loss.

Granular/UMR's proposal for the new fiscal year is as follows: The annual admin cost would be approximately \$175,000.00, the annual total fixed cost would be \$1.4 million (approximately \$420,000.00 more than Anthem), and the projected annual fixed and maximum claim cost would be \$4,874,131.00. The additional laser liability is \$520,000.00 for Anthem and \$145,000.00 for Granular/UMR. Mr. Slaughter recommended renewing the healthcare plan with Anthem BlueCross BlueShield, with one of the main reasons being the fixed cost. Ms. Jones added that there is really only a \$20,000.00 difference between the two from the laser we have currently and the difference in the two lasers plus the annual premium change, the fixed is of course a cost we know we have to pay, but the true claims costs are unknown. Ms. Jones stated it made sense to go with the renewal and potentially save on claims cost.

Commissioner Singletary mentioned that the upfront cost to several of the listed high cost conditions are typically much higher than the maintenance costs. The medications will always be expensive but the upfront cost of a treatment is typically the bulk, outside of the pharmacy benefit. Ms. Jones asked if these high cost medications are obtainable with the program mentioned earlier and if it will help with savings. Mr. Slaughter stated he believed they do, but would confirm. Mr. Slaughter also recommended staying with the \$80,000.00 limit for reinsurance, with a premium of \$857,644.00, instead of increasing it to \$100,000.00.

Mr. Slaughter summarized what the medical renewal might look like were the Platinum plan to be eliminated. If this plan is removed, the projected claims savings is \$274,305.00 and the net potential savings is \$200,145.00. If the Platinum plan is kept, yet the rate was increased by 5%, the contribution revenue would increase by \$11,035.00. If the plan rate were to be increased by 10%, the contribution revenue would increase by \$22,069.00. Chairman Mathis suggested leaving the Gold and Silver plans as is and just increase the Platinum. Commissioner

Singletery inquired as to the cost difference if no changes are made to the rates and everything stays the same as it is currently. Assuming the lasers don't get us, it looks to be around \$100,000.00.

Mr. Slaughter stated that in pharmacy, there were two things looked at: (1) going with a tighter formulary package, shifting medications to different tiers which will affect cost and (2) partnering with Save On SP, which will enable clients to access manufacturer assistance funds for certain specialty medications. Moving to tighter formulary package will provide an estimated \$15,000.00 in savings and Save On SP will provide an estimated \$26,000.00 in savings. Chairman Mathis asked if we could do both, to which Mr. Slaughter affirmed and agreed. Commissioner Singletery stated that having both programs would be a bigger benefit than it is a burden.

Mr. Slaughter introduced Livongo, the diabetes management program. Diabetes related illnesses produce a significant annual cost and this program will look specifically at hypertension, diabetes, and pre-diabetes. Participants will be provided with equipment and will have an app, with all communications going to the app as well as the coaches. Chairman Mathis asked if there was any data showing effectiveness. Mr. Slaughter replied that there were and from what they've seen it has been extremely effective. Mr. Slaughter estimated that if the County pays \$80.00 per participant (only paid for those who sign up), we would get our money back within two to three years. Commissioner Singletery added that with no real incentive, the people who would sign up for this program are people who truly wish to better their health. The app will send participants reminders, recommendations, helpful tips, etc. Ms. Jones added that the program is not solely tech-based, as there are real people/coaches who will call to check on you.

Mr. Slaughter also mentioned that currently our telemedicine vendor is RelyMD; however, he suggests making a switch to Teledoc. This telehealth program provides a lot more than what we're currently using. The cost of Teledoc is \$10.00 versus the \$4.50 for RelyMD. It offers care and unlimited access for general medical needs, mental health, nutrition, neck and back care, dermatology, and some expert medical services as well. You can speak with a live person and there is also a chat feature. All services would have a \$0.00 copay. Commissioner Singletery verified that that would be \$10.00 per person per month and also asked about the Livongo \$80.00 fee, to which Mr. Slaughter stated that would also be a per person per month fee.

The final vote will occur at the regularly scheduled Lee County Board of Commissioners meeting to immediately follow.

PUBLIC FORUM

Citizens will be allowed to address the Board of Commissioners regarding any issues or complaints. Individuals should sign up prior to the start of the meeting.

No citizens took part in the public forum.

ANNOUNCEMENTS

- (A) The next regularly scheduled County Commission meeting is **Tuesday, May 10, 2022 at 6:00pm.**

ADJOURNMENT

The meeting was adjourned at 6:00PM.

Lee County is a thriving vibrant community celebrated for its value of tradition encompassing a safe family oriented community, schools of excellence, and life long opportunities for prosperity and happiness without sacrificing the rural agricultural tapestry.

Persons with special needs relating to handicapped accessibility or foreign language interpretation should contact the ADA Coordinator at (229) 759-6000 or through the Georgia Relay Service (800) 255-0056 (TDD) or (800) 355-0135 (voice). This person can be contacted at the T. Page Sharp Building in Leesburg, Georgia between the hours of 9:00 a.m. and 4:00 p.m., Monday through Friday, except holidays, and will assist citizens with special needs given proper notice of seven (7) working days. The meeting rooms and buildings are handicap accessible.



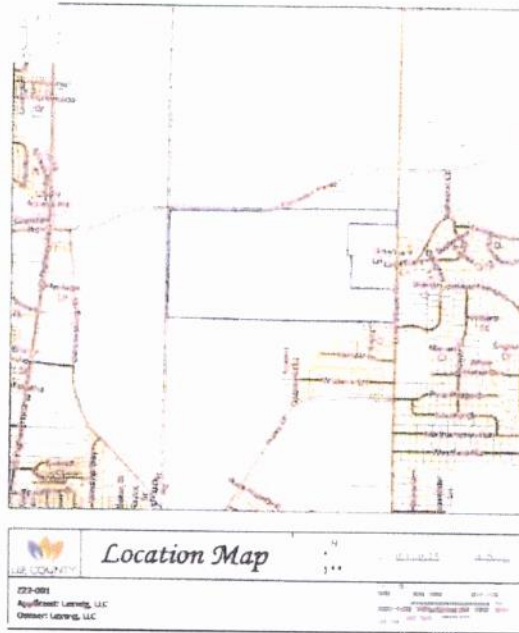
**MEMORANDUM
LEE COUNTY BOARD
OF COMMISSIONERS**

TO: Honorable Board of County Commissioners
SUBJECT: Employee Years of Service Recognition
MEETING DATE: Tuesday, May 24, 2022

Please recognize the following employee for their years of service to Lee County:

5 years – Dana Maples – Clerk, Utilities Authority

**STAFF ANALYSIS AND REPORT
RE-ZONING APPLICATION Z22-01**



OWNER:	Lexwig, LLC
APPLICANT:	Lanier Engineering, Inc.
LOCATION:	Tract I A of the Seaton family trust Forrester Parkway & Lover's Lane Road
CURRENT ZONING/USE:	
Zoning:	AG
Use:	(Agricultural)
	Vacant
PROPOSED ZONING/USE:	
Zoning:	R-1(single-family residential)
Use:	Subdivision for single-family homes
ZONING/ADJACENT LAND USE:	
North	
Land	AG (Agricultural)
Use:	Farming

South: R-1 (single-family residential district)
Land Use: Pecan Orchard / Wisteria Estates

East: AG (Agricultural District); (R-1 single-family residential district)
Land Use: Single-family dwelling

West: C-2 (General Business District)
Land Use: Pecan orchard; Railroad property

MEETING INFORMATION:

Location: 102 Starksville Avenue N, Opal Cannon Auditorium, Leesburg, GA
Thursday, May 5, 2022 at 6:00 P.M.
Public Hearing Tuesday, May 10, 2022 at 6:00 P.M.
Voting: Tuesday, May 24, 2022 at 6:00 P.M.
Planning Commission: Board of Commissioners:

BASIC INFORMATION

Lanier Engineering, LLC submitted an application to rezone 151.36 acres of a dual zoned parent tract of 354.75 acres from AG (Agricultural District) to R-1 (Single-Family Residential District).

PHYSICAL CHARACTERISTICS AND INFRASTRUCTURE

The property does not lie in the 100-year floodplain. Public water is available and has sufficient capacity to supply the proposed development. There is currently no county sewage available for this area.

RELEVANT ZONING HISTORY

Subject property was zoned AG-I (Active Agricultural District) when the county adopted zoning in 1985.

PLANNING CONSIDERATIONS

- a. *Will the zoning proposal permit a use that is suitable in view of the use, development and zoning of adjacent and nearby property?*

Yes, subject property abuts existing R-1(single-family residential) developments along the South boundary (Wisteria Estates) and East boundary (Canterbury & North Hampton) of this parcel.

- b. *What is the effect on the property value of the subject property should the existing zoning be retained?*

The value of the subject property would probably remain the same if zoned AG (Agriculture District).

- c. *If denied, will the effect on the applicant's property value under the existing zoning be offset by the gain to the health, safety, morals or general welfare of the public?*

Besides the preservation of open space and the lesser impact on the roadways and other infrastructure, if the zoning proposal is denied, there should be relatively little gain to the health, safety, morals or general welfare of the public.

- d. *Will the zoning proposal result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, schools, fire protection, public health facilities, or emergency medical services?*

Impact on the School System:

The development of Single-Family homes is likely to have a limited impact on the Lee County School System because of the additional students anticipated. The average number of students in a new elementary school in Georgia is 618 (National Center for Educational Statistics). Assuming the construction cost for a new school is \$15 million (including planning, designing, engineering, and building, as well as the cost of the land and equipping the school) the cost per student is \$24,271 (\$15 million/618 students).

