



BOARD OF COUNTY COMMISSIONERS

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

TUESDAY, JULY 26, 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> Apostle Malden Batten, the Church of Leesburg, 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 July 12, 2022.	A - E
5.	<u>CONSENT AGENDA</u> NONE	
6.	<u>NEW BUSINESS</u> (A) Recognition of employees' years of service. (B) Allison Largeman to address the Board regarding the Dominion ballot marking devices.	1
7.	<u>PUBLIC HEARING</u> NONE	
8.	<u>DEPARTMENTAL MATTERS</u> <u>Planning, Zoning & Engineering</u> (A) Consideration to approve an application from Amanda Wiley (Z22-002) to rezone a total of 3.937 acres from C-2 (General Business District) to C-4 (Traditional Office District). The property owner is Southland Restoration, LLC. Parcel Number: 029B 182. The property is located in Land Lot 281 of the Second Land District of Lee County, Georgia. Planning Commission members and Planning Department staff recommend approval. Public Hearing held July 12, 2022.	2 - 14
9.	<u>CONSTITUTIONAL OFFICERS & GOVERNMENTAL BOARDS/AUTHORITIES</u> <u>Utilities Authority</u> (A) Consideration to approve a Limited Warranty Deed for land lying and being in Land Lot 209 of the 2nd Land District of Lee County, Georgia, containing 1.159 acres, more or less, for the new well.	15 - 16

- 10. COUNTY MANAGER'S MATTERS**
- (A) Updates on County projects. 17 - 21
- (B) Consideration to adopt a Resolution Certifying the Abandonment of a Portion of Carter Place Road. *Public Hearing held July 12, 2022.* 22 - 28
- 11. COMMISSIONER'S MATTERS**
- (A) Consideration to adopt a Resolution calling for a special election to impose a county Transportation Special Purpose Local Option Sale and Use Tax (TSPLOST). 29 - 33
- (B) Consideration to adopt a Joint Resolution authorizing the Execution of the T-SPLOST Intergovernmental Agreement (IGA) between the City of Leesburg, City of Smithville, and the Lee County Board of Commissioners. 34 - 53
- (C) Discussion of FY2023 LMIG application and potential projects. 54 - 59
- (D) Consideration to approve Change Order #2 for Popco, Inc. for the Water System Improvement Project on US Hwy 82. 60 - 65
- 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, August 9, 2022 at 6:00pm.**
- (B) A fast, more reliable internet connection with Kinetic Fiber is coming soon to Lee County! Visit GoKinetic.com or call 229-985-8000 to pre-register for Windstream Broadband.
- 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
102 STARKSVILLE AVENUE NORTH, LEESBURG, GEORGIA 31763

TUESDAY, JULY 12, 2022 6:00 P.M.
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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
George Walls, Commissioner	District 5
	District 4

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, July 12, 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, and Commissioner George Walls. Staff in attendance was County Manager Christi Dockery, and County Clerk Kaitlyn Sawyer. Commissioner Luke Singletary and County Attorney Jimmy Skipper were absent. The meeting was also streamed on Facebook Live. Chairman Mathis called the meeting to order at 6:00pm.

INVOCATION

Pastor Matthew Schluckebier, Life Church, 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 June 28, 2022.**
Commissioner Wheaton made the **MOTION** to approve the Board of Commissioners meeting minutes for June 28, 2022. Commissioner Walls seconded the **MOTION**. The **MOTION** was unanimous with Chairman Mathis voting yea.
- (B) **Consideration to approve the minutes from the Special Called Joint Meeting of the Board of Commissioners, City of Leesburg, and City of Smithville for June 21, 2022.**
Commissioner Wheaton made the **MOTION** to approve the minutes from the Special Called Joint Meeting of the Board of Commissioners, City of Leesburg, and City of Smithville for June 21, 2022. Commissioner Walls seconded the **MOTION**. The **MOTION** was unanimous with Chairman Mathis voting yea.

CONSENT AGENDA

NONE

NEW BUSINESS

- (A) **Mrs. Trish Batten to address the Board regarding the Observance of Juneteenth Project.**
Mrs. Trish Batten introduced herself as longtime employee of the County as well as a citizen and woman of faith. Ms. Batten summarized the history and significance of Juneteenth, adding that it was declared a federal holiday, but is not recognized fully on the state or local levels. Mrs. Batten also summarized additional

important and relevant historical events, including the Leesburg Stockade Girls and the bombing of Shady Grove Baptist Church. Mayor Billy Breeden of Leesburg signed a Proclamation for Juneteenth, however, neither the City of Leesburg nor the County observed Juneteenth as a federal holiday. Mrs. Batten wishes to raise public awareness about this holiday and respectfully requests that the Board consider acknowledging this holiday and adding it to the 2023 holiday calendar.

Chairman Mathis stated that we have 10 holidays and asked County Manager Christi Dockery to check the holiday schedule to look into making this one of those 10 holidays.

PUBLIC HEARING

- (A) **Proposed abandonment of a portion of Carter Place Road. The Board of Commissioners of Lee County, Georgia, has determined that a portion of Carter Place Road, a dirt road with entrance and exit on Hwy 195 at parcel 045 030 and parcel 053 017. That which has been proposed for abandonment is that portion of a county road right of way known as Carter Place Road, which traverses property operated at Southern Hills Orchards for approximately two (2) miles. Said property is located in Land Lots 075 and 105 of the 14th Land District of Lee County, Georgia.**

County Manager Christi Dockery stated that letters had been sent to all citizens on Carter Place Road and in that letter was a map and plans for cul de sacs at either side of the proposed closure so as to allow for school busses, garbage trucks, public safety entities, etc. to safely turn around without impacting anyone's driveways. Additionally, Public Works scrape the roadway approximately twice a month. Commissioner Walls asked if that portion of the roadway was even used.

Chairman Mathis opened the Public Hearing.

The following citizens spoke in opposition of the proposed abandonment:

- William Simmons
- Dennis Roland
- Wallace Daniel
- Roosevelt Carter
- Cecil Daniel
- Eddie Daniel
- Rosie Batten

A citizen signed petition was also made available for the Board.

Eric Miller, General Manager of Southern Orchard Farms, addressed the Board, speaking in favor of the abandonment, stating that he understood the concern and opposition of the citizens. Mr. Miller stated he was informed of the process to close the portion of the roadway by Public Works and helped with the design process of the cul de sacs, upon request of the County.

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

Chairman Mathis spoke about the importance and benefit of holding Public Hearings and stated that the Board typically does not continue with a road abandonment if there is opposition at the Public Hearing, adding that he was personally opposed. A final vote will take place at the next regularly scheduled Board of Commissioners meeting, July 26, 2022.

- (B) **Amanda Wiley (Z22-002) has submitted an application requesting to rezone a total of 3.937 acres from C-2 (General Business District) to C-4 (Traditional Office District). The property owner is Southland Restoration, LLC. Parcel Number: 029B 182. The property is located in Land Lot 281 of the Second Land District of Lee County, Georgia. Planning Commission members and Planning Department staff recommend approval.**

Chairman Mathis opened the Public Hearing.

The following citizens spoke in support of the rezoning, but would prefer R-1:

- Greg Daniel, neighbor
- Brad Sorenson, neighbor

Applicant Amanda Wiley addressed the Board stating she was told the property needed to be zoned C-4 as it was next to a lot zoned as I. There are neighboring lots and lots across the street zoned C-2 and R-1. The lot cannot be C-2 because C-2 does not allow residential uses and the primary use of this property will be as a residence. Ms. Wiley also stated that in this rezoning process, it has become evident that a few more properties in the area may need to be rezoned as well.

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

Chairman Mathis asked County Manager Christi Dockery to collect names and contact information from everyone. A final vote will take place at the next regularly scheduled Board of Commissioners meeting, July 26, 2022.

- (C) **CANCELLED Lanier Engineering, Inc. (GD22-001) has submitted an application for a General Development Plan requesting approval for residential development (Sawtooth Farms, Sec. 1 - 6) on 354.751 acres. Property is zoned R-1 (Single Family Residential District). The property owner is Lexwig, LLC. Parcel Number: 039D 121. The property is located in Land Lots 209 and 210 of the Second Land District of Lee County, Georgia. Planning Commission tabled this item at their July 7, 2022 meeting.**

Chairman Mathis explained that this Public Hearing was cancelled as the item had been tabled by the Planning commission at their July 7, 2022. This item may come back before the Board at a later date.

DEPARTMENTAL MATTERS

Building Inspection/Business Licensing

- (A) **Consideration to approve an alcohol license for Wal-Mart (change of license holder).**
Commissioner Wheaton made the **MOTION** to approve an alcohol license for Wal-Mart (change of license holder). Commissioner Walls seconded the **MOTION**. The **MOTION** was unanimous with Chairman Mathis voting yea.

Planning, Zoning, & Engineering

- (B) **Review of the minutes from the May 5, 2022 Planning Commission meeting.**
The minutes were reviewed as presented.
- (C) **Review of the minutes from the July 7, 2022 Planning Commission meeting.**
The minutes were reviewed as presented.

Public Safety

- (D) **Consideration to approve annual support agreements with Southern Software.**
County Manager Christi Dockery stated that these were annual renewal agreements that were budgeted. Chairman Mathis stated that because these agreements were already budgeted, the Board did not need to take action.

Public Works

- (E) **Discussion of putting out a bid for an extension to the Landfill wall. HANDOUT**
County Manager Christi Dockery summarized the project, stating it was the last phase of the Landfill retaining wall, and was budgeted. Commissioner Walls asked if the first phase of the project was completed, to which Ms. Dockery replied that it had been completed. Chairman Mathis stated that because the project was already budgeted, the Board did not need to take action and asked that staff bring the resulting bids for the project to the Board for approval.

CONSTITUTIONAL OFFICERS & GOVERNMENTAL BOARDS/AUTHORITIES

- (A) Consideration to appoint one member to the Aspire Behavioral Health and Development Disability Services Board for a term of three (3) years. Current term expires 07/31/2022. New term expires 07/31/2025. Letter of interest in reappointment received from Mike Sabot.

Commissioner Wheaton made the **MOTION** to reappoint Mike Sabot to the Aspire Behavioral Health and Development Disability Services Board for a term of three (3) years, expiring 07/31/2025. Commissioner Walls seconded the **MOTION**. The **MOTION** was unanimous with Chairman Mathis voting yea.

COUNTY MANAGER'S MATTERS

- (A) Updates on County projects.

County Manager Christi Dockery and Chairman Mathis discussed ongoing projects in the County: (1) Consoles have been full installed in the E-911 Center; (2) the E-911 Center provides emergency medical dispatch (*EMD) and **Texty capabilities; (3) there has been a delay in the Gymnasium window replacement project due to supplies availability; and (4) regarding the future medical center, Phoebe has filed another objection resulting in an additional 30 day delay.

*EMD: Dispatchers are trained to aid individuals on the phone until first responders arrive on scene (e.g. talking an individual through CPR)

**Texty: Individuals may text 911 for help, primarily if in a situation where it is unsafe to speak on the phone

- (B) Discussion of the FY2023 LMIG application.

Chairman Mathis asked that staff put together a list by district of the worst roads in the County for possible resurfacing as well as a list of the most populated dirt roads. The commissioners will review and discuss at a later meeting. The grant application is due February 1, 2023.

COMMISSIONER'S MATTERS

- (A) Discussion of a proposed amendment to Chapter 14, Article V, Section 14-171 of the Code of Ordinances of Lee County Relating to the Cruelty and Neglect of Animals.

Chairman Mathis summarized the ordinance stating that he knows our Animal Control officers act with sound judgment and will continue to do so with this ordinance.

Commissioner Wheaton made the **MOTION** to waive the second reading of the proposed ordinance. Commissioner Walls seconded the **MOTION**. The **MOTION** was unanimous with Chairman Mathis voting yea.

Commissioner Wheaton made the **MOTION** to adopt the proposed amendment to Chapter 14, Article V, Section 14-171 of the Code of Ordinances of Lee County Relating to the Cruelty and Neglect of Animals. Commissioner Walls seconded the **MOTION**. The **MOTION** was unanimous with Chairman Mathis 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.

Margo Clayton – Old Leslie Road – Request for paving, concerns about ditching and grass

Paul Clayton – Old Leslie Road – Request for paving, concerns about ditching and grass
Lonzie Jimmerson – Questions and concerns relating to the Comprehensive Plan

ANNOUNCEMENTS

- (A) A fast, more reliable internet connection with Kinetic Fiber is coming soon to Lee County! Visit GoKinetic.com or call 229-985-8000 to pre-register for Windstream Broadband.
- (B) The next **Summer Food Distribution** will be **Thursday, July 21, 2022** at **10:00am** at the Lee County Parks & Recreation Office, located at 141 Park Street in Leesburg.
- (C) The next regularly scheduled County Commission Meeting is **Tuesday, July 26, 2022** at **6:00pm**.

ADJOURNMENT

The meeting adjourned at 7:06PM.