Impact on Utilities:

Public water is available to the property and residents will be required to connect should any development occur.

Impact on Transportation Network:

According to *Trip Generation*, published by The Institute of Transportation Engineers, an average single-family home generates 6.59 trips each weekday. Half of these trips are allocated to the residence; and half to the destination (office, building, store, etc.). The residence, therefore, is credited with 3.295 trips daily. The U.S. Department of Transportation has conducted trip length surveys that show that the average length of a trip from a residence is 2.25 miles. Multiplying the number of new trips (3.295) by the average trip length (2.25) gives the total additional miles traveled per new residence daily, of 7.4 miles.

- e. Is the zoning proposal in conformity with the policy and intent of the future land use plan for the physical development of the area?

Yes. The Future Development Map shows the area is designated as "Residential."

- f. *Is the subject property well suited for the proposed zoning purpose?*

Yes. The subject property is compatible and harmonious for any proposed development under the R-1(single-family residential district).

- g. *Will the zoning proposal adversely affect the existing use or usability of adjacent or nearby property?*

There should be few adverse effects to the existing use or usability of adjacent or nearby property.

- h. *Are there other existing or changing conditions affecting the use or development of the subject property which give supporting grounds for the approval or disapproval of the zoning proposal?*

No.

- i. *Would the change create an isolated district unrelated to the surrounding districts, such as "spot zoning"?*

No. The area currently consists of R-1 (Single-Family Residential) and AG-I (Active Agricultural) zoning districts.

- j. *Are the present zoning district boundaries illogically drawn in relation to existing conditions in the area?*

Yes, there is presently R-1 (Single-Family Residential) and AG- I (Active Agricultural) zoning districts located within the subject parcel.

- k. *Is the change requested out of scale with the needs of the county as a whole or the immediate neighborhood?*

No.

- l. *Is it impossible to find adequate sites for the proposed use in districts permitting such use land already appropriately zoned?*

Increased demand for residential uses continues within the unincorporated area of the county. Appropriate sites outside of the protected agricultural land in northern Lee County are difficult, if not unattainable in today's market. Phased residential subdivision continues with high demand and expeditious development process, while infill lots of older subdivisions are being purchased and developed as well.

m. Would there be an ecological or pollution impact resulting from the proposed zoning if it is granted?

No.

n. Is the rezoning proposal in conformity with the policy and intent of the Lee County Leesburg Smithville Comprehensive Plan for Development?

Yes.

o. On average, how many vehicle accidents have occurred at this intersection?

Based on Lee County E911 Basic Report, there were 22 vehicle accidents between 2019 and 2022, averaging 5.5 per year.

RECOMMENDATION

Staff recommends **Approval** to rezone property to R-1 (Single-Family Residential).

ARTICLE V. - R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT

Sec. 70-161. - Statement of purpose.

This district is composed of certain areas having a single-family residential character and undeveloped land where it is desirable and likely that similar development will occur. This district will be characterized by medium density residential development. The specific purpose of this district is to:

- (1) Encourage the construction and continued use of the land for single-family dwellings;
- (2) Prohibit business, commercial or industrial use of the land, and to prohibit any other use which would substantially interfere with development or maintenance of single-family dwellings in the district;
- (3) Encourage the discontinuance of existing uses that would not be permitted as new uses under the provisions of these regulations;
- (4) Discourage any land use that would generate traffic on minor or local streets, other than normal traffic to serve residences on those streets;
- (5) Discourage any use which, because of its size or character would create requirements and costs for public services such as fire and police protection, water supply and sewerage substantially in excess of such requirements and costs if the district were developed solely for residential purposes.

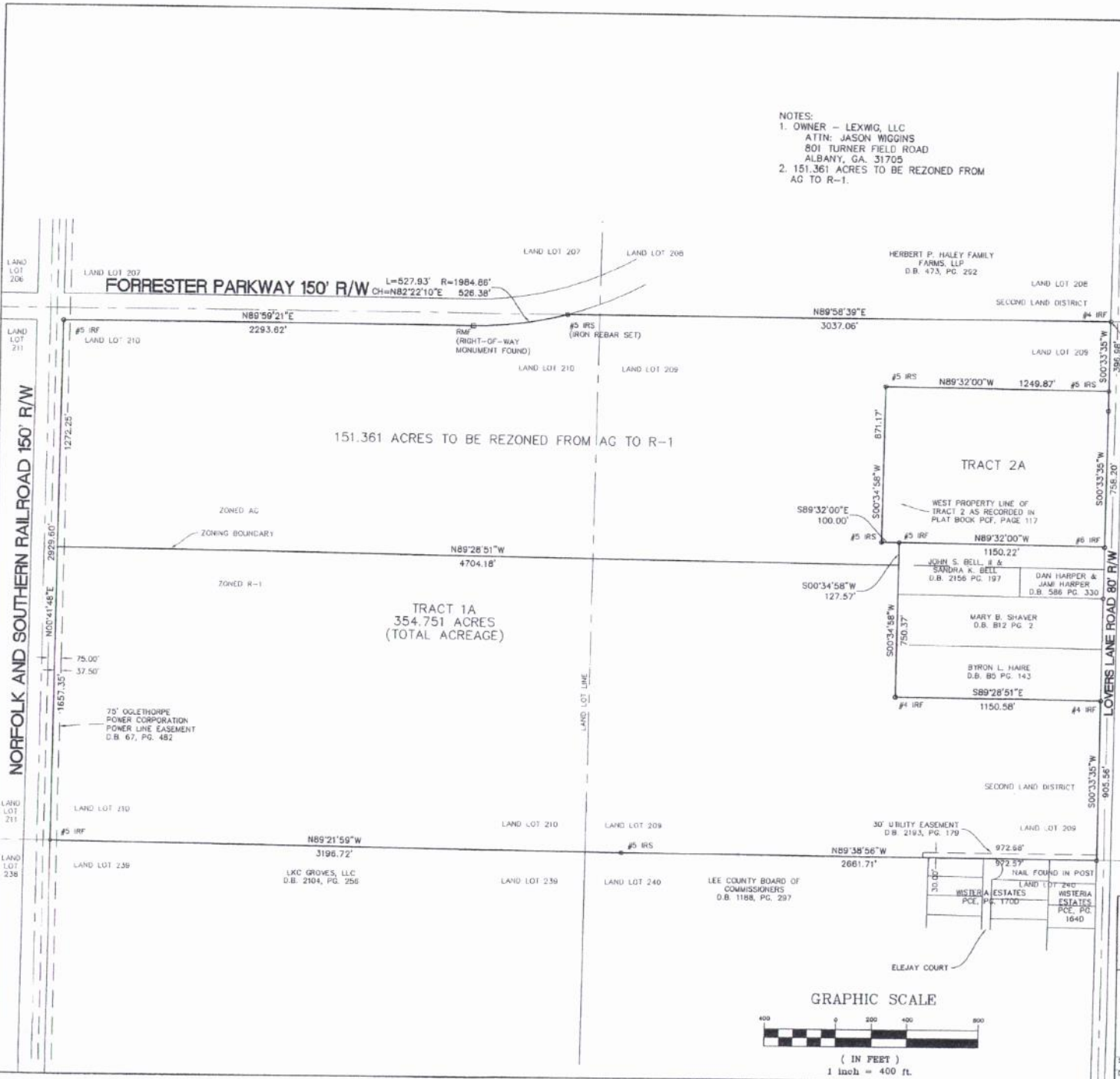
(Ord. of 12-2-2002, § 70-161)

Sec. 70-162. - Permitted uses.

- (a) Single-family, detached dwellings, except for manufactured or mobile homes.
- (b) Zero lot-line housing if shown on an approved subdivision plat.
- (c) Accessory buildings or uses customarily incidental to any of the permitted uses, when located on the same lot as the primary dwelling and not involving any business, profession, trade or occupation, provided that all accessory buildings shall conform and be located as required in section 70-84 of this chapter.
- (d) Churches, provided that the proposed site for a church is not less than three acres, and a complete site development plan is submitted with the application for a building permit.
- (e) Home occupations.
- (f) Gardens.
- (g) Family personal care home (two to four residents).

(Ord. of 12-2-2002, § 70-162; Ord. of 3-27-2018, pt. 3)

- NOTES:
 1. OWNER - LEXWIG, LLC
 ATTN: JASON WIGGINS
 801 TURNER FIELD ROAD
 ALBANY, GA. 31705
 2. 151.361 ACRES TO BE REZONED FROM
 AG TO R-1.



REZONING DRAWING
LEXWIG, LLC
 PART OF TRACT 1A OF THE SEATON FAMILY TRUST AS RECORDED IN PLAT
 CABINET F, PAGE 368
 PART OF LAND LOTS 209 AND 210, SECOND LAND DISTRICT
 LEE COUNTY, GEORGIA



1504 W THIRD AVENUE ALBANY, GEORGIA
 31707 (229) 438-0522 FAX (229) 438-0981
 EMAIL: CWEBB@LANIER-ENGINEERING.COM

SURVEYED	NSH	SCALE	1" = 400'	PROJ. NO.	22626	DATE	04/08/22	SHEET NUMBER	
DRAWN	DCG	CHECKED		DRG	22626RZ.DWG	SUR. DATE	03/17/22		1 OF 1

Sec. 70-163. - Conditional uses.

- (a) Public cemeteries, provided that a complete site development sketch is submitted with the application. The proposed site must be at least five acres and have an adequate buffer.
- (b) Nursery schools, kindergartens or day care facilities provided that all state licensing requirements are met.
- (c) Social or fraternal clubs, lodges, union halls and other similar uses.
- (d) Bed and breakfast inn.
- (e) Temporary emergency construction and repair residences.
- (f) Family personal care home (five to six residents).
- (g) Reserved.
- (h) The keeping of horses for home use and enjoyment; provided that the lot is not less than five acres total and only three such animals shall be permitted for each 50,000 square feet of land area not to include the front or side yard of the principal dwelling and all horses shall be adequately fenced within the property and maintained 25 feet from all property lines in the rear yard.
 - (1) The keeping, breeding or training of any animals for monetary gain or profit shall be deemed a commercial business and is expressly prohibited in all residential districts except where such operations may qualify as a non-conforming use as defined in this chapter.
 - (2) No keeping of horses shall become a nuisance as defined in the county nuisance ordinance.
 - (3) No horses shall be kept on a lot in this zoning district when there is no principal dwelling on the lot.

(Ord. of 12-2-2002, § 70-163; Ord. of 3-27-2018, pt. 4)

Sec. 70-164. - Area, height, bulk, and placement requirements.

R-1

<i>Dwelling Units Per Acre of Developable Land — R-1</i>	
Well and septic	1 per every 2 acres
Water and septic	1 per every 1 acre X
Water and sewer	3 per every 1 acre
<i>Minimum Lot Width at Setback</i>	
Well and septic	150'
Water and septic	100'
Water and sewer	Staff review*
<i>Minimum Front Building Setback</i>	
Front	35'

Side and rear	10'
<i>Maximum lot coverage</i>	40%
<i>Maximum building height</i>	50'

*Each lot shall have, at a minimum, a 30-foot wide access to a public road.

- (1) Lot length shall not be more than four times the lot width.
- (2) This height limitation shall not apply to grain elevators, silos, windmills, elevator legs, cooling towers, water towers, chimneys and smokestacks, or church spires.
- (3) With the exception of well and septic tank developments, all new roads in this district shall be curb and gutter roads as specified in chapter 38 of this Code.
- (4) All new roads in this district shall directly connect to existing, paved, public roads.
- (5) All final lot sizes shall be approved by the county health department.

(Ord. of 12-2-2002, § 70-164)

Secs. 70-165—70-195. - Reserved.

Lee County / Leesburg / Smithville Planning Commission

CHRIS GUARNIERI, CHAIRMAN CLAY GRIFFITH, VICE-CHAIRMAN

**MIKE MCVEY, JIM QUINN, JASON SHEFFIELD, SHIRLEY STILES,
RICKY WATERS**

Planning Commissioners

MEETING MINUTES

May 5, 2022

T. PAGE THARP GOVERNMENTAL BUILDING 6:00 P.M.

Members Present: Clay Griffith, Chris Guarnieri, Mike McVey, Jim Quinn, Shirley Stiles,
Ricky Waters

Members Absent: Jason Sheffield

Staff Present: Jason Scott, Sherry Shelton, Trey Dunbar, Christi Dockery

Public Present: Bobby Donley, Lanier Engineering - Applicant

I. MEETING CALLED TO ORDER

Chris Guarnieri called the meeting to order at 6:00 p.m.

II. Jason Scott read the Georgia Law regarding campaign contributions

III. APPROVAL OF MINUTES OF JANUARY 6, 2022

Commissioner Jim Quinn made the **MOTION** to **APPROVE** the minutes as presented, seconded by Commissioner Shirley Stiles. The **MOTION** was unanimous with Commissioners Griffith, Guarnieri, McVey and Waters voting yea.

ZONING APPLICATION

Chairman Chris Guarnieri opened the public hearing at 6:15 p.m.

Commissioner Clay Griffith read the application into the record.

Lexwig, LLC (Z22-001) has submitted an application to the Lee County Planning Commission requesting to rezone a total of 151.361 acres from AG-1 (Active Agricultural District) to R-1 (Single-Family Residential District). The property owner is Lexwig, LLC Parcel Number is 039D 121 being part of Land Lots 209 and 210 of the Second Land District of Lee County Georgia.

The public hearing included comments from applicant Bobby Lanier, Lanier Engineering, Inc. in support of the re-zoning and added that 2/3 of this property is already zoned R-1 (Single-Family Residential District).

The Commissioners expressed concerns regarding the following:

- Effect on emergency services and traffic lights: Traffic studies do not have any bearing on zoning assignments; however, they are requested/considered in the general development phase. Christi Dockery, County Manager, confirmed the process for traffic studies/installation of traffic lights.
- Water/sewage services: This area is supported by county water and individual septic tanks. Per Article V. – R-1 Single-Family Residential District, Sec. 70-164 (see attached code or ordinance), 1 water and septic tank per dwelling units per acre of developable land: Mr. Donley reported that there is county water to support the zoning, as well as a new county well being installed bordering this property.
- Curb, gutter, sidewalks: Mr. Donley reported that there would be curb and gutter; however, sidewalks will be addressed during the general developmental phase.
- Entrances to the new development. Eventually, as phases are completed, there will be two entrances, one from Lovers Lane and one from Forrester Parkway.

With no further comments/questions, Chairman Chris Guarnieri closed the public hearing at 6:30 p.m.

Commissioner Mike McVey made a motion to recommend **APPROVAL**, seconded by Commissioner Jim Quinn. The **MOTION** was unanimous with Commissioners Clay Griffith, Chris Guarnieri, Shirley Stiles and Ricky Waters voting yea.

Exact legal description of the property is on file at the Lee County Planning, Zoning and Engineering Department, 102 Starksville Avenue North, Room 202, Leesburg, GA 31763 and can be reviewed along with any other information regarding these requests between 8:00 a.m. and 5:00 p.m. Monday through Friday.

The Lee County Planning Commission held a public hearing on this zoning application on **Thursday, May 5, 2022, at 6:00 p.m.** at the T. Page Tharp Governmental Building, Opal Cannon Auditorium, located at 102 Starksville Avenue North, Leesburg, GA. The Planning Commission will forward its recommendation of **APPROVAL** to the Lee County Board of Commissioners.

The Lee County Board of Commissioners will conduct a public hearing on **Tuesday, May 10, 2022** a final vote on **Tuesday, May 24, 2022 at 6:00 .p.m** at the T. Page Tharp Governmental Building, Opal Cannon Auditorium, 102 Starksville Avenue North, Leesburg, GA.

IV. OLD BUSINESS

None

V. ADJOURNMENT

Commissioner Clay Griffith made a motion to **ADJOURN**, seconded by Commissioner Ricky Waters. The **MOTION** was unanimous with Commissioners Chris Guarnieri, Mike McVey, Jim Quinn and Shirley Stiles voting yea. The meeting adjourned at 6:40 p.m.

Chris Guarnieri, Chairman Date

Sherry Shelton, Office Manager / Planning Assistant Date

NOTICE OF PUBLIC HEARING

Lexwig, LLC (Z22-001) has submitted an application to the Lee County Planning Commission requesting to rezone a total of 151.361 acres from AG-1(Active Agricultural District) to R-1 (Single-Family Residential District). The property owner is Lexwig, LLC, Parcel Number is 039D 121 being part of Land Lots 209 and 210 of the Second Land District of Lee County, Georgia.

Exact legal description of the property is on file at the Lee County Planning, Zoning and Engineering Department, 102 Starkville Avenue North, Room 202, Leesburg, GA 31763 and can be reviewed along with any other information regarding these requests between 8:00 a.m. and 5:00 p.m. Monday through Friday.

The Lee County Planning Commission will conduct a public hearing on the zoning applications **Thursday, May 5, 2022, at 6:00 p.m.** at the T. Page Tharp Governmental Building, Opal Cannon Auditorium, located at 102 Starkville Avenue North, Leesburg, GA. The Planning Commission will forward its recommendation to the Lee County Board of Commissioners.

The Lee County Board of Commissioners will conduct a public hearing on **Tuesday, May 10, 2022** a final vote on **Tuesday, May 24, 2022 at 6:00 .p.m** at the T. Page Tharp Governmental Building, Opal Cannon Auditorium, 102 Starkville Avenue North, Leesburg, GA.