Facebook video link: <https://www.facebook.com/leecountyga/videos/410393457779154>

CHAIRMAN

ATTEST: _____
COUNTY CLERK

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**MEMORANDUM
LEE COUNTY BOARD
OF COMMISSIONERS**

TO: Honorable Board of County Commissioners
SUBJECT: Employee Years of Service Recognition
MEETING DATE: Tuesday, July 26, 2022

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

- 5 years – David Cole – Mechanic, Public Works
- 10 years – Bryce Layfield – Captain/Paramedic
- 10 years – Kara Hanson – Billing Associate, Utilities Authority
- 10 years – Jasmine Smith – Administrative Assistant, Sheriff's Office
- 15 years – David Forrester – Fire Chief
- 15 years – Michael McClendon Sr. – Firefighter
- 25 years – Danise Thomas – Administrative Coordinator, Sheriff's Office



LEE COUNTY
CITY OF LEESBURG
CITY OF SMITHVILLE

ZONING APPLICATION

Owner: Southland Restoration, LLC
Address: P O BOX 4367, EASTMAN, GA 31023

Daytime Phone #: 478-893-0030 / 229-357-0489 Email: southlandrestoration@yahoo.com / amandaandkyla@hotmail.com

Address or location of the property: 150 Hugh Road, Leesburg, GA 31763

In order that the general health, safety and welfare of the citizens may be preserved, and substantial justice maintained, I (We) the undersigned request in connection with the property hereinafter described:

Present Zoning: C-2 Present Use of Property: Only ever used as residential. Home is vacant due renovations needed

Proposed Zoning: C-4 Proposed Use of Property: Residential

281 Land Lot Number 02 Land District 3.89 # of Acres

The subject property is described as follows:

This is a DSF home that has never been used for any commercial purposes that was a result of a mass area rezoning. With the lay of this land and home, this wouldn't be suitable for commercial purposes.

ALSO ATTACH: (18 COPIES REQUIRED) Plat of property, including vicinity map
 Legal description Containing Metes and Bounds

DISCLOSURE

I (owner) have made campaign contributions having an aggregate value of \$250.00 or more, or made gifts having an aggregate value or \$250.00 or more to an official of (Lee County, City of Leesburg, City of Smithville) (circle one) within two (2) years of application.
 I (owner) have NOT made campaign contributions having an aggregate value of \$250.00 or more, or made gifts having an aggregate value or \$250.00 or more to an official of (Lee County, City of Leesburg, City of Smithville) (circle one) within two (2) years of application.

I hereby certify that I am the owner and/or legal agent of the owner, in fee simple of the above-described property.
WITNESS [Signature] OWNER [Signature]
DATE 5-3-2022 DATE 5-3-2022

Application Fee: _____ Date Paid: _____ Received by: _____

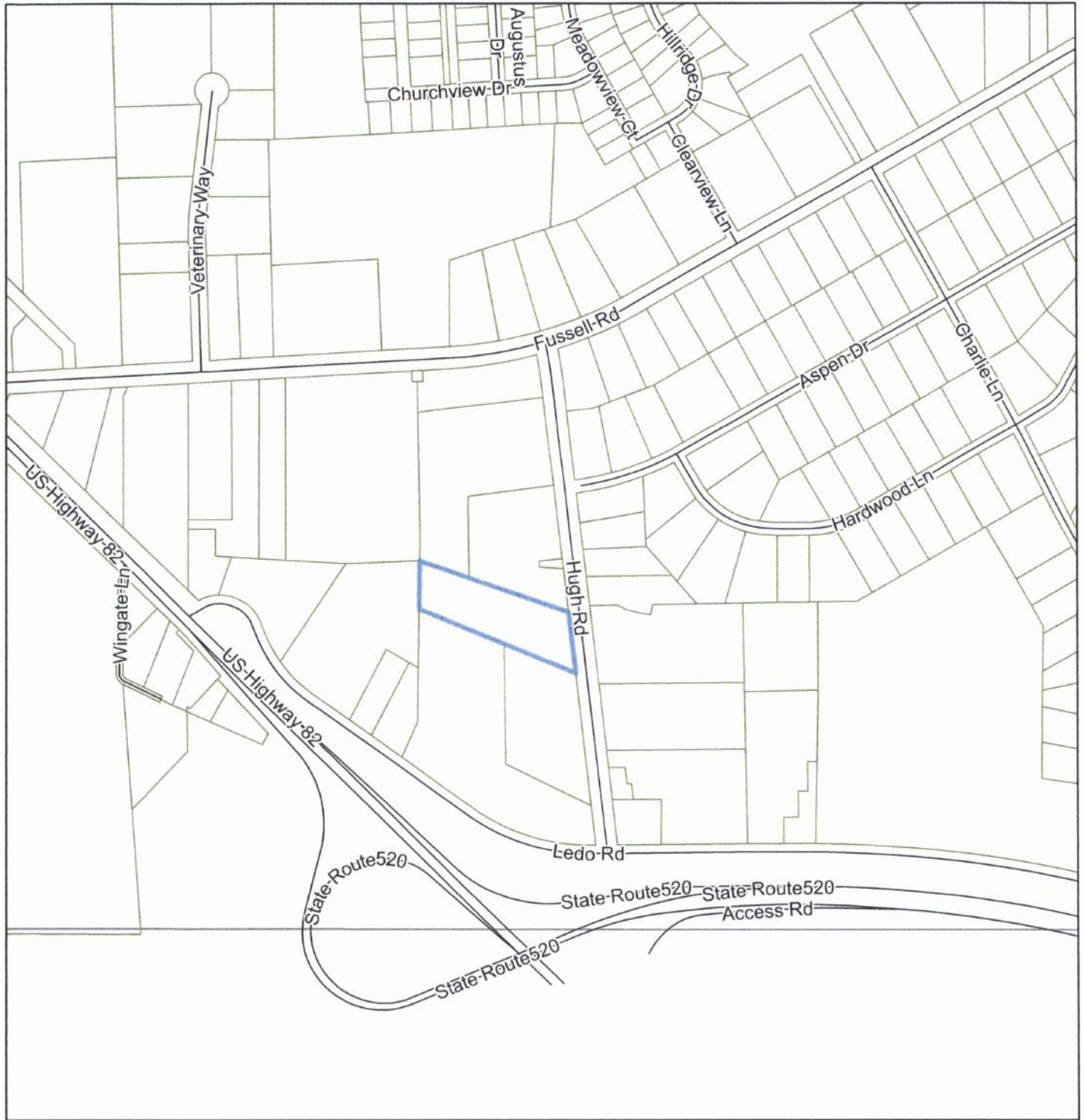
In my absence, I authorize the person named below to act as the applicant in the pursuit of action for the application.




Applicant Name: Amanda Wiley

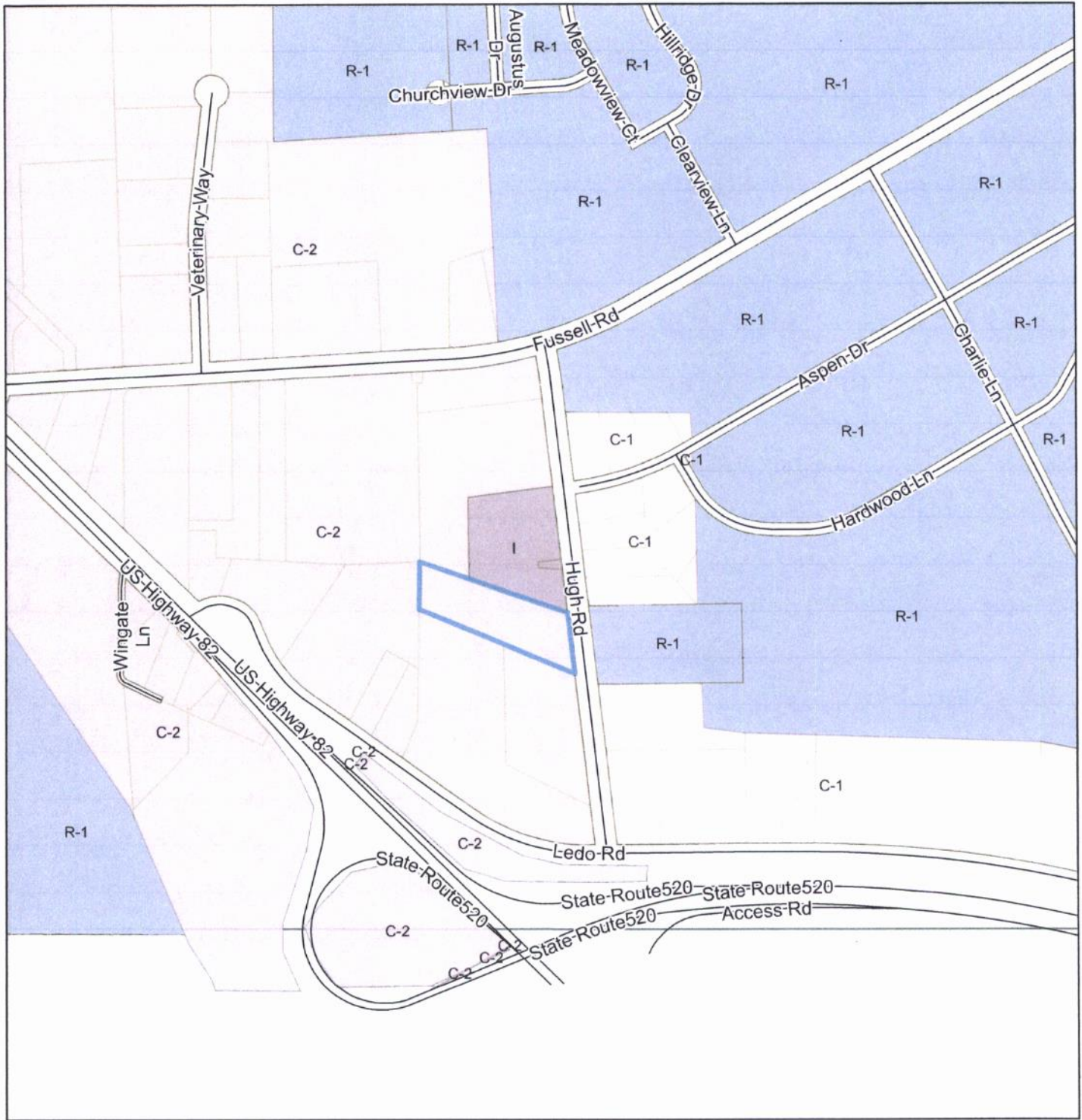
Address: 616 N. Westover Blvd, Albany, GA 31707

Phone #: 229-357-0489 Email: amanda-wiley@hotmail.com

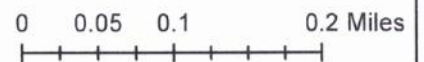
05/01/2018



 LEE COUNTY	<h1>Location Map</h1>	N 	0 0.05 0.1 0.2 Miles 
Z22-002 C-2 to C-4 Applicant: Amanda Wiley Owner: Southland Restoration, LLC		Disclaimer: Lee County GIS makes every effort to produce the most accurate information possible. No warranties, expressed nor implied, are provided for the data herein, its use or interpretation. All data is subject to change. Prepared by: Corrie Futch	

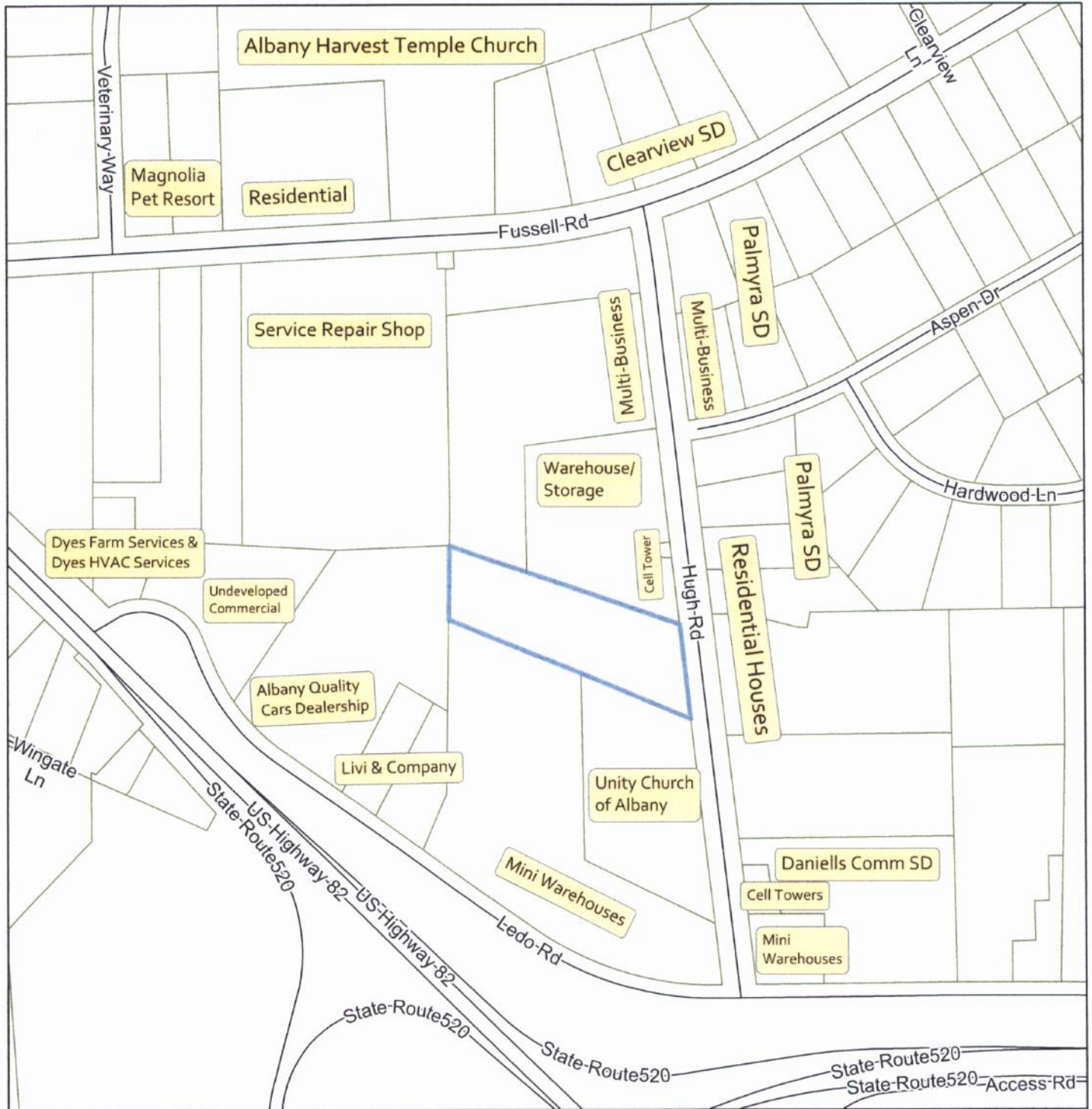


Zoning Map



Z22-002
C-2 to C-4
Applicant: Amanda Wiley
Owner: Southland Restoration, LLC

Disclaimer: Lee County GIS makes every effort to produce the most accurate information possible. No warranties, expressed nor implied, are provided for the data herein, its use or interpretation. All data is subject to change.
 Prepared by: Corrie Futch