Ad to run in the Lee County Ledger 4/20/22



MEMORANDUM

LEE COUNTY BOARD OF COMMISSIONERS

TO: Honorable Board of County Commissioners
SUBJECT: County Updates

2021 CDBG

- Palmyra Mobile Home Park project
- Project application submitted June 4, 2021
- Pre-Application Public Hearing held September 22, 2020
- Recommended County match at \$100,000.00
- \$469,284.00 grant amount awarded to Lee County on September 27, 2021
- Kick-off Meeting – December 2021
- Chad Griffin, Still Water Engineering, to verify the property lines

Agricultural Complex

- Located on 100 acres on Leesburg Bypass — 231 State Route 3
- Proposed plans provided July 29, 2020
 - Including: A boating access point at the creek's edge, the agricultural complex, walking trails, and campsites
- Resolution adopted and lease agreement signed on September 22, 2020 with Georgia Department of Natural Resources for a Boat Ramp
 - Renewed January 11, 2022
 - Estimated Start Date: Fall 2022
 - DNR hired EMC Engineering to survey property for canoe/kayak ramp
- DNR Lease Parcel Survey Estimated Completion: March 2022
- Improvements to the Property
 - Renovation of Covered Building: New roof, fresh paint, picnic tables, electrical system, well
 - Bobby Donley, Lanier Engineering, provided proposed site plan
 - Proposal submitted to the BOC for review
 - Trails: $\frac{3}{4}$ mile walking trail that runs along a 46 foot high ridgeline above the Kinchafoonee Creek and has a seasonal view of the waterway
 - Eight (8) picnic tables as well as a number of trash cans have been placed along this trail on the creek side
 - Directional signs for the area ordered (i.e. Parking, No Parking, trail markers, boundary signs, etc.)
- Future Improvements
 - Defining the road
 - Rocking the area on top of the ridgeline for a parking area
 - Placing a gate at the trailhead so that the area can be closed to public for safety during high water events
- Planning/Designing Committee created by the Board at the May 11, 2021 meeting
 - **Committee Members:** Art Ford, Tim Sumners, Tom Sumners, Bobby Donley, Lisa Davis, David Dixon, Judy Powell, Commissioner Rick Muggridge, Commissioner Luke Singletary,

County Manager Christi Dockery, Parks & Recreation Director Jeremy Morey, Chief Marshal Jim Wright

- **First Meeting:** June 14, 2021
- **Second Meeting:** November 15, 2021
- **Third Meeting:** January 11, 2022

2020 Census Numbers

- Lee County: 33,163
- Smithville: 593
- Leesburg: 3,480

Commercial Land Development Permits

- Artesian City Federal Credit Union
- DeSoto Silicon Ranch
- Finish Line Storage 2
- Forrester Community Church, Forrester Parkway
- Grand Island Redevelopment
- Joseph W. Jones Crematorium
- Ledo Self Storage 2
- Lovers Lane Road Well
- Millright CNC, Pinewood Road
- Mini Warehouse Office, Hwy 82
- Plantation Storage 2
- Oaklee Investment, LLC
- Sumter EMC Pole Yard
- Woodgrain Millwork
- Oakland Crossings Drive Extension
- Brittany Lakes 2
- Cypress Cove 3
- Groves 4
- Hill Ridge 3
- Live Oak 3
- Quail Valley 4

Gymnasium Windows

- Project overseen by Bill Walter, Masonry Restoration Technologies & Services, LLC
- On December 14, 2021, the Board voted unanimously to allow the Courthouse Annex Window Sealant Project and the Gymnasium Window Replacement Project to be added to the existing contract for the Tharp Building Restoration Project for an estimated cost of \$56,840.00
- Estimated Start Date: March 2022

Extended Water Installation on Hwy 82

- RFQ for design
 - Approved by BOC at April 27, 2021 meeting
 - BOC awarded bid on September 14, 2021 to **Lanier Engineering, Inc.**
- EPD Southwest District Office is currently reviewing the project.
- RFP for Construction
 - Bid Opening: January 6, 2022
 - BOC awarded bid on January 11, 2022 to **Popco, Inc.** to not exceed \$829,621.26
- Project estimated to be complete within 90 days if no issue with obtaining supplies
- All easements have been acquired and recorded at Superior Court

Food Distributions

- Family Connections will be hosting a summer food distribution at the Lee County Parks & Recreation Facility located at 141 Park Street
 - Dates: June 9th, June 23rd, July 7th, and July 21st starting at 10:00AM

GIS

Road Layer

- Including road width, length, and speed limits
- On-going

Utilities Mapping Project

- Purpose: To map all utilities in Lee County
 - Includes water mains, water valves, water towers, fire hydrants, sewer lines, sewer manholes, sewer pump stations, fiber, gas, telephone, etc. as well as feature type, pipe size, pipe material, valve size, etc.
- Goal: To have an internet map in ArcGIS Online where utility workers can view utility maps on a tablet in the field.

Hospital

- Public Works staff completed a construction entrance road
- Preliminary designs were presented by Matthew Inman of EMC Engineering in January 2019
- **Estimated Cost for Road: \$1,498,552.50 (SPLOST VII)**
- Construction expected to take approximately 6 to 9 months
- All fees for LCMC land disturbance waived
- ***USACE permit for holding pond designs expires August 2022***
- CON granted
- **Roadway Regrading Project**
 - Matthew Inman, EMC Engineering, Project Engineer
 - SPLOST VII Funds
 - BOC awarded the bid on December 14, 2021 to **Oxford Construction** for \$453,585.00
 - Start Date: February 2022
 - Completion Date: May 2022

LMIG Funds

- **FY2022**
 - Application Submitted: January 24, 2022
 - Application Approved: January 25, 2022
 - For use in resurfacing the following roads: Palmyra Road, Story Lane, Pineridge Drive, Southhill Drive, East Century Road, Cookville Road, Stocks Dairy Road, Woodstone Circle, Waterbury Court, Wayside Court, Winners Court, Groover Street, and Gus Martin Road
 - **Funds to be Received from GDOT: \$612,489.86**
 - Total, with 30% match from Lee County: **\$796,236.82**
 - Start Date: May 2022
 - Estimated Completion Date: August 2022

Pirates Cove

- Eagle Scouts will be building three wooden benches along the inside of the trail
 - To be grounded by cement and made with weather resistance wood

Sidewalks

- Georgia Department of Transportation, GDOT, has approved the City of Leesburg's request for funding assistance for sidewalks on State Route 3, State Route 32, and Firetower Road
- GDOT is committing up to \$304,000.00, or 70% of the project cost, whichever is less
- Failure to begin projects before March 30, 2022 may result in the cancellation of funds

Speed Limit Ordinance

- Approved by BOC at April 26, 2022 meeting
- Staff has submitted documents to GDOT

- Request DOT examine Old Leesburg Road/State Route 133

SPLOST VII

- Collection Began: October 1, 2019
- Collection Expires: September 30, 2025

SPLOST VIII

- Possible Ballot Year: November 2022

Storm Drainage Repair/ Holding Ponds

- Lumpkin Road
 - BOC approved a contract with Lanier Engineering to survey in March 2020
 - Survey completed June 2020
 - BOC currently reviewing plans and options
- Liberty Holding Pond (Doublegate)
 - BOC approved a contract with engineer Mike Talley to design
 - BOC approved a contract with Lanier Engineering to survey in February 2019
 - Estimated Completion: 2021

Tharp Building Repair/Restoration

- Project overseen by Masonry Restoration Technologies & Services, LLC
 - BOC approved contract on **July 9, 2019** for **\$11,765.00**
- Bid Opening: July 8, 2021
- BOC awarded bid on July 13, 2021 to **Midwest Maintenance, Inc.** for \$575,608.00
- Completion: May 2022
- Replacement mortar to fit the historical profile and not change the character or disposition of the building

Tharp Building Fire Suppression System

- Georgia Automatic Sprinkler have received the parts for the system
- Estimated installation date is in two weeks

TSPLOST

- Collection: April 1, 2019 - March 31, 2024
- Cities and County began receiving revenue in May 2019
- Possible Ballot Year: November 2022

RFPs and RFQs

Open

Residential and Commercial Curbside Garbage Services

- Pre-Bid Meeting: May 5, 2022
- Bid Opening: June 7, 2022
- Results to be brought before the Board on June 14, 2022
- Services to begin September 2023

Recently Awarded

2022 LMIG Road Projects

- For use in resurfacing the following roads: Palmyra Road, Story Lane, Pineridge Drive, Southhill Drive, East Century Road, Cookville Road, Stocks Dairy Road, Woodstone Circle, Waterbury Court, Wayside Court, Winners Court, Groover Street, and Gus Martin Road
- Bid Opening: April 11, 2022
- BOC awarded bid on April 12, 2022 to Oxford Construction Company for \$2,018,312.20
- Start Date: May 2022

- Estimated Completion: August 2022

Water System Improvement Project- Highway 82

- Bid Opening: January 6, 2022
- BOC awarded bid on January 11, 2022 to **Popco, Inc.** to not exceed \$829,621.26
- BOC awarded Engineering Services, following a RFQ, to **Lanier Engineering** on September 14, 2021
- Pre-Construction meeting held March 15, 2022
- All easements received and recorded in Superior Court

Consoles for E-911 Center

- Four (4) consoles
- Bid Opening: December 2, 2021
- BOC awarded bid on December 14, 2021 to **Watson Consoles** for \$66,987.56
 - Estimated Delivery and Installation: June 2022

Oakland Library Lighting

- **Will need to be re-bid**
- FY 2022 MRR Grant – 50%
- Replacing all interior and exterior lighting with LED
- Bid Opening: December 13, 2021
- BOC awarded the bid on December 14, 2021 to **MetroPower, Inc.** for \$38,141.00

Grand Island Roadway Grading Project

- Overseen by Matt Inman, EMC Engineering
- Bid Opening: December 9, 2021
- Bid results to be brought to the Board on December 14, 2021
- BOC awarded the bid on December 14, 2021 to **Oxford Construction** for \$453,585.00
- Deadline June 2022
- Oxford Construction is 95% complete with this project

Future

Inmate Medical Services

- Staff writing RFP documents
- Projected Bid Opening: June 2022

Oakland Library Lighting

- Staff re-writing RFP documents
- Projected Bid Opening: June 2022

LED Lighting in County Buildings

- Approved by BOC at March 23, 2021 meeting
- Projected Bid Opening: TBD

ADA Compliant Website

- Staff writing RFP documents
- Projected Bid Opening: TBD

County Building Painting Services

- Approved by BOC at March 23, 2021 meeting
- Staff writing RFP documents
- Projected Bid Opening: TBD

Courthouse Window Coverings

- Approved by BOC at May 25, 2021 meeting

- Staff writing RFP documents
- Projected Bid Opening: TBD

Flooring Services

- Approved by BOC at April 27, 2021 meeting
- Staff writing RFP documents
- Projected Bid Opening: TBD

Extended Sewer Installation on Hwy 19

- Approved by BOC at June 22, 2021 meeting
- Staff writing RFQ documents
- Projected Bid Opening: TBD



LEE COUNTY

Board of Commissioners

One of Georgia's original counties ~ Established in 1825

May 12, 2022

Ms. Dockery,

I would like to recommend that the Board of Commissioners adopt the attached policies on compensatory time and social media. We currently have 8,730.54 hours of comp time on the books and no policy to govern how it is accrued, used, or paid out upon termination. We also have no written policy pertaining to social media and how it can and cannot be used throughout the course of the workday. As you know, social media has become more prevalent over the years and issues have arisen as a result.

I would like the Board's consideration to move forward with approving these two policies while we work on updating the entire personnel policy manual.

Thanks,

Heather Jones
Finance Director

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District 3

Vice-Chairman
John Wheaton
District 1

Commissioner
Luke Singletary
District 2

Commissioner
District 4

Commissioner
George Walls
District 5

County Manager
Christi Dockery

County Attorney
Jimmy Skipper

102 Starksville Avenue North
Leesburg, Georgia 31763

Office: (229) 759-6000
Fax: (229) 759-6050

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MEMORANDUM LEE COUNTY BOARD OF COMMISSIONERS

TO: Christi Dockery, County Manager

FROM: Brandy Hoey, Human Resources Director

SUBJECT: Compensatory Time

MEETING DATE: Tuesday, May 24, 2022

After reviewing the leave report for all county employees, we discovered that five employees were over the federal maximum limit allowed for compensatory time. This issue has been resolved and federal law maximum caps have been set for each department within our payroll software. This feature was not originally set up when our payroll system was implemented. This allowed the employees to go over the maximum allowed by law. We have set up a feature in our payroll software that notifies us when comp time entered within the payroll will cause the employee to go over their max amount allowed. This notification will allow us to pay the employee overtime instead of comp time.

We not only resolved the issue within our payroll software, so this does not happen again, but we have been in contact with all five of the County employees that are over in comp time and developed a plan to get them under the max allowed by law within a reasonable timeframe. All but one employee works for an Elected Official, which we have contacted to discuss personally.

Going forward each Department Head and Elected Official will continue to receive the leave report for their department via email. They will now also be required to acknowledge they have received the report. The County Manager and Finance Director, along with myself will also be reviewing all departments reports each pay period as well. We have a proposed Comp Time policy we are recommending the Board of Commissioners adopt at your May 24, 2022 meeting to allow our payroll clerk to automatically take any comp time prior to vacation annual leave.



LEE COUNTY

Board of Commissioners

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COMPENSATORY TIME POLICY

Accrual of Compensatory Time

Employees provided with comp time for non-public safety, non-emergency response, or non-seasonal types of work may accrue up to 240 hours of comp time. Employees who are provided with comp time for work relating to public safety, emergency response, or seasonal activities, may accrue up to 480 hours of comp time.

Compensatory Time Rate

The County will provide compensatory time off at the rate of not less than one and one-half hours for each hour of employment for which overtime compensation is required.

Use of Compensatory Time

An employee, who has accrued comp time and requests use of it, or any part of it, shall be permitted to use such time off within a "reasonable period" after making the request, if such use does not unduly disrupt the operation of the County. Employees receiving compensatory time off shall be required to utilize compensatory time off before using accrued annual leave.

Compensatory Time at Termination

Upon termination of employment, an employee shall be paid for unused comp time at a rate of compensation equal to the final regular rate received by the employee.

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SOCIAL MEDIA POLICY

Policy Statement

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

Definitions

For purposes of this policy, the term "social media" is defined as the online technologies through which employees and other individuals engage in "social media activity" as defined below. In most cases, the term refers to websites or apps such as Facebook®, Twitter®, Instagram®, LinkedIn®, Google+®, YouTube®, Tumblr®, Myspace®, and Blogger®. Online social media technologies covered by this policy also include, but are not limited to, such applications as web logs/blogs, video logs/vlogs, message boards, podcasts, and wikis.

For purposes of this policy, the term "social media activity" is defined as the act of sharing information or otherwise communicating through social media, including, but not limited to, posting, uploading, reviewing, downloading, and/or forwarding of text, audio recordings, video recordings, photographs/images, symbols, or hyperlinks.

Scope of Policy

This policy applies to all employees without regard to whether their social media activity is conducted in or outside the workplace, while on or off-duty, or anonymously or through the use of pseudonyms.

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Prohibitions on Social Media Activity

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

Each employee who engages in social media activity must take personal responsibility for ensuring that such activity is consistent with all policies of the County, including, but not limited to, those pertaining to making false or misleading statements, promoting or endorsing violence or illegal activity, promoting endorsing the abuse of alcohol or drugs, disparaging individuals or groups based on race, ethnicity, national origin, gender, sexual orientation, gender identity, religion, disability, or other characteristic protected by law, or otherwise engaging in conduct unbecoming an employee of the County, bringing discredit to the County, or interfering with or detrimental to the mission or function of the County.

Employees must refrain from engaging in any social media activity which disqualifies them from performing, or in any way reasonably calls into question their ability to objectively perform, any essential function of their jobs. Examples of such functions include, but are not limited to, testifying, making hiring or promotion decisions or recommendations, conducting performance evaluations, and determining eligibility for programs.

While any employee, at his/her discretion, may engage in social media activity with any other employee(s) consistent with the prohibitions, limitations, restrictions, and guidelines of this policy, no employee may be required or otherwise compelled to engage in such activity with another employee

Employees must not use a County email address to create or use a personal social media account.

No employee, whether for purposes of engaging in social media activity or otherwise, may disclose or otherwise reveal any privileged or confidential information of the County, any other current or former employee of the County, or any applicant for employment with the County.

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Limitations and Restrictions on Social Media Activity

Except as otherwise authorized in advance by the County Manager, employees are strictly prohibited from directly or indirectly representing themselves to be speaking on behalf of the County.

Employees must keep any personal use of social media while at work to a minimum. Use of personal social media at work must not be allowed to distract from work related tasks.

The County reserves the right to require any employee to remove immediately any posted or uploaded text, audio recordings, video recordings, photographs/images, etc. (even if previously approved) from a personal account, if such posted material constitutes a violation of this policy or other County policies, or is determined to be detrimental to County operations.

Application to Other Policies

All personnel policies of the County relating to employee conduct apply equally to conduct that occurs through social media. This includes, but is not limited to, policies relating to discrimination, harassment, retaliation, workplace violence, conflicts of interest, and political activity.

Corrective Action

Employees engaging in social media activity in violation of this policy will be held accountable, and corrective action, up to and including termination of employment, may be taken in accordance with the County's disciplinary policies.

Interpretation and Application

Nothing in this policy is intended to or will be applied in a manner that violates any employee's constitutional rights, including rights to freedom of speech, expression, and association, or Federal or State rights to engage in any statutorily-protected activity. This policy is intended for internal use of the County only and should not be construed as establishing a higher duty or standard or care for purposes of any third party civil claims against the County and/or its employees. A violation of this policy by an employee provides only a basis for corrective action against such employee by the County.

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**RESOLUTION OF THE LEE COUNTY BOARD OF COMMISSIONERS
AUTHORIZING ACCEPTANCE BY LEE COUNTY
OF AN AMERICAN RESCUE PLAN ACT STATE FISCAL RECOVERY
FUND BROADBAND INFRASTRUCTURE GRANT FROM THE STATE
OF GEORGIA IN THE AMOUNT OF \$12,541,241.00; FINDING
THAT WINDSTREAM CORPORATION IS THE
SOLE SOURCE QUALIFIED TO DESIGN, CONSTRUCT, INSTALL AND
IMPLEMENT THE BROADBAND PUBLIC WORKS PROJECT FUNDED
BY THE GRANT; AWARDING THE PUBLIC WORKS PROJECT TO BE
FUNDED BY THE GRANT PROCEEDS TO WINDSTREAM CORPORATION;
RATIFYING THE ACCEPTANCE OF THE GRANT AND ITS TERMS AND
CONDITIONS; AUTHORIZING THE EXECUTION AND DELIVERY OF
DOCUMENTS RELATING TO THE GRANT AWARD OF THE PROJECT TO BE
FUNDED BY THE GRANT TO WINDSTREAM CORPORATION; AND FOR
OTHER PURPOSES**

WHEREAS, Lee County, Georgia, is a body corporate and politic established under the Constitution and laws of the State of Georgia, with a principal business address of 102 Starksville Avenue, North, Leesburg, Georgia 31763 (“Lee County”); and

WHEREAS, local government entities, such as counties and municipalities, are authorized to participate in federal programs providing grants to such local government entities in accord with O.C.G.A. § 36-27-2; and