Land Use Map



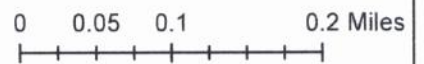
0 0.03 0.06 0.12 Miles

Z22-002
C-2 to C-4
Applicant: Amanda Wiley
Owner: Southland Restoration, LLC

Disclaimer: Lee County GIS makes every effort to produce the most accurate information possible. No warranties, expressed nor implied, are provided for the data herein, its use or interpretation. All data is subject to change.
 Prepared by: Corrie Futch



Aerial Map



Z22-002
C-2 to C-4
Applicant: Amanda Wiley
Owner: Southland Restoration, LLC

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 Prepared by: Corrie Futch

eFiled & eRecorded
 DATE: 6/3/2022
 TIME: 12:26 PM
 PLAT BOOK: 000PCF
 PAGE: 00381
 RECORDING FEES: \$10.00
 PARTICIPANT ID: 1622908051
 CLERK: Sara Clark
 Lee County, GA

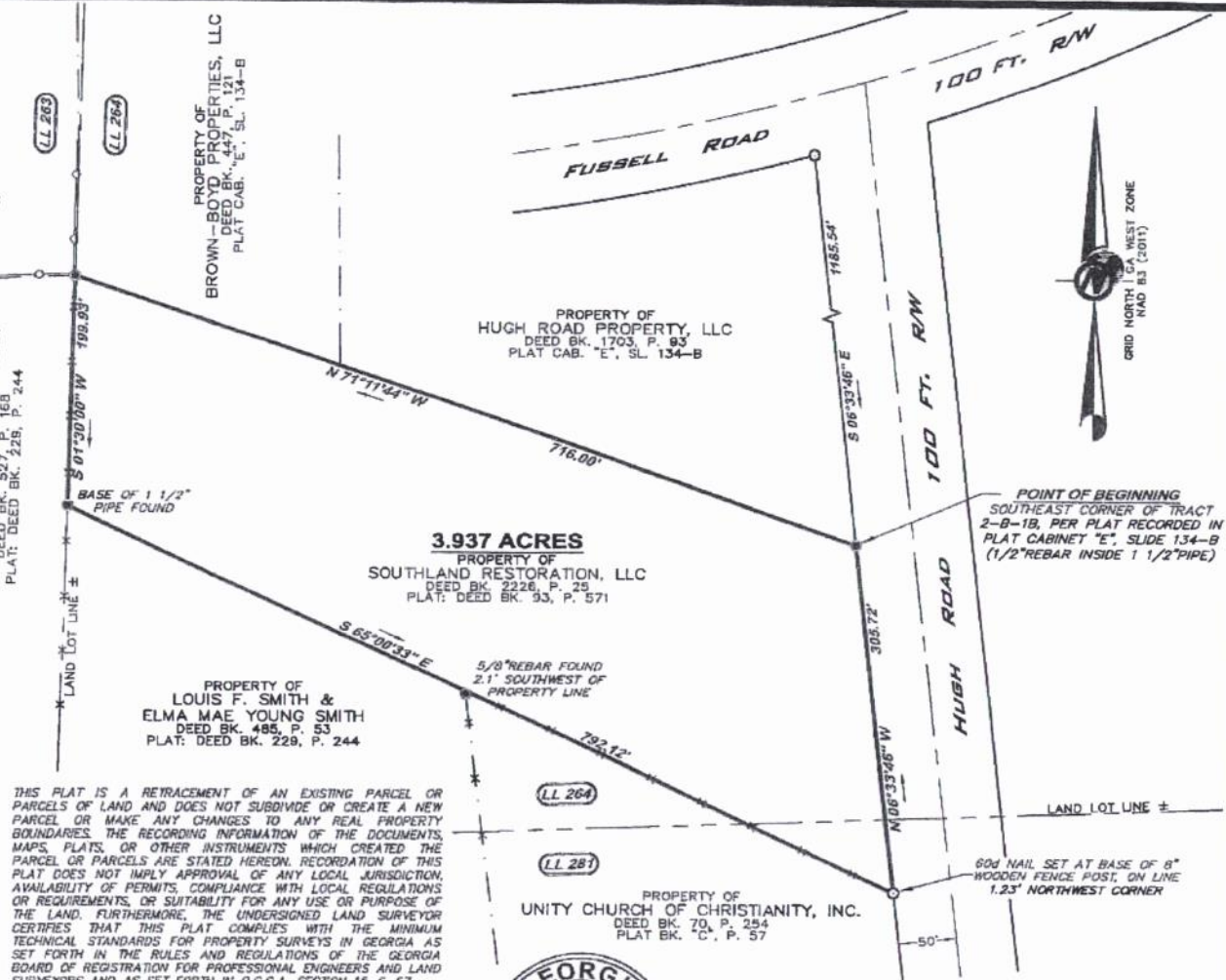
THIS BLOCK RESERVED FOR THE CLERK OF SUPERIOR COURT

SURVEY NOTES:

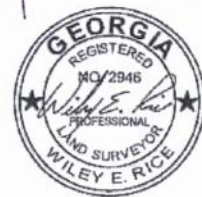
- 1) THIS SURVEY WAS PERFORMED USING JAVAD TRIUMPH LS, BASE & ROVER, DUAL FREQUENCY RECEIVERS. THE RESULTANT FIELD DATA HAS A RELATIVE POSITIONAL ACCURACY OF <0.10' AT THE 95% CONFIDENCE LEVEL.
- 2) THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND HAS BEEN FOUND TO HAVE A CLOSURE PRECISION OF ONE FOOT IN 3,596,300 FEET. ALL DISTANCES SHOWN ARE HORIZONTAL GROUND DISTANCES.
- 3) NO NATIONAL GEODETIC SURVEY MONUMENTS WERE FOUND WITHIN 500 FEET OF ANY POINT ON THE PROPERTY PLATTED, OR ANY POINT OF REFERENCE HEREON.
- 4) THE TERM "CERTIFICATION", AS USED IN BOARD RULE 180-6-.09(2) AND (3), AND RELATING TO PROFESSIONAL LAND SURVEYING SERVICES, AS DEFINED IN O.C.G.A. 43-15-2(6) AND (11), SHALL MEAN A SIGNED STATEMENT BASED UPON FACTS AND KNOWLEDGE KNOWN TO THE REGISTRANT, AND IS NOT A GUARANTEE, OR WARRANTY, EITHER EXPRESSED, OR IMPLIED.
- 5) THIS SURVEY COMPLIES WITH BOTH THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS, AND THE OFFICIAL CODE OF GEORGIA, ANNOTATED (O.C.G.A.) 15-6-67, IN THAT WHERE A CONFLICT EXISTS BETWEEN THOSE TWO SETS OF SPECIFICATIONS, THE REQUIREMENTS OF LAW PREVAIL.

PLAT OF
 RETACEMENT SURVEY FOR:
SOUTHLAND RESTORATION, LLC
 LYING IN LAND LOTS 264 & 281, 2nd LAND DISTRICT
 LEE COUNTY, GEORGIA
 FIELD WORK COMPLETED: MAY 30, 2022
 SCALE: 1" = 100' DATE OF PLAT: JUNE 3, 2022

RANDOLPH LAND SURVEYING LLC
 WILEY E. RICE
 PROFESSIONAL LAND SURVEYOR
 Georgia Registration # LS002946
 1403 W. Ward St. • Box 57 • Shelton, GA 39886
 Telephone & Fax: 229-679-5783
 Mobile: 229-896-7774
 email: wrice@windstream.net



Wiley E. Rice
 WILEY E. RICE, LS
 GA. REG. NO. 2946
 6/3/2022



LEGEND

●	DENOTES	1/2" REBAR FOUND
- - -		CENTER LINE
- x - x -		WIRE FENCE
- o - o -		CHAIN LINK FENCE
- - -		LINE NOT TO SCALE

RANDOLPH LAND SURVEYING LLC

WILEY E. RICE
Professional Land Surveyor
Georgia Registration No. 2946

P. O. Box 57 • Shellman, GA 39886
Telephone & Fax: 229•679•5783
Mobile: 229•886•7774

LEGAL DESCRIPTION

ALL THAT CERTAIN TRACT, OR PARCEL, OF LAND LYING IN LAND LOTS 264 & 281, OF THE SECOND LAND DISTRICT, LEE COUNTY, GEORGIA, CONTAINING 3.937 ACRES, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A 1/2" REBAR FOUND (INSIDE OF A 1-1/2" PIPE) AT THE SOUTHEAST CORNER OF TRACT 2-B-1B, AS SHOWN ON PLAT RECORDED IN PLAT CABINET "E", SLIDE 134-B; SAID COMMENCING POINT LOCATED ON THE WESTERLY RIGHT OF WAY OF HUGH ROAD (100 FT. R/W) AND IS ALSO THE **POINT OF BEGINNING**;

THENCE, LEAVING SAID RIGHT OF WAY, RUN NORTH 71°11'44" WEST, A DISTANCE OF 716.00 FEET, TO A 1/2" REBAR FOUND;

THENCE, RUN SOUTH 01°30'00" WEST, A DISTANCE OF 199.93 FEET, TO THE BASE OF A 1-1/2" PIPE FOUND;

THENCE, RUN SOUTH 65°00'33" EAST, A DISTANCE OF 792.12 FEET, TO THE AFOREMENTIONED WESTERLY RIGHT OF WAY OF HUGH ROAD (THIS POINT WITNESSED BY A 60d NAIL SET AT THE BASE OF AN 8-INCH WOODEN FENCE POST, ON LINE 1.23 FT. NORTHWEST OF CORNER);

THENCE, ALONG SAID NORTHWESTERLY RIGHT OF WAY OF HUGH ROAD, RUN NORTH 06°33'46" WEST, A DISTANCE OF 305.72 FEET, BACK TO THE POINT OF BEGINNING.

**LEE COUNTY
ZONING REPORT**

CASE NUMBER: Z22-002

APPLICATION TYPE: Zoning Application

APPLICANT: Amanda Wiley

REQUESTED ACTION: Rezone from present C-2 zoning to proposed C-4 zoning

PURPOSE: The applicant intends to make renovations to the existing home on the property and use it as a single-family residence. The property has only been used for residential purposes, but it is commercially zoned.

LOCATION OF PROPERTY: 150 Hugh Road, Leesburg, GA 31763

SIZE: 3.89 acres

EXISTING CONDITIONS:

Present Zoning and Use of Property: The property is zoned C-2. The existing house and property is used for residential purposes.

Adjacent Zoning/Use:

North— C-2 and I
South— C-2
East— R-1 and C-1
West— C-2

Available Public Services: Public Water/ Private Septic

MEETING INFORMATION: All meetings are held in the assembly room in the Lee County Administration Building unless otherwise advertised.

Planning Commission (public hearing): 7/07/2022; 6:00pm
County Commission (public hearing): 7/12/2022; 6:00pm
County Commission (voting session): 7/26/2022; 6:00pm

STAFF RECOMMENDATION:

Staff recommends approval of the zoning application to change the zoning of the subject property from C-2 to C-4. Single-family dwellings, except manufactured homes, are an allowed use under C-4 but not allowed under the current C-2 zoning. For the applicant to renovate the existing home, either C-4 or R-1 zoning would be required. Based on the location of the property, C-4 is a better fit due to the fact that the properties directly surrounding the subject property are zoned C-2 with exception of one I zoned property.

USES ALLOWED IN THE PROPOSED ZONING DISTRICT THAT ARE NOT ALLOWED IN THE CURRENT ZONING DISTRICT:

Current Zoning: C-2

Proposed Zoning: C-4

Uses Allowed Under Proposed Zoning and Not Under Current Zoning:

- (a) Single-family dwellings, except manufactured homes.
- (b) Family day care, group day care, adult day care and related uses.
- (c) Temporary emergency construction and repair residences.
- (d) Offices of any type; clinical, research and services not primarily related to goods of merchandise.
- (e) Operations designed to attract and serve customers or clients on the premises such as offices of attorneys, physicians, and other professions.