WHEREAS, on or about October 31, 2021, Lee County submitted an application to the State of Georgia for an American Rescue Plan Act State Fiscal Recovery Fund Award in the amount of \$12,541,241.00 (the “Broadband Grant”) for the purpose of financing a portion of the designing, construction, installation and implementation of a fiber-optic broadband network capable of at least 100bps symmetrical (for download and upload) in areas of Lee County, Georgia (the “County”) currently designated as unserved or underserved areas, all as further described on Exhibit “A” hereto (the “Broadband Project”); and

WHEREAS, Windstream Corporation (“Windstream”) partnered with Lee County in connection with the Broadband Grant Application and has committed to Lee County that, upon receipt of the Broadband Grant funds from the Broadband Grant Program, it intends to design, construct, install and implement the required infrastructure to provide for new or expanded broadband access areas in such areas of Lee County according to plans and specifications to be agreed upon by the parties within a reasonable time period after the Broadband Grant funding is approved, and in no event later than the date of the Broadband Grant expiration; and

WHEREAS, Windstream has agreed to undertake the designing, construction, installation and implementation of the fiber-optic based broadband network intended to serve those census blocks in Lee County that are eligible for funding under the approved Broadband

Grant Application and that Windstream will further establish broadband service of at least 1 Gbps download and 1 Gbps upload, with a minimum speed of 100 Mbps download and 100 Mbps upload, to all locations within those eligible census blocks as more particularly approved in the Broadband Grant; and

WHEREAS, the anticipated cost of the Broadband Project is at least \$21,079,045.00; and

WHEREAS, Lee County and Windstream previously agreed to provide certain funds to supplement the Broadband Grant funding each parties' respective commitments to such funding being established as follows:

(A) Lee County committed to provide the sum of \$1,200,000.00 in matching funds from Lee County's share of the CSLFRF to pay for a portion of the costs incurred in connection with the construction of the Broadband Project; and

(B) Windstream committed to provide the sum of \$7,337,804.00 to pay for a portion of the costs incurred in connection with the construction of the Broadband Project.

WHEREAS, the Broadband Grant application was approved pursuant to the provisions of the State of Georgia American Rescue Plan Act State Fiscal Recovery Fund Award in the amount of \$12,541,241.00, and such funds are to be used in order to pay a substantial portion of the costs incurred in connection with the construction of the Broadband Project in addition to the funds to be provided by Lee County, and Windstream as stated above; and

WHEREAS, Lee County has accepted the Broadband Grant but has not yet received the Broadband Grant funds; and

WHEREAS, Lee County proposes to enter into a Contract with Windstream to provide that Windstream will perform the designing, construction, installation and implementation of the Broadband Project because Windstream has unique and appropriate capabilities and assets in the Lee County geographic area of southwest Georgia portion of the State which make Windstream the sole source with whom Lee County can contract with to design, construct, install and implement the Broadband Project; and

WHEREAS, Lee County deems it appropriate to adopt this Resolution for the foregoing purposes as herein set out.

NOW THEREFORE, be it resolved by the Lee County Board of Commissioners (the "Governing Body"), and it is hereby resolved by authority of the same, as follows:

1. The Governing Body does hereby find that the design, construction, installation and implementation of the Broadband Project as described above is a lawful and valid purpose which Lee County has the legal authority to undertake, and that the acceptance and utilization

of the Broadband Grant proceeds is the most feasible and economical method of funding the Broadband Project.

2. The use of the Grant funds to finance the design, construction, installation and implementation of the Broadband Project is hereby approved and authorized by the Governing Body.

3. The Governing Body does hereby further affirm and ratify the submission of the State Fiscal Recovery Application, attached hereto as Exhibit "A" (the "Application"), which describes the Broadband Project in detail, the execution, delivery and submission of which is in all respects affirmed and ratified.

4. The Governing Body does hereby further accept, affirm and ratify the authority of Lee County to accept, and Lee County's acceptance of, the Broadband Grant proceeds pursuant to the terms of the Broadband Grant as more particularly established in the American Rescue Plan Act State Fiscal Recovery Fund Broadband Infrastructure Award, and the terms and conditions, attached hereto as Exhibit "B" (the "Broadband Grant Agreement"), the execution and delivery of which is in all respects ratified and affirmed.

5. Pursuant to O.C.G.A § 36-91-22(h), ("the Public Works Bidding Law"), governmental entities, such as Lee County, must undertake a competitive bidding process prior to awarding a contract valued in excess of \$100,000.00 to a private entity. O.C.G.A. § 36-91-22(h) establishes an exception to the public bidding requirements when there is only one source for the required supplies, services, or construction of a public works project (the "sole source exception"). Based upon said statute, Lee County makes the following findings in accord with the Public Works Bidding Law:

- (a) There is no other entity except Windstream which expressed a desire, after public announcement by the State of Georgia regarding the process and deadline for applications for the Broadband Grant, to contract with Lee County to expand broadband service that would include materially all of the unserved or underserved areas in Lee County; and
- (b) There is no other entity except Windstream which is willing and able to technically and financially support Lee County's Application for the Broadband Project in advance of the deadline for the Application by Lee; and
- (c) There is no other entity except Windstream which committed the time and resources required to complete the necessary preliminary design and other prerequisites necessary in advance of the deadline for the Application by Lee County; and
- (d) Windstream is uniquely situated to design, construct, install, and implement the Broadband Project because Windstream will provide the fiber, connections, and other elements of the Broadband Project during its construction; and,

- (e) Windstream will provide matching funds in the amount of \$7,337,804.00 to fund a portion of the Broadband Project; however, Windstream will not provide such matching funds if Windstream is not the contractor for the project, and if Windstream does not provide such matching funds, then the Broadband Project cannot be initiated or completed because there will be insufficient funds to do so; and,
- (f) Windstream has substantial and unique experience in designing, constructing, installing, and implementing facilities and expansion of broadband structure; and
- (g) Windstream is prepared to begin work on the Broadband Project immediately, having already completed a preliminary design as part of the Application process, and Windstream is further ready, willing, and able to complete a final engineering design consistent with the preliminary design and Application; and
- (h) Windstream has an adequate supply of materials and labor necessary to complete the Broadband Project in a timely manner; and,
- (i) Lee County has also determined that no other entity could effectivity complete the Broadband Project in accordance with the Application and within the timeframe required by OPB.

Based upon the foregoing findings, Windstream is the sole source capable of undertaking and completing the Broadband Project in a timely and a good and workmanlike manner.

6. The Chairman of the Governing Body, or his designee, shall be and is hereby authorized to execute and deliver an Agreement with Windstream to provide for Windstream to design, construct, install and implement the Broadband Project for Lee County. The County Clerk of Lee County shall be authorized to attest the Chairman's signature upon such Agreement. Said Agreement shall incorporate all the terms and conditions of the Grant Agreement and shall require that Windstream comply at all times with State, Federal, and local laws, statutes, regulations and ordinances regarding the use of the Broadband Grant proceeds.

7. The Chairman of the Governing Body, or his designee, shall be and is hereby also authorized to execute and deliver any and all other agreements, memoranda of understanding, receipts, notices, acceptances, acknowledgments, and other documents or instruments deemed necessary or appropriate by legal counsel for Lee County in order to carry out the purposes and intent of this Resolution, and the County Clerk of Lee County shall be authorized to attest the Chairman's signature upon such documents or instruments as deemed necessary or appropriate. Said documents or instruments shall be consistent with the provisions of this Resolution.

8. All prior resolutions or parts of resolutions in conflict herewith are hereby rescinded.

9. This Resolution shall become effective upon the date and at the time of its adoption by the Governing Body of Lee County.

Adopted effective this _____ day of _____, 2022.

Lee County Board of Commissioners

By: _____
Chairman

Attest: _____
County Clerk

COUNTY CLERK’S CERTIFICATE

The undersigned County Clerk of Lee County, Georgia (“Lee County”) does hereby certify that the foregoing Resolution constitutes a true and correct copy of the Resolution adopted on _____ by the Members of the Lee County Commission held in accord with the notice required under Georgia law, and at which a quorum of the Commissioners of Lee County was present and acting throughout. The original of said Resolution appears of record in the records of Lee County which are in the custody and control of the undersigned.

Witness my hand and the official seal of Lee County, Georgia this _____ day of _____, 2022.

County Clerk, Lee County Georgia

[SEAL]

BUILD AGREEMENT

This Build Agreement is made this ____ day of _____ 2022, by and between (Insert Windstream entity), a _____ (“WIN”), and _____ (the “County”).

In consideration of the mutual covenants and agreements, the parties hereto do mutually covenant and agree as follows:

INTRODUCTION

1. **Purpose.** The County has agreed to utilize \$_____ in Georgia State and Local Fiscal Recovery Fund grants (the “Funds”) to enable WIN to develop valuable telecommunications facilities for community residents, particularly the increased availability of telemedicine services, distance learning, and telework.
2. **Need for Fiber Optic System.** Both WIN and the County recognize the need for installation of certain telecommunications facilities/broadband services within the County to meet the increasing capacity demand of residents by increasing speeds available to all residents of the County and especially to those residents located in areas of the County which may be considered unserved or underserved.
3. **Project Funding.** The parties agree that the County will provide WIN the Funds to design, construct, and install the Project, as described below, within the limits of the County pursuant to the terms and conditions of this Agreement. After all Funds have been paid to WIN, the remaining costs of constructing the Project will be paid by WIN.