PLANNING CONSIDERATIONS:

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

The adjacent and nearby properties are zoned C-1, C-2, and R-1. The area to the west of the subject property is mainly zoned C-2 and the area to the east of the subject property is mainly zoned R-1. The majority of uses allowable in C-4 are also allowable in C-2 with the exception of uses listed above, including the current and proposed single-family residential use. The adjacent parcel directly to the north of the subject property is zoned I and is developed with storage warehouse use and a cell tower. In many circumstances, the location of residential use adjacent to industrial use would be considered unsuitable. However, in this case the existing nature of use of the I-zoned property and the relatively small size of the I-zoned property suggests that it is unlikely that residential use on the subject property would be considered unsuitable due to current or future industrial use on the adjacent property. In overall consideration, the proposed zoning of C-4 is suitable in view of the use, development and zoning of adjacent and nearby property.

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

If the existing zoning is retained, the subject property may be impacted as the existing residential building needs renovations that would best be conducted with zoning that supports single-family dwellings.

- 3. 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?**

If the proposed zoning is denied, there are no expected gains to the health, safety, morals, or general welfare of the public that would be expected to offset any impact on the applicant's property value.

- 4. Has the property been undeveloped an unusual length of time as currently zoned, considered in the context of land development in the vicinity of the property?**

The subject property has not been undeveloped for an unusual length of time as the existing house has been in place for at least thirteen years. The site has not been significantly modified since the house was built.

- 5. 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, police protection, fire protection, public health facilities or emergency medical services?**

The proposed use under the proposed zoning is not expected to cause excessive or burdensome use of existing and nearby infrastructure as the use of the property is not proposed to change from the current use. Other possible uses for the subject property under C-4 zoning would also not be expected to cause excessive or burdensome use of existing and nearby infrastructure on a property of this size. Allowable C-4 uses such as day care and offices would be expected to involve more traffic and activity than a single-family residence, however not to a size or scale that would be considered excessive or burdensome given the relatively small size of the subject property.

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

The proposed zoning is in conformity with the policy and intent of the future land use plan for the area in which it is located. Per the Comprehensive Plan, the recommended future land use of the subject property and surrounding property is commercial with one industrial parcel to the north of the subject property. The recommended future land use across Hugh Road from the subject property is primarily residential use with commercial parcels located along the main roadways.

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

The subject property is well suited for the proposed C-4 zoning per Section 70-421 which states that the traditional office district allows for

the "appropriate re-use of existing residential dwellings; which will provide, adjacent to residential areas, appropriate districts for uses which do not generate large volumes of traffic, traffic congestion and parking problems." Additionally, the C-4 zone is intended for corridors in transition where residential uses are adjacent to commercial uses along the corridor. By this definition in the code, the subject property is well suited for C-4 zoning.

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

The proposed C-4 zoning is not expected to adversely affect the existing use of adjacent or nearby property. Additionally, per Sec. 70-424. - Protective Screening, screening is required for C-4 zoned properties with residential property adjacent to or across the street, with the exception of arterial or collector roads.

9. Does the subject property have a reasonable economic use as currently zoned?

The subject property has reasonable economic use under its existing zoning as well as under the proposed zoning.

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

There are no known existing or changing conditions that will affect the use of the subject property to the extent of providing supporting grounds for either approval or disapproval of the zoning proposal.

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

The zoning change would create an isolated district of C-4 as the surrounding districts are C-2 and R-1 with one adjacent I zoned district. The stated reason for the rezoning request is that C-4 zoning allows for a single-family dwelling, the existing use which is not a supported use in C-2. In order to be zoned consistent with the existing use, C-4 or R-1 are the potential zoning options. Maintaining a commercial zoning is a better fit for the property considering the surrounding properties and their commercial zoning.

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

The present zoning district boundaries are not illogically drawn based on the existing conditions of the area.

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

The change requested is not out of scale with the needs of the neighborhood area or the county. The proposed zoning fits the neighboring area.

14. Is it impossible to find adequate sites for the proposed use in districts permitting such use and already appropriately zoned?

The proposed zoning is being requested in order to undertake needed renovations on the existing residential building on the site. It is not impossible to find adequate sites for single-family residential use in districts permitting such use and already appropriately zoned, however the current and desired use of the existing residential structure ties the need for compatible zoning to the subject property.

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

There is not an expected ecological or pollution impact resulting from the proposed zoning as the proposed use and intent will maintaining the current residential use. The renovations needed on the existing home are not expected to cause ecological or pollution impacts as it is presumed they will be properly permitted, executed and inspected.

AFTER RECORDING, PLEASE
RETURN THIS DOCUMENT TO:
Gatewood, Skipper & Rambo, P.C.
410 West Lamar Street
Post Office Box 488
Americus, Georgia 31709
JMSjr/hhv
FILE NO. 8444/634D

STATE OF GEORGIA

COUNTY OF LEE

LIMITED WARRANTY DEED

This indenture is made as of the _____ day of _____, 2022, between **Board of Commissioners of Lee County, Georgia** of 102 Starksville Avenue North, Leesburg, Georgia 31763 (hereinafter referred to as "Grantor") and **Lee County Utilities Authority**, of 905 U.S. Hwy 19 S, Leesburg, Georgia 31763 (hereinafter referred to as "Grantee").

WITNESSETH:

For and in consideration of the sum of Ten Dollars (\$10.00), and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Grantor has granted, bargained, sold, and conveyed, and does hereby grant, bargain, sell and convey unto Grantee the following described real estate located in Lee County, Georgia:

All that tract or parcel of land lying and being in Land Lot 209 of the 2nd Land District of Lee County, Georgia, containing 1.159 acres, more or less, and being more particularly described on that certain plat of survey prepared by Andrew C. Tomberlin, Georgia Registered Surveyor No. 3168, and said survey is dated June 27, 2022, and is recorded in Plat Book _____, Page _____, of the Lee County Deed

Records, and is incorporated into and made a part of this description by specific reference thereto. A true and accurate copy of said plat of survey is also attached to this conveyance.

This property is transferred by Grantor to Grantee herein pursuant to the provisions of O.C.G.A. §36-9-3(3)(A) as Grantee is a public entity established by local legislation adopted by the Georgia General Assembly.

TO HAVE AND TO HOLD said property, together with all and singular the rights, members and appurtenances thereof, to the same being, belonging or in any wise appertaining, to the only proper use and benefit of Grantee forever in fee simple.

Grantor will forever warrant and defend the right and title to said property unto Grantee against the claims of any persons owning, holding or claiming by, through or under Grantor.

Executed under seal as of the date set out above.

Signed, Sealed and Delivered
In the Presence Of:

**Board of Commissioners of Lee
County, Georgia**

Unofficial Witness

By: _____

Notary Public

Attest: _____

{SEAL}

DISCLAIMER OF TITLE

The Grantor by executing this Deed and the Grantee by accepting delivery of this Deed do hereby acknowledge that the preparer is not issuing an opinion as to the status of the title to the property, including, but not limited to, the ownership and marketability of any interest held by the Grantor or the validity of the description. Grantor and Grantee do indemnify and hold harmless the preparer from all damages resulting from the use of this Deed.



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
- Final Design complete

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: 33,179
- Smithville: 593
- Leesburg: 3,480

2021 Census Numbers

- Lee County: 33,411

Commercial Land Development Permits

- Ace Hardware Store
- Action Building
- Artesian City Federal Credit Union
- Brittany Lakes 2
- Buck Run 5
- Cypress Cove 3
- DeSoto Silicon Ranch Phase II
- Finish Line Storage 2
- Fuzzy's Taco
- Groves 4
- Ledo Self Storage 2
- Live Oak 3
- Mini Warehouse Office, Hwy 82
- Oakland Crossings Drive Extension
- Oaklee Investment, LLC
- Plantation Storage 2
- Quail Valley 4-7
- Woodgrain Millwork

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: August 2022
 - Delay due to supply shortage

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

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
- Phoebe has filed another objection, resulting in another 30 day delay
- **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: June 2022

LMIG Funds

- **FY2023**
 - Application Due: February 1, 2023
 - Project discussions ongoing
 - **Funds to be Received from GDOT: \$627,424.76**
 - Total, with 30% match from Lee County: **\$815,652.19**
- **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
 - **Roads Completed Include: Cookville Road, Palmyra Road, Pineridge Drive, Southhill Drive, and East Century 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

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
- Awaiting notice from Leesburg regarding the status of this grant

Speed Limit Ordinance

- Approved by BOC at April 26, 2022 meeting

- Staff has submitted documents to GDOT
- Requested DOT examine Old Leesburg Road/State Route 133
- Awaiting GDOT approval

SPLOST VII

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

SPLOST VIII

- Possible Ballot Year: 2024

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
 - Under review

TSPLOST

- Collection: April 1, 2019 - March 31, 2024
- Cities and County began receiving revenue in May 2019

TSPLOST II

- Possible Ballot Year: November 2022
- Joint meeting held Tuesday, June 21, 2022 at 5:00pm

RFPs and RFQs

Open

Residential and Commercial Curbside Garbage Services

- Pre-Bid Meeting: August 9, 2022
- Bid Opening: August 23, 2022
- Results to be brought before the Board on August 23, 2022
- Previous Bid Opening: June 7, 2022
- Results brought before the Board on June 28, 2022
 - Bids rejected
- Services to begin September 2023

Resurfacing of Haley Drive

- Pre-Bid Meeting: July 12, 2022
- Bid Opening: August 2, 2022
- Results to be brought before the Board on August 9, 2022

Landfill Retaining Wall Phase II

- Pre-Bid Meeting: July 28, 2022
- Bid Opening: August 11, 2022
- Results to be brought before the Board on August 23, 2022

Recently Awarded

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
- All easements received and recorded in Superior Court

Future

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

**RESOLUTION
CERTIFYING THE ABANDONMENT OF CARTER PLACE ROAD
IN THE UNINCORPORATED AREA OF LEE COUNTY, GEORGIA**

WHEREAS, The Board of Commissioners of Lee County (hereinafter referred to as "Board") is authorized to abandon any public road or any portion of a public road that is under its jurisdiction in certain circumstances pursuant to O.C.G.A. §32-7-1 and O.C.G.A. §32-7-2; and

WHEREAS, the owner owning property abutting Carter Place Road in the unincorporated area of Lee County has submitted a written request to the Board to abandon said road right of way in accord with Georgia law; and

WHEREAS, various plats and maps of the portion of Carter Place Road to be closed is attached to this Resolution as Exhibit "A"; and

WHEREAS, a legal description of the portion of Carter Place Road to be closed is attached to this Resolution as Exhibit "B"; and

WHEREAS, the Board previously adopted a Resolution directing the staff of the Lee County Board of Commissioners to commence proceedings with respect to the abandonment of said road, such Resolution being adopted on September 28, 2021; and

WHEREAS, as required by O.C.G.A. §32-7-1(b)(1), written notice to the property owners located on Carter Place Road was provided by the County; and

WHEREAS, notice was published for two weeks in the legal organ of Lee County advertising the determination of the Board that the described portion of Carter Place Road had ceased to be used by the public to the extent that no substantial public purpose is served by the road and the removal of said road from the county road system is otherwise in the best public interest; and

WHEREAS, the Board held a public hearing regarding the proposed road closure as required by O.C.G.A. §32-7-2 (b)(1) on July 12, 2022; and

WHEREAS, the Board deems it appropriate to abandon said road in accord with the foregoing provisions of Georgia law.

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners of Lee County, Georgia, and it is hereby resolved by the authority of the same, as follows:

1. That the portion of Carter Place Road to be abandoned, as described on Exhibit "A" and Exhibit "B" hereto, has ceased to be used by the public to the extent that no substantial public purpose is served by said road and that removal of said road from the county road system is otherwise in the best public interest.
2. That based upon the foregoing, that portion of Carter Place Road described in Exhibit "A" and Exhibit "B" hereto is hereby abandoned.
3. That this Resolution shall serve as certification of such abandonment.
4. This Resolution shall be recorded in the minutes of the Board evidencing such abandonment.
5. That pursuant to O.C.G.A. §32-7-3 and O.C.G.A. §32-7-4, the County further determines that the County has no need for maintaining ownership of the portion of Carter Place Road, which has been abandoned and therefore the County staff has been directed to notify the bounding landowner or landowners of said roadway that such bounding landowners shall have the right to acquire the roadway from the County it appearing that the County has no record of the price, if any, that the County originally paid for the acquisition of such roadway,

the purchase price be paid by the bounding landowners of the acquisition of the abandoned roadway shall be \$-0- since the roadway has no fair market value and the County has no record of the purchase price, if any, that it paid for said roadway. Upon the payment of such purchase price, the Chairman shall be authorized to execute, and the County Clerk shall be authorized to attest, the Chairman's signature on a Quitclaim Deed conveying all of the County's right, title, and interest in said abandoned roadway to the purchaser or purchasers thereof. Such Quitclaim Deed shall be delivered to the purchasers for recording in the Lee County Deed Records.

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

This Resolution shall be effective upon the date of its adoption by the governing body of Lee County.

SO ADOPTED, this _____ day of _____, 2022.

**Board of Commissioners
of Lee County, Georgia**

By: _____
Billy Mathis, Chairman

ATTEST: _____
Kaitlyn Sawyer, County Clerk

Carter Place Road Closure



Carter Place Road
— Section to be closed.

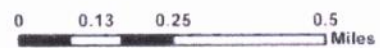


EXHIBIT B

All that portion of a county road right of way known as Carter Place Road, which traverses property operated at Southern Hills Orchards for approximately two (2) miles. Said property is located in Land Lots 075 and 105 of the 14th Land District of Lee County, Georgia.



Farmland Reserve
79 S. Main St., Ste 1000
Salt Lake City, UT 84111
Ph: (801) 715-9100

Friday, September 10, 2021

Christi Dockery,
Lee County Manger
T. Page Tharp Governmental Building
102 Starksville Avenue North
Leesburg, GA 31763

Re: Request for Partial Abandonment - Carter Place Road

Ms. Dockery:

Farmland Reserve, Inc. ("FRI" or "us") owns an orchard in Lee County, Georgia (the "Orchard"), that is operated as Southern Hills Orchards. A portion of the Orchard is traversed by approximately two (2) miles of the Carter Place County Road ("Carter Place Road"), as depicted in attached Exhibit A.

Per statute, Lee County has the authority "whenever deemed in the public interest" to abandon any county road. *See* O.G.C.A. § 32-7-1. The portion of the Carter Place Road depicted in Exhibit A provides no public access to private residences or business and, therefore, serves no public interest. FRI formally requests the County abandon that portion of the Carter Place Road located within the boundaries of the Orchard and initiate the statutory process required for abandonment. *See* O.G.C.A. § 32-7-2 (b)(1).

Further, following statutorily required public notice, hearing, and a favorable ruling by the Lee County Board of Commissioners, we request that the County quitclaim to FRI any right, title, and interest held by Lee County in that portion of the abandoned Carter Place Road.

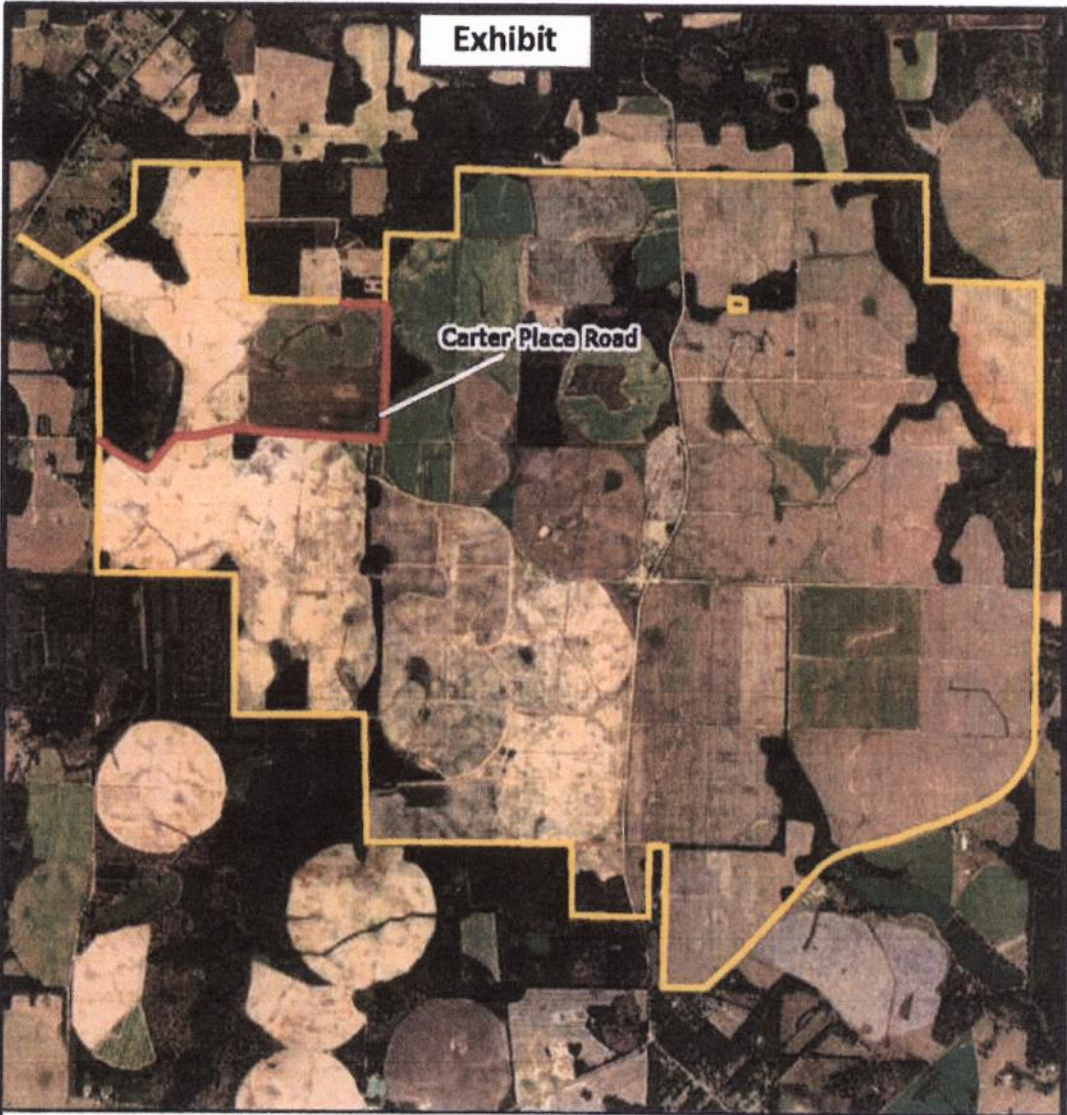
If you have any questions or concerns, please reach out to me by email at cwinder@farmlandreserve.org or phone at (801) 715-9179.

Regards,

Calvin Winder
Director of Legal Compliance

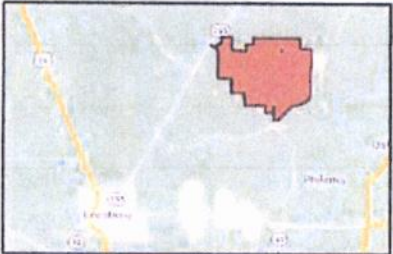
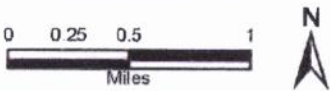
Cc: Eric Miller, General Manager, Southern Hills Orchard

Exhibit



Southern Hills Orchard

Laramore Farm



**RESOLUTION OF THE BOARD OF COMMISSIONERS OF
LEE COUNTY, GEORGIA NOTIFYING THE LEE COUNTY
ELECTION SUPERINTENDENT OF LEE COUNTY'S REQUEST
TO CALL A SPECIAL ELECTION REFERENDUM TO IMPOSE A
COUNTY TRANSPORTATION SPECIAL PURPOSE LOCAL OPTION
SALES AND USE TAX; AND FOR OTHER PURPOSES**

WHEREAS, O.C.G.A § 48-5-260, et. seq ("the ACT") authorizes the levy of a one percent county Transportation Special Purpose Local Option Sales Tax ("the TSPLOST") for the purpose of financing transportation purposes and projects for the use and benefit of Lee County and qualified municipalities within Lee County; and

WHEREAS, an existing TSPLOST approved by the voters on the 6th day of November, 2018, which became effective on April 1, 2019 (the "2019 TSPLOST"), remains in effect as of the effective date of the Resolution; and

WHEREAS, Lee County, ("Lee County"), the City of Leesburg ("Leesburg"), and the City of Smithville ("Smithville"), both of which are designated as "municipalities" under the provisions O.C.G.A § 48-8-260, desire to utilize the proceeds of a subsequent TSPLOST to become effective beginning on the first day of the calendar quarter after the Commissioner of the Georgia Department of Revenue has determined that the existing TSPLOST, approved by the voters of Lee County on the 6th day of November, 2018 (the "2019 TSPLOST"), will have raised revenues sufficient to provide to the special district net proceeds from the tax equal to or greater than the amount specified as the maximum amount of proceeds to be raised by the 2019 TSPLOST, or on the 1st day of April, 2024, whichever date shall first occur for transportation purposes and projects as authorized under O.C.G.A. § 48-8-260, et. seq; and

WHEREAS, for the purposes of this Resolution, the TSPLOST which will be the

subject of the requested call of a Special Election Referendum to be held on November 8, 2022, shall be referred to as the “2024 TSPLOST”; and

WHEREAS, Lee County, Leesburg, and Smithville previously met, beginning with an initial meeting on June 21, 2022, to discuss possible transportation purposes and projects for inclusion in a TSPLOST referendum to be held on November 8, 2022 in accord with the requirements of O.C.G.A. § 48-8-262(a)(2), and timely written notices required with respect to such meeting were provided as required by such statute; and

WHEREAS, Lee County, Leesburg, and Smithville have negotiated a division of the TSPLOST proceeds among such jurisdiction as authorized by the ACT; and

WHEREAS, O.C.G.A. § 48-8-262(a)(2) requires that the governing authority of Lee County adopt a Resolution no less than thirty (30) days after the initial meeting between such local governmental entities to discuss and negotiate a division of such TSPLOST proceeds, which Resolution shall request the Call of a Special Election Referendum so that the registered electors of Lee County shall determine whether to authorized the County to imposed the TSPLOST; and

WHEREAS, O.C.G.A. § 48-8-262(d)(2) also provides that the Resolution adopted by the governing body of Lee County shall list the specific transportation purposes to be funded by the TSPLOST and shall state the approximate cost of such transportation purposes and projects to be funded with the proceeds of the TSPLOST, which approximate cost shall also be the maximum amount of proceeds to be raised by the tax; and

WHEREAS, the Resolution is also required by OCGA 48-8-262(d)(2) to establish the maximum period of time, to be stated in calendar years, for which the tax may be

imposed and the rate thereof; and

WHEREAS, this Resolution is adopted in compliance with the provisions of O.C.G.A. § 48-8-262(d).

NOW THEREFORE, BE IT RESOLVED by the governing body of Lee County, AND IT IS HEREBY RESOLVED by the authority of the same, as follows:

Assuming the question of imposing a county TSPLOST is approved by the voters of Lee County in the election hereinafter referred to, the TSPLOST shall be imposed for the term, purposes and cost as follows:

1. (A) In order to finance the transportation purposes and projects described herein, a TSPLOST in the amount of one percent (1%) of all sales and uses in Lee County is hereby authorized to be levied and collected within the special district created by Lee County as provided in the ACT;

(B) The TSPLOST is anticipated to raise approximately \$23,000,000.00 over the five (5) year term of the tax, which funds are to be used to fund the proposed transportation purposes and projects described herein, which transportation purposes and projects are approved by this Resolution.

(C) The transportation purposes and projects approved by this Resolution consist of Lee County projects, City of Leesburg projects, and City of Smithville projects. The transportation purposes and projects to be funded with the proceeds of the TSPLOST are more particularly listed and enumerated on Exhibit "A" hereto, which Exhibit "A" is incorporated into and made a part of this Resolution by specific reference thereto.

(D) The TSPLOST shall be imposed for a period not to exceed

five (5) years as authorized by O.C.G.A. § 48-8-262(d)(2)(C).

2. There shall be no general obligation debt issued to provide advance funding for the purposes and projects approved by this Resolution.

3. (A) The Election Superintendent of Lee County is hereby requested to call an election of all voting precincts in Lee County to be held on November 8, 2022 for the purpose of submitting to the qualified electors of Lee County the question set forth in Paragraph 3(B) below.

(B) The ballot to be used in the election shall have written or printed thereon sustainably the following:

Transportation Special Purpose Local Option Sales Tax

Shall a special one percent (1%) sales and use tax be imposed in the special district consisting of Lee County for a period of time not to exceed five (5) years and for the raising of the estimated amount of \$23,000,000.00 for transportation purposes?

(C) It is hereby requested that the special election be held and conducted by the Election Superintendent of Lee County in accordance with the election laws of the state of Georgia, including, without limitation, the election laws relating to special elections. It is further requested that the Election Superintendent of Lee County canvass the returns, declare the result of the election, and certify the result to the Secretary of State and to the State Revenue Commissioner.

4. The Election Superintendent of Lee County is hereby authorized and requested to publish a notice of the special election required by law in the newspaper in which Sheriff's advertisements are published in Lee County once a week for four weeks

immediately preceding the date of the election.

5. The Clerk of the Lee County Board of Commissioners is hereby authorized and directed to deliver a copy of this Resolution to the Election Superintendent of Lee County, with a request that the Election Superintendent of Lee County issue the Call for an Election at least 90 days prior to the date of the election as required by law.

6. The proper officers and agents of Lee County are hereby authorized to take any and all further actions as may be required in connection with the imposition of the TSPLOST.

7. All Resolutions or parts of Resolutions in conflict herewith are hereby repealed.

8. This Resolution shall become effective immediately upon the date of its adoption by the governing body of Lee County.

9. This Resolution is adopted by the Board of Commissioners of Lee County at a meeting held in accord with the Georgia Open Meetings Act on the _____ day of _____, 2022.

SO RESOLVED, this _____ day of _____, 2022 by the governing body of Lee County.