THE PROJECT

4. **Project.** The Project entails WIN constructing fiber as generally shown on the drawing attached hereto as **Attachment A** in order to expand high-speed internet services to approximately _____ households within the County. The household count is based upon internal address data WIN obtained from multiple vendors. Upon completion of the Project, WIN will be able to offer and will offer broadband service to each residence within the Project area utilizing the facilities constructed as part of the Project, which newly constructed facilities may be connected to existing facilities. Additionally, as part of the Project WIN will upgrade the electronics within this area, if necessary, in order to provide broadband speeds of at least 1 gigabit download and upload to the households within the County as shown on **Attachment A**. Certain Multiple Dwelling Units within the Project area may require internal wiring upgrades beyond the scope of the Project in order to receive broadband speeds of at least 1 gigabit download and upload. Any commercial properties within the Project area may require additional wiring/cabling inside the premises that will be the property owner’s responsibility.
5. **Project Costs and Use of Project Revenues.** The Funds will be used solely for costs incurred to complete the aspects of the Project described in **Attachment B** and for no other purpose.

6. **Funds.** The Funds shall be disbursed to WIN via wire transfer or check. County will use its best efforts to submit all requests for any disbursements of Funds at the earliest opportunity that County would be entitled to such disbursement. Monthly WIN will provide to County such documentation that is necessary for County to seek reimbursement from the Georgia State and Local Fiscal Recovery Fund (the "Reimbursement Documentation"). County commits to request reimbursement from the Georgia State and Local Fiscal Recovery Fund within ten (10) days of receiving the Reimbursement Documentation. County further commits to pay to WIN any portion of the Funds distributed to County within ten (10) days of receipt, unless a longer or shorter timeframe is required by the Terms and Conditions, as that term is defined below.
7. **Political Activity.** No portion of the Funds will be used for any partisan political activity or to further the election or defeat of any candidate for public office or influence the approval or defeat of any ballot issue.
8. **Prohibition Against Payment of Bonus or Commissions.** No portion of the Funds will be used in payment of any bonus or commission for the purpose of obtaining any approval or concurrence under this Agreement.
9. **Reporting.** County agrees to prepare and submit all reporting required in connection with its receipt of the Funds (the "State Reporting"), including financial reports, performance (technical) reports, and annual reports. On a quarterly basis, or more frequently if required by the State Reporting standards, WIN will provide County, in a timely manner, with information within its possession necessary for County to fulfill its State Reporting obligations. County agrees that it will not alter any information provided to it by WIN to be used for State Reporting or other purposes, without first obtaining WIN's written consent. To the extent possible, County will arrange for WIN to have access to any State Reporting electronic portals, but County will still be responsible for completing and submitting all State Reporting. WIN agrees that it will provide County with such assistance as is reasonably necessary to allow County to comply with the American Rescue Plan Act State Fiscal Recovery Fund Broadband Infrastructure Award Terms and Conditions as executed by the County on (insert date) (the "Terms and Conditions").

CONSTRUCTION

10. **WIN Responsibilities.**
 - a. All work on the Project will conform to the plans described in **Attachment(s) A and B.**
 - b. The Project shall be performed in a workman like fashion in keeping with the prevailing industry standards.
 - c. Upon completion of the Project, WIN shall notify the County.
 - d. WIN shall be responsible for Project Costs that exceed the amount of the Funds.
11. **Completion Date.** The parties agree to use commercially reasonable efforts to have the Project completed on or before _____.

LEGAL INTERESTS/RIGHTS IN CONSTRUCTED PROJECT

12. **Project Ownership.** The County will have no ownership right or interest in any part of the Project and hereby irrevocably grants, sells, transfers, conveys, sets over, and assigns any interest that it may have or may in the future obtain in the Project to WIN. WIN retains full legal and/or beneficial title to any and all components of the Project, including during construction, and the components will be utilized as part of the WIN network.

GENERAL TERMS & CONDITIONS

13. **Term.** This Agreement shall become effective upon its execution and shall expire upon completion of the Project.
14. **Relationship of Parties.** Each party shall perform its duties under this Agreement and neither party has the authority to create binding obligations or liabilities on the part of the other party through the first party's actions.
15. **Warranties.** Each party represents and warrants that the entry and performance of this Agreement are within the powers of the respective party; have been duly authorized by all necessary actions; have received all necessary approvals; do not contravene any law, regulation, decree, or any contractual obligations; and will be the legal and binding obligations of the party.
16. **Successors and Assigns.**
- (a) **Generally.** This Agreement shall be binding upon and shall inure to the benefit of and be enforceable by, the parties hereto and their respective successors and permitted assigns. Unless otherwise set forth herein, neither of the parties may assign this Agreement to any other person or entity without the prior written consent of the other party, which consent shall not be unreasonably withheld or delayed.
 - (b) **Exceptions.** Notwithstanding the foregoing,
 - (i) WIN may assign this Agreement without the consent of the County to any WIN affiliate, to the surviving entity into which WIN may merge or consolidate, or to any entity to which WIN transfers all, or substantially all, of its business and assets or its stock or all or a substantial portion of its assets located within the limits of the County;
 - (ii) WIN may, at any time, transfer its ownership interest in any of the Project components to any WIN affiliate without the consent of County; and
 - (iii) WIN shall also have the right, without the consent of the County, to assign or otherwise transfer this Agreement as collateral to any lender to WIN (or lender to any successor or assign of WIN); provided that the assignee or transferee in any such circumstance shall continue to be subject to all of the provisions of this Agreement, except that any lender shall not incur any obligations under this

Agreement, nor shall it be restricted from exercising any right of enforcement or foreclosure with respect to any related security interest or lien, so long as the purchaser in foreclosure is subject to the provisions of this Agreement.

17. **Notices.** All notices, requests, demands and other communications required or permitted to be given or made under this Agreement shall be in writing, and shall be deemed to have been duly given (a) on the date of personal delivery, (b) on the date of delivery to a nationally recognized overnight delivery service, or (c) on the date of deposit in the U. S. mails, postage prepaid, by certified mail, return receipt requested, in each case addressed as follows, or to such other addresses as shall be designated from time-to-time by the parties:

If to WIN to:

11101 Anderson DR STE 100
Little Rock, AR 72212
Attention: Network Development
win.network.development@windstream.com

With a copy to:

4001 North Rodney Parham
Mailstop: B1F03-71A
Little Rock, AR 72212
Attention: Legal Department

If to the County:

Attn: _____

With a copy to:

18. **Force Majeure.** In the event WIN or the County is delayed in or prevented from performing any of its respective obligations under this Agreement due to acts of God, war, riots, civil insurrection, acts of the public enemy, strikes, lockouts, acts of insurrection, acts of civil or military authority, fires, floods or earthquakes, fiber cuts, inability to procure necessary supplies due to global or national supply chain shortages, impacts or effects of pandemics or epidemics on labor needs or goods and services, or other causes beyond the reasonable control

of the party delayed, then such delay or nonperformance shall be excused. If any such delay or nonperformance due to the foregoing causes or events occurs or is anticipated, the party affected shall promptly notify the other party in writing of such event or expected event and the cause and estimated duration of such event. The party affected by such event shall, at no cost to the other party, exercise due diligence to shorten or avoid the delay or nonperformance and shall keep the other party advised as to the continuance of the delay and steps taken to shorten or terminate the delay or nonperformance.

19. **Limitation of Liability.** NOTWITHSTANDING ANY PROVISION OF THIS AGREEMENT TO THE CONTRARY, NEITHER PARTY SHALL BE LIABLE TO THE OTHER PARTY FOR ANY INCIDENTAL, INDIRECT, PUNITIVE, SPECIAL OR CONSEQUENTIAL COSTS, LIABILITIES OR DAMAGES, WHETHER FORESEEABLE OR NOT, ARISING OUT OF, OR IN CONNECTION WITH, SUCH PARTY'S PERFORMANCE OF ITS OBLIGATIONS UNDER THIS AGREEMENT.
20. **Disclaimer.** THERE ARE NO AGREEMENTS, WARRANTIES OR REPRESENTATIONS, EXPRESS OR IMPLIED, EITHER IN FACT OR BY OPERATION OF LAW, STATUTORY OR OTHERWISE, INCLUDING WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE OR USE, EXCEPT THOSE EXPRESSLY SET FORTH HEREIN.
21. **Counterparts.** This Agreement may be executed in several counterparts, each of which shall be regarded as an original and all of which together shall constitute one and the same document.
22. **Expenses.** Except as otherwise expressly provided herein, each party shall bear the costs and expenses incurred by it in negotiating, entering into, and performing any of its obligations under this Agreement.
23. **Headings.** The headings of this Agreement are inserted for convenience only and shall not be deemed to be a part hereof.
24. **Applicable Law.** This Agreement shall be governed by and construed and enforced in accordance with the laws of the State of Georgia applicable to contracts made and to be performed entirely in that state, without regard to the conflicts of laws rules of that state. The parties agree that the proper venue for a matter brought by either party shall be in a state or federal court located within the State of Georgia.
25. **Severability.** If any one or more of the provisions of this Agreement shall be held to be invalid, illegal or unenforceable, the validity, legality or enforceability of the remaining provisions hereof or thereof shall not in any way be affected or impaired thereby. If this Agreement shall be held to be unenforceable against either party, the enforceability of such agreement against the other party hereto shall not in any way be affected or impaired thereby.
26. **WAIVER OF JURY TRIAL.** EACH OF THE PARTIES HERETO HEREBY IRREVOCABLY WAIVES ANY AND ALL RIGHT TO TRIAL BY JURY IN ANY LEGAL PROCEEDING (WHETHER BASED ON CONTRACT, TORT OR OTHERWISE)

ARISING OUT OF OR RELATING TO THIS AGREEMENT OR THE TRANSACTIONS CONTEMPLATED HEREBY OR THE ACTION OF EITHER PARTY IN THE NEGOTIATION, ADMINISTRATION, PERFORMANCE, AND ENFORCEMENT HEREOF.