**Board of Commissioners
of Lee County, Georgia**

By: _____
Chairman

Attest: _____
County Clerk

**JOINT RESOLUTION OF THE BOARD OF COMMISSIONERS
OF LEE COUNTY, GEORGIA, THE GOVERNING BODY OF THE CITY
OF LEESBURG, AND THE GOVERNING BODY OF THE CITY OF
SMITHVILLE, APPROVING AND AUTHORIZING EXECUTION OF AN
INTERGOVERNMENTAL CONTRACT AMONG LEE COUNTY, THE CITY OF
LEESBURG, AND THE CITY OF SMITHVILLE CONCERNING A ONE
PERCENT TRANSPORTATION SPECIAL PURPOSE LOCAL OPTIONS SALE
AND USE TAX AS AUTHORIZED BY GEORGIA LAW; PROVIDING FOR AN
EFFECTIVE DATE; PROVIDED FOR THE RESCISSION OF PREVIOUS
RESOLUTIONS AND CONFLICT HEREWITH; AND FOR OTHER PURPOSES**

WHEREAS, O.C.G.A. § 48-8-260, et. seq. (the “ACT”) authorizes the levy of a one percent county Transportation Special Purpose Local Options Sale Tax (the “TSPLOST”) for the purpose of financing transportation purposes and projects for the use and benefit of Lee County and qualified municipalities within Lee County; and

WHEREAS, an existing TSPLOST approved by the voters on the 6th day of November, 2018, which became effective on April 1, 2019 (the “2019 TSPLOST”), remains in effect as of the effective date of the Resolution; and

WHEREAS, Lee County (“Lee County”), the City of Leesburg (“Leesburg”), and the City of Smithville (“Smithville”), both Leesburg and Smithville being designated as “municipalities” under the provisions O.C.G.A. § 48-8-260, desire to utilize the proceeds of a subsequent TSPLOST to become effective beginning on the first day of the calendar quarter after the Commissioner of the Georgia Department of Revenue has determined that the existing TSPLOST, approved by the voters of Lee County on the 6th day of November, 2018 (the “2019 TSPLOST”), will have raised revenues sufficient to provide to the special district net proceeds from the tax equal to or greater than the amount specified as the maximum amount of proceeds to be raised by the 2019 TSPLOST, or on the 1st day of April, 2024, whichever date shall first

occur for transportation purposes and projects as authorized under O.C.G.A. § 48-8-260, et. seq;
and

WHEREAS, Lee County, Leesburg, and Smithville previously met, beginning with an initial meeting on June 21, 2022, to discuss possible transportation purposes and projects for inclusion in a TSPLOST referendum to be held on November 8, 2022, in accord with the requirements of O.C.G.A. § 48-8-262(a)(2), and all written and timely notices required with respect to such meeting were provided as required by such statute; and

WHEREAS, Lee County, Leesburg, and Smithville have negotiated a division of the TSPLOST proceeds among such jurisdictions as authorized by the ACT; and

WHEREAS, the ACT requires that Lee County, Leesburg, and Smithville enter into an Intergovernmental Contract for the use and distribution of proceeds from the TSPLOST; and

WHEREAS, Lee County, Leesburg, and Smithville negotiated an agreed-upon division of the TSPLOST proceeds as authorized by the ACT prior to the Call of the referendum and prior to the vote of the County to impose the TSPLOST; and

WHEREAS, the County did adopt a resolution to impose the TSPLOST; and

WHEREAS, the County agreed to the Call of a referendum for the purpose of allowing the qualified registered electors of Lee County to vote on whether to authorize the County to impose the TSPLOST on November 8, 2022; and

WHEREAS, now Lee County, Leesburg, and Smithville, deem it appropriate to enter into an Intergovernmental Contract with respect to such matters pursuant to the provisions of O.C.G.A. § 48-8-262, such intergovernmental contract being attached to this Joint Resolution as Exhibit "A"; and

WHEREAS, such intergovernmental contract shall become void in the event that the electors of Lee County do not approve the imposition of the new TSPLOST at the November 8, 2022 election.

WHEREAS, for the purposes of this Resolution, the TSPLOST which will be the subject of the requested call of a Special Election Referendum to be held on November 8, 2022, shall be referred to as the “2024 TSPLOST”; and

NOW THEREFORE, BE IT RESOLVED by the governing body of Lee County, BE IT RESOLVED by the governing body of The City of Leesburg, BE IT RESOLVED by the governing body of The City of Smithville, as follows:

1. That the proposed Intergovernmental Contract attached to this Joint Resolution as Exhibit “A” with respect to the 2024 TSPLOST is hereby approved and authorized.
2. That the Chair of the Lee County Commissioners authorized to execute the Intergovernmental Contract attached hereto as Exhibit “A”, and the County Clerk is authorized to attest the Chair’s signature thereon.
3. That the Mayor of The City of Leesburg is authorized to execute the Intergovernmental Contract attached hereto as Exhibit “A”, and the City Clerk is authorized to attest the Mayor’s signature thereon.
4. That the Mayor of The City of Smithville is authorized to execute the Intergovernmental Contract attached hereto as Exhibit “A”, and the City Clerk is authorized to attest the Mayor’s signature thereon.
5. That the parties agree to comply with the terms of such Intergovernmental Contract as adopted pursuant to this Resolution.

SO RESOLVED, this _____ day of _____, 2022, by the governing body of Lee County.

**Board of Commissioners
of Lee County, Georgia**

By: _____
Chairman

Attest: _____
County Clerk

SO RESOLVED, this _____ day of _____, 2022, by the governing body of the City of Leesburg, Georgia.

The City of Leesburg, Georgia

By: _____
Mayor

Attest: _____
City Clerk

SO RESOLVED, this _____ day of _____, 2022, by the governing body of the City of Smithville, Georgia.

The City of Smithville, Georgia

By: _____
Mayor

Attest: _____
City Clerk

EXHIBIT A

STATE OF GEORGIA

COUNTY OF LEE

**INTERGOVERNMENTAL CONTRACT FOR THE USE AND
DISTRIBUTION OF PROCEEDS FROM THE 2024 TRANSPORTATION
SPECIAL PURPOSE LOCAL OPTION SALES TAX FOR LEE COUNTY,
THE CITY OF LEESBURG, AND THE CITY OF SMITHVILLE**

This Intergovernmental Contract (the "Contract") is made and entered into effective the ____ day of _____, 2022, by and between **the Board of Commissioners of Lee County**, a political subdivision of the State of Georgia (the "County"), **the City of Leesburg, Georgia** ("City of Leesburg"), and **the City of Smithville, Georgia**, ("City of Smithville"), both cities being municipal corporations of the State of Georgia and being sometimes referred to herein as the "Municipalities," individually and collectively.

W I T N E S S E T H:

WHEREAS, *O.C.G.A. §48-8-260, et. seq.* (the "Act") authorizes the levy of a County Transportation Special Purpose Local Option Sales Tax (the "TSPLOST") for the purpose of financing transportation purposes and projects for the use and benefit of the County and qualified municipalities within the County; and

WHEREAS, the County and Municipalities initially met to discuss possible projects for inclusion in the TSPLOST referendum on the 21st day of June 2022, in accord with the requirements of *O.C.G.A. §48-8-262(a)(2)*; and

WHEREAS, the County and the Municipalities have negotiated a division of the Transportation Special Purpose Local Option Sales Tax ("TSPLOST") proceeds as authorized by the Act.

NOW, THEREFORE, in consideration of the mutual promises and understandings made in this Agreement, and for other good and valuable consideration, the County and the Municipalities consent and agree as follows:

Section 1. Representations and Mutual Covenants

A. The County makes the following representations and warranties which may be specifically relied upon by all parties as a basis for entering this Contract.

(i) The County is a political subdivision duly created and organized under the Constitution and laws of the State of Georgia.

(ii) The governing authority of the County is duly authorized to execute, deliver and perform this Contract.

(iii) This Contract is a valid, binding, and enforceable obligation of the County.

(iv) The County will take all actions necessary to call a referendum election to be held in all voting precincts in the County on the 8th day of November, 2022, for the purpose of submitting to the voters of the County for their approval the question of whether or not a TSPLOST shall be imposed on all sales and uses within the special district of Lee County for a period of five (5) years, commencing on the first day of the calendar quarter after the Commissioner of the Georgia Department of Revenue has determined that the existing TSPLOST, approved by the voters of Lee County on the 6th day of November, 2018 (the "2019 TSPLOST"), will have raised revenues sufficient to provide to the special district net proceeds from the tax equal to or greater than the amount specified as the maximum amount of proceeds to be raised by the 2019 TSPLOST, or on the 1st day of April, 2024, whichever date shall first occur, to raise an estimated \$23,000,000.00 to be used for funding transportation purposes and projects more specifically described on Exhibit "A" attached hereto and incorporated herein. The referendum ballot shall include authority for the raising of the amount from the TSPLOST of the above stated amount.

B. Each of the Municipalities makes the following representations and warranties which may be specifically relied upon by all parties as a basis for entering this Contract:

(i) Each Municipality is a municipal corporation duly created and organized under the Laws of the State of Georgia.

(ii) The governing authority of each Municipality is duly authorized to execute, deliver, and perform this Contract.

(iii) This Contract is a valid, binding, and enforceable obligation of each Municipality.

(iv) Each Municipality is a qualified municipality as defined in O.C.G.A. §48-8-260(3).

(v) Each Municipality is located entirely or partially within the geographic boundaries of the special tax district created in the County.

C. It is the intention of the County and Municipalities to comply in all respects with O.C.G.A. §48-8-260, et. seq. and all provisions of this Agreement shall be construed in light of O.C.G.A. §48-8-260, et. seq.

D. The County and Municipalities agree to promptly proceed with the purposes and projects specified in Exhibit "A" of this Contract upon and after the commencement

date of the TSPLOST.

E. The County and Municipalities agree that each approved TSPLOST purpose and project approved in accord with the terms of this Contract shall be maintained as a public facility and in public ownership. If ownership of a purpose or project financed pursuant to this Contract is transferred to private ownership, the proceeds of the sale shall, for the purposes of this Contract, be deemed excess funds and disposed of as provided in Section 6 hereof.

F. The County and Municipalities agree to maintain thorough and accurate records concerning receipt of TSPLOST proceeds and expenditures for each purpose and project undertaken by the respective county or municipalities as required herein in fulfilling the terms of this Contract.

Section 2. Conditions Precedent

A. The obligations of the County and Municipalities pursuant to this Contract are conditioned upon the adoption of a Resolution (“Resolution”) of the County calling for the imposition of the TSPLOST in accordance with the provisions of O.C.G.A. §48-8-262(d).

B. The obligations of the County and Municipalities pursuant to this Contract are further conditioned upon the County, acting through its duly elective Board of Commissioners, calling an Election to be held on the date provided in this agreement, for the purpose submitting to the qualified voters of Lee County for their determination and question whether a Transportation Special Purpose Local Option Sales and Use Tax of 1 percent shall be imposed on all sales and uses, as authorized by the Act, in Lee County.

C. The obligations of the County and Municipalities pursuant to this Contract are further conditioned upon the approval of the proposed imposition of the TSPLOST by the qualified electors of the County in a referendum to be held in accordance with the provisions of O.C.G.A. §48-8-263.

D. The obligations of the County and Municipalities pursuant to this Contract are further conditioned upon the collecting of the TSPLOST revenues by the State Department of Revenue and such revenues, less the one percent paid into the general fund of the State Treasury pursuant to O.C.G.A. §48-8-267(a)(1), being transferred to the County.

Section 3. Effective Date and Term of the Tax

The TSPLOST, subject to approval in an election to be held on the 8th day of November 2022, shall continue for a period of five (5) years with collections beginning on the first day of the calendar quarter after the Commissioner of the Georgia Department of Revenue has determined that the existing TSPLOST, approved by the voters of Lee County on the 6th day of November, 2018 (the “2019 TSPLOST”), will have raised revenues sufficient to provide to the special district net proceeds from the tax equal to or greater than the amount specified as the maximum amount of proceeds to be raised by the 2019

TSPLOST, or on the 1st day of April, 2024, whichever date shall first occur.

Section 4. Effective Date and Term of This Contract

This Contract shall commence upon the date of its execution and shall terminate upon the later of:

- (i) The official declaration of the failure of the election described in this Contract;
- (ii) The expenditure by the County and all of the Municipalities of the last dollar of money collected from the TSPLOST after the expiration of the TSPLOST; or
- (iii) The completion of all projects described in Exhibit "A"; subject, however, to any amendment or amendments to this Agreement adopted by the parties regarding as authorized by Section 6 hereof.
- (iv) Notwithstanding the foregoing, in no event shall this contract be in effect for more than a fifty (50) year period.

Section 5. County TSPLOST Fund; Separate Accounts; No Commingling

A. A special fund or account shall be created by the County and designated as the **2024 Lee County Transportation Special Purpose Local Option Sales Tax Fund ("TSPLOST Fund")**. The County shall select a local bank which shall act as a depository and custodian of the TSPLOST Fund upon such terms and conditions as may be acceptable to the County.

B. The City of Leesburg shall create a special fund to be designated as the **2024 Leesburg Transportation Special Purpose Local Option Sales Tax Fund**. The City of Smithville shall create a special fund to be designated as the **2024 Smithville Transportation Special Purpose Local Option Sales Tax Fund**. Each Municipality shall select a local bank with a place of business in Lee County which shall act as a depository and custodian of the TSPLOST proceeds received by each Municipality upon such terms and conditions as may be acceptable to each respective Municipality.

C. All TSPLOST proceeds shall be maintained by the County and each Municipality in the separate accounts or funds established pursuant to this Section. Except as provided in Section 6, TSPLOST proceeds shall not be commingled with other funds of the County or Municipalities and shall be used exclusively for the purposes and projects detailed in this Contract. No funds other than TSPLOST proceeds shall be placed in such funds or accounts.

D. The County, the City of Leesburg, and the City of Smithville shall report to each other by December 31st of each calendar year during which such jurisdiction expends TSPLOST proceeds pursuant to this Agreement, upon the expenditure of the TSPLOST proceeds expended by that jurisdiction for the immediately preceding twelve (12) calendar

months. Such report shall include such items as may be determined by Lee County including, but not limited to, the date of expenditure, the payee, the amount of each expenditure, and the purpose of each expenditure. Each party to this Contract shall also prepare, publish in the Lee County legal organ, and file such reports regarding TSPLOST revenues and expenditures as may be required by Georgia law.

Section 6. Procedure for Disbursement of TSPLOST Proceeds

A. With respect to the TSPLOST proceeds collected by the Georgia Department of Revenue (“DOR”), the DOR shall distribute such proceeds, less the one percent paid into the general fund of the State Treasury pursuant to *O.C.G.A. §48-8-267(a)(1)*, directly to the County, to the City of Leesburg, and to the City of Smithville for deposit directly into the respective accounts established for such TSPLOST proceeds as required in Section 5 hereof. The monies in the TSPLOST Funds shall be held and applied by the parties to be expended for the transportation purposes and projects listed in Exhibit “A”, and as provided in Paragraph B of this Section 6.

B. The TSPLOST proceeds to be distributed by the DOR shall be disbursed to the respective parties according to the following percentages:

- (a) City of Leesburg shall receive 10.23 % of such funds
- (b) City of Smithville shall receive 4.00 % of such funds
- (c) Lee County shall receive 85.77 % of such funds.

C. Should any Municipality cease to exist as a legal entity before all funds are distributed under this Contract, that Municipality's share of the funds subsequent to dissolution shall be paid to the County as part of the County's share unless an act of the Georgia General Assembly makes the defunct Municipality part of another successor municipality. If such an act is passed and becomes law, the defunct Municipality's share shall be paid to the successor Municipality in addition to all other funds to which the successor Municipality would otherwise be entitled.

D. Each party hereto shall, and does hereby, indemnify and hold the other parties harmless, from any and all claims, liabilities, obligations, damages, costs, and expenses (the “claims”) which arise out of or result from the indemnifying party misappropriating, improperly expending, or failing to properly account for TSPLOST proceeds received by such indemnifying party. Such indemnification obligation includes, but is not limited to, any claims arising out of or resulting from any arbitrage costs, expenses, or reimbursements required by federal law and applicable regulations as a result of a party expending or not expending TSPLOST proceeds or bond proceeds, the repayment of which is secured by TSPLOST proceeds, in a manner as required by federal law or applicable regulations.

E. For the purposes of this Contract, the term “excess proceeds” shall be defined as proceeds received from the TSPLOST in excess of the amount of proceeds anticipated to be collected as specifically provided in Section 1 of this Contract. In the event that there are any excess proceeds from the TSPLOST, then such excess proceeds shall first be distributed

to each party which has projects listed on Exhibit "A" which have not been completed, such distributions to be made in the same percentages to each such party hereunder as provided in this Section 6. Such excess proceeds shall be used to complete such projects. In the event that any party or parties has completed its projects listed on Exhibit "A", and there are excess proceeds, then the parties shall enter into an amendment or amendments to this Contract to provide for such additional transportation purposes or projects in the parties' respective jurisdictions upon which the parties may agree; provided, however, that, with respect to such additional transportation purposes and projects, the percentage of the TSPLOST proceeds to which each party is entitled under this Contract (as provided in this Section 6) shall remain the same and shall not be amended. In the event that the parties are unable to agree to an amendment or amendments to this Contract establishing the projects and the projected costs of projects to be constructed and completed with such excess proceeds, then the excess proceeds shall be utilized and distributed as provided in O.C.G.A. §48-8-269.5(F)(2).

Section 7. Projects

A. All transportation purposes and projects to be funded from TSPLOST proceeds are listed in Exhibit "A" which is attached hereto and made apart hereof by such specific reference thereto.

B. All transportation purposes and projects included in this Contract and which are listed in Exhibit "A" shall be funded from proceeds of the TSPLOST except as otherwise agreed upon the parties.

Section 8. Priority and Order of Project Funding

Transportation purposes and projects shall be fully or partially funded and constructed in accordance with the schedule found in Exhibit "A", but the order within which the respective parties shall undertake and complete their respective purposes and projects shall be solely determined by the respective parties as to their respective projects.

Section 9. Completion of Projects

A. The County and Municipalities acknowledge that the costs shown for the transportation purposes and projects as set out in Exhibit "A" are estimated amounts, based upon the best and most reasonable information available to the parties at the time of approval and execution of this Contract.

B. If a County Project has been satisfactorily completed at a cost less than the estimated cost listed for that project in Exhibit "A", the County may apply the remaining unexpended funds to any other County project in Exhibit "A".

C. If a Municipal Project has been satisfactorily completed at a cost less than the estimated cost listed for that project in Exhibit "A", the Municipality may apply the remaining unexpended funds to any other project included for that Municipality in Exhibit "A".

D. The County and Municipalities agree that each approved TSPLOST project associated with this Agreement shall be completed or substantially completed within five years after the termination of the TSPLOST. Any TSPLOST proceeds held by a County or Municipality at the end of the five-year period shall, for the purposes of this Agreement, be deemed excess funds and disposed of as provided under this Agreement.

Section 10. Certificate of Completion

Within thirty (30) calendar days after the completion of a municipal transportation purpose or project listed in Exhibit "A", the Municipality owning the project shall file with the County a Certificate of Completion signed by the mayor or chief elected official of the respective Municipality, setting forth the date on which the purpose or project was completed, and the final cost of the purpose or project.

Section 11. Expenses

The County shall administer the TSPLOST Fund to effectuate the terms of this Contract and shall be reimbursed for the actual costs and expenses of administration of the TSPLOST Fund. Such administration costs and expenses shall be paid prior to any distribution of the TSPLOST funds to the Municipalities hereunder. Furthermore, the County and Municipalities shall be jointly responsible on a per capita basis for the cost of holding the TSPLOST election. The County shall be reimbursed for the costs of the election from the TSPLOST proceeds, including reimbursement of the Municipalities' share of such costs.

Section 12. Audits

A. During the term of this Contract, the distribution and use of all TSPLOST proceeds deposited in the TSPLOST Fund and each Municipal fund shall be audited annually by an independent certified public accounting firm in accordance with O.C.G.A. §48-8-269.5(a)(2). The County and each Municipality receiving TSPLOST proceeds shall be responsible for the cost of their respective audits. The County and the Municipalities agree to cooperate with the independent certified public accounting firm in any audit by providing all necessary information. The firm conducting such annual audit may, but is not required to be, be the same firm which conducts the annual audit for the respective parties.

B. The County and Municipalities agree that they must maintain a record of each and every purpose and project for which the proceeds of the TSPLOST are used by each such party. A schedule shall be included in each annual audit of the County, and in each annual audit of each Municipality, which shows for each purpose and project in the Resolution calling for the Imposition of the tax, the original estimated cost, the current estimated cost if it is not the original estimated cost, the amount expended in prior years, and the amount expended in the current year. The Auditor shall verify and test expenditures sufficient to provide assurances that the schedule is fairly representative in relation to the respective financial statements of the County and Municipalities. The auditor's report on the respective financial statements of the County and Municipalities shall include an Opinion, or disclaimer

of Opinion, as to whether the schedule is presented fairly in all material respects in relation with the financial statements taken as a whole.

C. Each Municipality shall provide the County a copy of the audit of the distribution and use of the TSPLOST proceeds by the Municipality.

Section 13. Notices

All notices, consents, waivers, directions, requests or other instruments or communications provided for under this Agreement shall be deemed properly given when delivered personally or sent by registered or certified United States mail, postage prepaid, as follows:

Ms. Christi Dockery, County Manager
Lee County Board of Commissioners
102 Starksville Avenue, North
Leesburg, Georgia 31763

Mr. Billy Breeden, Mayor
City of Leesburg, Georgia
P.O. Box 890
Leesburg, Georgia 31763

Mr. Vincent Cutts, Mayor
City of Smithville, Georgia
P.O. Box 180
Smithville, Georgia 31787

Section 14. Entire Agreement

This Contract, including any attachments or exhibits, constitutes all of the understandings and agreements existing between the County and the Municipalities with respect to distribution and use of the proceeds from the TSPLOST. Furthermore, this Contract supersedes all prior agreements, negotiations and communications of whatever type, whether written or oral, between the parties hereto with respect to distribution and use of said TSPLOST. Provided, however, that nothing herein shall be construed to amend, modify, or revoke any existing agreements among the parties with respect to prior SPLOST and TSPLOST referenda and the distribution and expenditure of the tax proceeds from such prior SPLOST and TSPLOST referenda.

Section 15. Amendments

This Contract shall not be amended or modified except by a written agreement which is approved and executed by the governing bodies which are parties to this Contract. Nothing in this Contract shall prohibit the parties from jointly amending this Contract, including, but

not limited to, amendments related to the amount of TSPLOST funds to be expended for projects for which the funds resulting from imposition of the TSPLOST are to be utilized as contemplated by this Contract; provided, however, that no amendment to this Contract shall change or alter the total amount of sales and use tax proceeds to be raised by TSPLOST unless such amendment relates to the expenditure of excess proceeds as herein defined.

Section 16. Governing Law

This Contract shall be deemed to have been made and shall be construed and enforced in accordance with the laws of the State of Georgia.

Section 17. Severability

Should any phrase, clause, sentence, or paragraph of this Contract be held invalid or unconstitutional, the remainder of the Contract shall remain in full force and effect as if such invalid or unconstitutional provision were not contained in the Contract unless the elimination of such provision detrimentally reduces the consideration that any party is to receive under this Contract or materially affects the operation of this Contract.

Section 18. Compliance with Law

(A) The County and the Municipalities shall comply with all applicable local, State, and Federal statutes, ordinances, rules and regulations relating to the imposition, receipt, and expenditure of the TSPLOST and the proceeds therefrom. Specifically, and not by way of limitation of the foregoing, the parties do further agree that all expenditures of TSPLOST proceeds under this Contract shall be made by each respective jurisdiction in accord with applicable Georgia Law, and that no proceeds from the TSPLOST shall be utilized for any purpose which is not authorized by Georgia law.

(B) In the event that one or both Municipalities shall fail to comply with the requirements of this Contract or Georgia law applicable to this Contract, the County shall have no liability for such non-compliance in any manner. In the event that the County shall fail to comply with the requirements of this Contract or Georgia law applicable to this Contract, the Municipalities shall have no liability for such non-compliance in any manner.

Section 19. No Consent to Breach

No consent or waiver, express or implied, by any party to this Contract, to any breach of any covenant, condition or duty of another party shall be construed as a consent to or waiver of any future breach of the same.

Section 20. Counterparts

This Contract may be executed in several counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument.

Section 21. Mediation

The County and Municipalities agree to submit any controversy arising under this Contract to mediation for a resolution. The parties to the mediation shall mutually select a neutral party to serve as mediator. Costs of mediation shall be shared equally among the parties to the mediation.

Section 22. Approval of Agreement

Notwithstanding any other provision of this Contract, in the event that either the City of Leesburg nor the City of Smithville do not approve and execute this intergovernmental Contract by the close of business on Monday, August 1, 2022, then the provisions of such Contract shall not take effect, and the proceeds from TSPLOST shall be remitted by the DOR to and expended solely by Lee County, and the maximum rate of the tax shall not exceed 0.75 percent and such rate shall be determined solely by the governing authority of Lee County.

IN WITNESS WHEREOF, the County and the Municipalities acting through their duly authorized agents have caused this Agreement to be signed, sealed and delivered effective the date and year first above written.

**Board of Commissioners
of Lee County, Georgia**

By: _____
Chairman

Attest: _____
Clerk

City of Leesburg, Georgia

By: _____
Mayor

Attest: _____
City Clerk

City of Smithville, Georgia

By: _____
Mayor

Attest: _____
City Clerk

EXHIBIT A

Lee County Transportation Purposes	
Total County Cost: \$23,000,000.00	
LEE COUNTY	
Transportation Purpose	Estimated Cost
<p>Road, street, and bridge purposes, including but not limited to: (i) acquisition of rights of way for roads, streets, bridges, sidewalks, and bicycle paths; (ii) construction of roads, streets, bridges, sidewalks, and bicycle paths; (iii) renovation and improvement of roads, streets, bridges, sidewalks, and bicycle paths; (iv) relocation of utilities for roads, streets, bridges, sidewalks, and bicycle paths; (v) improvement of surface-water drainage from roads, streets, bridges, sidewalks, and bicycle paths; (vi) patching, leveling, milling, widening, shoulder preparation, culvert repair, and other repairs necessary for the preservation of roads, streets, bridges, sidewalks, and bicycle paths; (vii) roadside mowing; (viii) intersection improvements; (ix) road striping; (x) road signage; (xi) maintaining roads, streets, bridges, sidewalks, and bicycle paths; (xii) a capital outlay project or projects consisting of any of the foregoing to be owned, operated, or administered by the state and located, in whole or in part, in Lee County; (xiii) equipment used for constructing and maintaining roads, streets, bridges, sidewalks, and bicycle paths; and (xiv) all accompanying infrastructure and services necessary to provide access to roads, streets, bridges, sidewalks, and bicycle paths. At least 30 percent of the amount spent for road, street, and bridge purposes shall be consistent with the state-wide strategic transportation plan as defined in O.C.G.A. § 32-2-22(a)(6).</p>	<p>\$19,727,100.00 (85.770%)</p>

TSPLOST
Lee County

30% Statewide Strategic Plan	5,918,130.00
Construction of Roads, Streets and Bridges	6,904,485.00
Patching, leveling, milling, widening, shoulder repair, culvert repair	1,000,000.00
Renovation and improvements of roads	3,429,485.00
Acquisition of right of way	150,000.00
Relocation of utilities	200,000.00
Improvements of surface water drainage	600,000.00
Intersection Improvements	500,000.00
Road Striping	300,000.00
Road Signage	225,000.00
Maintaining Roads, Streets and Bridges	500,000.00
Equipment	1,375,000.00
	19,727,100.00