27. **Binding Agreement**. This Agreement, including the attachments, embodies the entire agreement between the parties hereto and supersedes any prior or contemporaneous oral or written agreements between the parties, and once this Agreement has been executed, any amendments hereto must be made in writing and signed by both parties.

28. **Right-of-Way Agreements**. To the extent possible, the County will assist WIN in securing any easements or right-of-way agreements necessary for the Project in an efficient and timely manner, and at a commercially reasonable cost.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be duly executed and to become effective as of the date first written above.

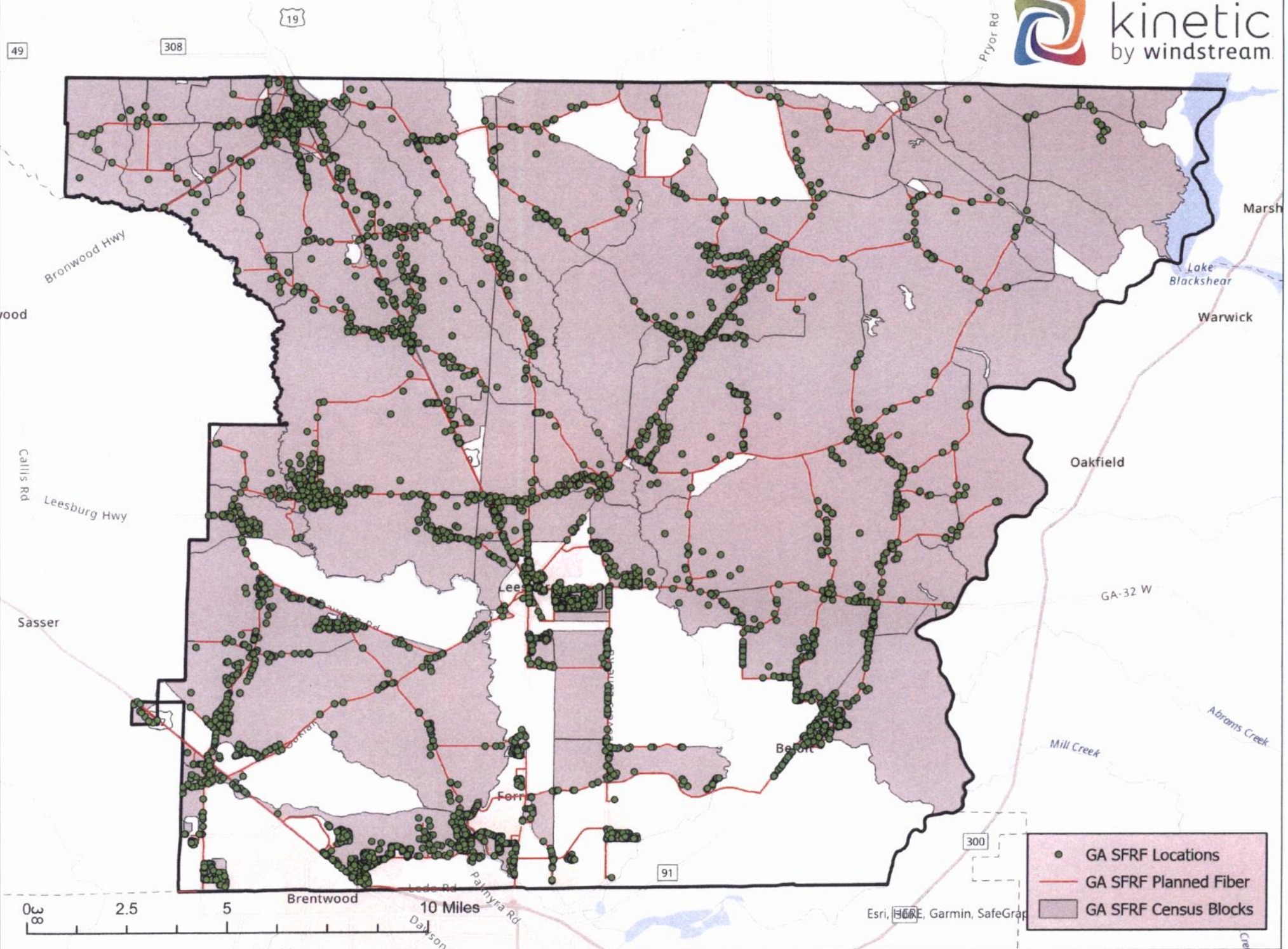
COUNTY of _____

By: _____
Name: _____
Title: _____

By: _____
Name: _____
Title: _____

ATTACHMENT A

(Insert map of Project area)



- GA SFRF Locations
- GA SFRF Planned Fiber
- GA SFRF Census Blocks

ATTACHMENT B

Planning, Fiber Engineering, and Equipment Engineering: The construction planning phase of the project will include the preparation of preliminary layouts, detailed design and construction plans, and cost estimates. Project specifics will be entered into the company Jobtrac system to monitor construction status and ensure a smooth workflow during each step from startup to project completion. A site survey will be conducted, and equipment engineering will place orders for materials within the company supply and warehouse system.

Fiber Construction: The construction work will include placement and splicing of fiber. Internal and/or contractor resource options will be utilized as needed to meet completion targets. Any needed right of ways or permits will be obtained. Project status will be monitored on a regular basis. A video inspection team will schedule and conduct testing.

Testing, Activation, Speed Qualification Updates: As fiber lines are completed, work on equipment installation, testing and turn up will get underway. Needed Central Office wiring and assignments will be completed. Once site testing is completed and equipment activated, location records will be updated reflecting the speeds available at specific addresses, and the new locations readied for service.



3200 Palmyra Road, Albany, GA 31707
P: 229.883.3232 • F: 229.883.2962
OXFORDCONSTRUCTION.COM

May 20, 2022

LEE COUNTY BOARD OF COMMISSIONERS
102 Starksville Avenue, North
Leesburg, Georgia 31763

Attn: Ms. Christi Dockery
County Manager

RE: 2022 LMIG Road Resurfacing
Lee County, Georgia

Dear Ms. Dockery:

We submit herewith our request for change order for asphalt patching for the 2022 LMIG Road Resurfacing project due to quantity over run. The specific items of work included in this request are as follows:

1. Delete 4" 19mm Asphalt Patching	(60)	TN	@	\$160.00	=	\$	(9,600.00)
2. Add 4" 19mm Asphalt Patching	350	TN	@	\$150.00	=	\$	52,500.00
3. Add Curb Repair	367	LF	@	\$ 44.50	=	\$	16,331.50

TOTAL AMOUNT THIS REQUEST \$ 59,231.50

Please feel free to contact me if you have any questions or need additional information.

Respectfully,
OXFORD CONSTRUCTION COMPANY

Jay Griffith
Vice President



Christi Dockery, County Manager
 Lee County Board of Commissioners
 102 Starksville Avenue North
 Leesburg, GA 31763



May 19, 2022

**RE: CONSTRUCTION ADMINISTRATION FOR 2022 LMIG
 LEE COUNTY, GEORGIA**

Christi,

Thank you for allowing me the opportunity to submit this proposal for professional services. I look forward to working with you on the construction of your 2022 LMIG.

The work included in this proposal is to provide the County with an all-inclusive quote to provide Construction Administration for the remaining roads to be resurfaced with the 2022 LMIG.

Below is the scope of work for the LMIG Projects which list all included services.

CONSTRUCTION PHASE

- Coordination with Contractor
- Relay Construction Information to the County
- Administration of Construction Paperwork including Change Orders and Pay Request
- Construction Site Observation as Required
- Substantial Completion Walkthrough
- Final Inspection

PROFFESIONAL FEES

My fee for the performance of these services will be billed in three phases for the following:

2022 LMIG PROJECT		TYPE
Construction Phase	= \$16,500	LS
TOTAL ENGINEERING COST	= \$16,500	LS

You will be billed for the full payment after construction is complete.

Again, thank you for considering Reliable Engineering on this project.

If you have any questions, please do not hesitate to call.

Sincerely,

RELIABLE ENGINEERING

Brent Davis, P.E., President

Date: 5-19-2022

Lee County Utilities Authority

GEORGE WALLS

Chairman

Ed Duffy

Vice-Chairman

Authority Members:

Victor Stubbs

Troy Golden

Levent Gokcen

Johnny Barthlein

Art Ford

**905 US Hwy 19 S
Leesburg, GA 31763**

Tel: (229) 759-6056

Fax: (229) 759-3319

CHRIS BOSWELL

General Manager

Tricia Holmes

Director of Administrative Operations

Ira Houston

Director of Field Operations

Memorandum

May 20, 2022

To: Chairman Mathis

From: Chris Boswell

Subject: Authority Kinchafoonee Water Pollution Control Plant
NPDES Permit No. GA0026603
Lee County, Flint River Basin

The Authority Board met May 19, 2022 at 6 PM, there was a constructive and long discussion about having major repairs completed and specific constructed components added to the existing plant so that it can treat flows up to one million gallons a day.

A motion was passed by the Authority Board to secure the services of a project engineer to plan and design the referenced repairs and additions needed within the plant.

Please use this email as a request from the Authority Board for assistance and funding this important project for Lee County.