-

Lee County Transportation Purposes

Total County Cost: \$23,000,000.00

LEESBURG

Transportation Purpose	Estimated Cost
<p>Road, street, and bridge purposes, including but not limited to: (i) acquisition of rights of way for roads, streets, bridges, sidewalks, and bicycle paths; (ii) construction of roads, streets, bridges, sidewalks, and bicycle paths; (iii) renovation and improvement of roads, streets, bridges, sidewalks, and bicycle paths; (iv) relocation of utilities for roads, streets, bridges, sidewalks, and bicycle paths; (v) improvement of surface-water drainage from roads, streets, bridges, sidewalks, and bicycle paths; (vi) patching, leveling, milling, widening, shoulder preparation, culvert repair, and other repairs necessary for the preservation of roads, streets, bridges, sidewalks, and bicycle paths; (vii) roadside mowing; (viii) intersection improvements; (ix) road striping; (x) road signage; (xi) maintaining roads, streets, bridges, sidewalks, and bicycle paths; (xii) a capital outlay project or projects consisting of any of the foregoing to be owned, operated, or administered by the state and located, in whole or in part, in Leesburg; (xiii) equipment used for constructing and maintaining roads, streets, bridges, sidewalks, and bicycle paths; and (xiv) all accompanying infrastructure and services necessary to provide access to roads, streets, bridges, sidewalks, and bicycle paths. At least 30 percent of the amount spent for road, street, and bridge purposes shall be consistent with the state-wide strategic transportation plan as defined in O.C.G.A. § 32-2-22(a)(6).</p>	<p>\$2,352,900.00 (10.230%)</p>

City of Leesburg TSPLOST

30% Statewide Strategic Plan	\$	705,870.00
Construction of Roads, Streets, Sidewalks, bicycle Paths, Parking and Bridges	\$	723,530.00
Patching, leveling, milling, widening, shoulder repair, culvert repair	\$	118,000.00
Renovation and improvements of roads	\$	292,600.00
Acquisition of right of way	\$	24,900.00
Relocation of utilities	\$	23,000.00
Improvements of surface water drainage	\$	75,000.00
Intersection Improvements	\$	70,000.00
Road Striping	\$	50,000.00
Road Signage	\$	45,000.00
Maintaining Roads, Streets and Bridges	\$	70,000.00
Equipment	\$	155,000.00
	\$	2,352,900.00

Lee County Transportation Purposes

Total County Cost: \$23,000,000.00

SMITHVILLE

Transportation Purpose	Estimated Cost
<p>Road, street, and bridge purposes, including but not limited to: (i) acquisition of rights of way for roads, streets, bridges, sidewalks, and bicycle paths; (ii) construction of roads, streets, bridges, sidewalks, and bicycle paths; (iii) renovation and improvement of roads, streets, bridges, sidewalks, and bicycle paths; (iv) relocation of utilities for roads, streets, bridges, sidewalks, and bicycle paths; (v) improvement of surface-water drainage from roads, streets, bridges, sidewalks, and bicycle paths; (vi) patching, leveling, milling, widening, shoulder preparation, culvert repair, and other repairs necessary for the preservation of roads, streets, bridges, sidewalks, and bicycle paths; (vii) roadside mowing; (viii) intersection improvements; (ix) road striping; (x) road signage; (xi) maintaining roads, streets, bridges, sidewalks, and bicycle paths; (xii) a capital outlay project or projects consisting of any of the foregoing to be owned, operated, or administered by the state and located, in whole or in part, in Smithville; (xiii) equipment used for constructing and maintaining roads, streets, bridges, sidewalks, and bicycle paths; and (xiv) all accompanying infrastructure and services necessary to provide access to roads, streets, bridges, sidewalks, and bicycle paths. At least 30 percent of the amount spent for road, street, and bridge purposes shall be consistent with the state-wide strategic transportation plan as defined in O.C.G.A. § 32-2-22(a)(6).</p>	<p>\$920,000.00 (4.000%)</p>

City of SMITHVILLE TSPLOST

30% Statewide Strategic Plan	\$	276,000.00
Construction of Roads, Streets, Sidewalks,bicycle Paths,Parking and Bridges	\$	125,000.00
Patching, leveling, milling, widening, shoulder repair, culvert repair	\$	90,000.00
Renovation and improvements of roads	\$	154,000.00
Acquisition of right of way	\$	15,000.00
Relocation of utilities	\$	15,000.00
Improvements of surface water drainage	\$	30,000.00
Intersection Improvements	\$	15,000.00
Road Striping	\$	10,000.00
Road Signage	\$	10,000.00
Maintaining Roads, Streets and Bridges	\$	100,000.00
Equipment	\$	80,000.00
	\$	920,000.00



MEMORANDUM LEE COUNTY BOARD OF COMMISSIONERS

TO: Honorable Board of County Commissioners

SUBJECT: LMIG 2023

MEETING DATE: Tuesday, July 26, 2022

MOTION/RECOMMENDATION

Discussion of the FY2023 LMIG application and potential projects.

BACKGROUND

This month, the Georgia Department of Transportation will begin accepting applications for the FY 2023 LMIG Program. The county's formula amount for 2023 is \$627,424.76, plus our 30% local match of \$188,227.43 comes to a total of \$815,652.19 to put towards various road projects. **All electronic LMIG applications must be received no later than February 1, 2023.**

The estimated cost to resurface a road is \$230,000.00 per mile and the estimated cost to pave a road is \$1.25 million per mile.

ATTACHMENTS

Letter from GDOT
TSPLOST Cash Flow as of June 30, 2022
SPLOST Cash Flow as of June 30, 2022
List of Completed Projects
List of Potential Projects



Russell R. McMurry, P.E., Commissioner
One Georgia Center
600 West Peachtree Street, NW
Atlanta, GA 30308
(404) 631-1000 Main Office

June 29, 2022

Billy Mathis, Chairman
Lee County
102 Starksville Ave N, Room 205
Leesburg, Georgia 31763

RE: Fiscal Year 2023 Local Maintenance & Improvement Grant (LMIG) Program

Dear Chairman Mathis:

We are pleased to announce that the Department will begin accepting applications for the Fiscal Year 2023 LMIG Program in July 2022. Grants will be processed electronically through our **GRANTS (LMIG) Application System**. To begin your FY 2023 LMIG Application, please visit the Department's website at www.dot.ga.gov/PS/Local/LMIG. This site provides a link to the LMIG Application, the LMIG Application Tutorial (Manual), and to the General Guidelines and Rules and other pertinent reports. The project list will be entered directly into the LMIG Application System. Please contact your District State Aid Coordinator, **Shannon Bradford**, at **229-391-5438** for assistance with the online application process.

For an application to be processed, the following requirements must be met:

- A local government must be in Department of Audits and Accounts (DOAA) and Department of Community Affairs (DCA) audit compliance.
- A signed cover letter must be attached and include a completion status of the last three fiscal years' LMIG Grants.
- A signature page must include both the local government seal and the notary seal. The application website provides a blank signature page for you to download, complete and upload as an attachment.
- A local government must provide their District State Aid Coordinator with a Statement of Financial Expenditures form and invoices for Fiscal Year 2020 projects and all other prior years unless previously approved to combine funding for Fiscal Years 2020, 2021, and 2022. The forms can be attached in the LMIG Application System if they have not already been provided to your District State Aid Coordinator.

All electronic LMIG applications must be received no later than February 1, 2023. Failure to submit applications by the deadline might result in a forfeiture of funds.

Your formula amount for the Fiscal Year 2023 Program is **\$627,424.76** and your local match is **30%**. Each local government is required to match this formula amount in accordance with Code Section 48-8-244(d).

If you have any questions regarding the LMIG Program, please contact the Local Grants Office in Atlanta at (404) 347-0240 or email questions to LocalGrantsProgram@dot.ga.gov.

Sincerely,

Bill Wright
Local Grants Administrator

cc: The Honorable Carden Summers, Georgia State Senate
The Honorable Bill Yearta, Georgia House of Representatives
The Honorable Johnny Floyd, State Transportation Board
Scott Chambers, District Engineer
Shannon Bradford, District State Aid Coordinator

TSPLOST Cash Flow
as of June 30, 2022

Bank Balance as of June 30, 2022	5,436,133.87
Total Cash	<u><u>5,436,133.87</u></u>
Current Encumbrances:	
Lease payments on Public Works equipment	55,744.66
Signs	7,057.33
Culverts	8,351.92
Other Capital Equipment	36,701.00
Road At Grand Island	871,597.20
Forrester/Westover Connection	1,242,392.34
Sidewalk Participation on Firetower Road (Design)	8,736.00
LMIG 2022 (Firetower added)	1,750,269.41
Haley Resurfacing	350,000.00
Total of Encumbrances	<u>4,330,849.86</u>
Total Cash Available to spend on projects through June 30, 2022	<u><u>1,105,284.01</u></u>

Anticipated Revenue (through June 30, 2022)

Avg \$ 349,310 per month for 1 months (after tranfer to Smithville and Leesburg) (based on prior 12 months deposits)	349,310.00
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****Also received \$ 627,424.76 for LMIG 2023

SPLOST Cash Flow
as of June 30, 2022

Bank Balance as of June 30, 2022	5,915,858.50
Total Cash	<u>5,915,858.50</u>
Current Encumbrances:	
5 Panasonic Toughbooks	9,887.60
5 Vehicles for Sheriff's Office - one vehicle was paid for out of PY trailer sales.	19,807.85
Jail Van -to be spent in next year's SPLOST. Being built in June 2022	50,234.00
City of Leesburg Downtown Redevelopment	192,589.52
Equipment for the UA	202,312.36
Liberty Holding Pond (\$12,000 Mike Talley, \$11,850.00 Lanier, \$75,000 construction) - estimated	33,130.00
Painting and LED Lighting	300,000.00
Floors in USDA, DFACS and Tharp Buildings	100,000.00
CDBG Grant	100,000.00
Replacement of Windows at Lee County Gym	49,885.00
Grand Island Roadway Grading Project	117,307.20
Total of Encumbrances	<u>1,175,153.53</u>
Total Cash Available to spend on projects as of June 30, 2022	<u>4,740,704.97</u>
Anticipated Revenue (through June 30, 2022)	
Avg \$ 349,310 per month for 1 months (after tranfer to Smithville and Leesburg)	349,310.48

Completed Roads as of July 2022 - TSPLOST

Street Name	Length	Width	# of driveways	Photos taken	Notes	Recording Information	District	Status	Pre-bid Date	Bid Date	Awarded to	Total Cost	Funding Source
Taylor Street	1,025 ft.	18 ft.	11	Yes	Redefine ditches		4-VACANT	Completed September 2019	7/16/2019	7/23/2019	Oakford Construction Company	\$105,600.00	TSPLOST
Baker Street	1,090 ft.	18 ft.	11	Yes	Redefine ditches	4-VACANT							
Long Driv Road	1,353 ft.	23 ft.	4	Yes	Redefine ditches	4-VACANT							
Glendale Subdivision: Glendale Road, Crow Drive, Creek Drive, Cheyenne Street, Cherokee Avenue, Apache Street, Serenade Avenue and Shawnee Avenue	14,256 ft.			Yes	Resurfaced		4-VACANT	Completed July 2021	1/17/2021	1/21/2021	Oakford Construction Company	\$478,625.00	TSPLOST
Phloxant Drive Extension	390 ft.	24 ft.	0		Resurfaced		4-VACANT	Completed	1/17/2021	3/8/2021	Zane Grace Construction	\$74,056.63	TSPLOST
Haley Drive	1.49 miles	24 ft.	13		Resurfaced		4-VACANT	Awaiting Bid					TSPLOST
Pine Ridge Drive	0.5486 miles	24 ft.	27		Resurfaced		4-VACANT	Completed July 2022	3/24/2022	4/7/2022	Oakford Construction Company	\$127,838.44	LMRG
Southall Drive	0.5713	24 ft.	17		Resurfaced		4-VACANT	Completed July 2022	3/24/2022	4/7/2022	Oakford Construction Company	\$128,000.00	LMRG
Midway Street	0.8				Resurfaced		4-VACANT	Completed July 2022	3/24/2022	4/7/2022	Oakford Construction Company	\$128,000.00	LMRG
TOTAL												\$1,050,626.53	
	1.3 miles		26		Flowing Well Road from Stock's Dairy Road to the Dougherty County Fair (approximately 1.3 miles) with approximately 2 inches of pavement, and cement, DOT standard striping with R.P.M., and to the 26 driveway aprons at approximately 1.146 feet.			Completed	11/17/2015	12/1/2015	Jim Boyd Construction	\$269,800.00	LMRG & TSPLOST
Flowing Well Road, South	2,080 ft.	27 ft.	14	Yes	Paved		5-Walls	Completed August 2020	10/14/2019	11/17/2019	Oakford Construction Company	\$439,754.07	LMRG & TSPLOST
Bruster Lane	1,350 ft.	30 ft.	13	Yes	Paved; redefine ditches	5-Walls							
Mathis Lane	1,414 ft.	34 ft.	13	Yes	Paved; redefine ditches	5-Walls							
Archers Circle	1,272.00 ft.	25 ft.	17	Yes	Resurfaced		5-Walls	Complete 2020	N/A	N/A	Reves Construction	\$21,851.81	TSPLOST
Palmer Road		77 ft. at cul de sac and 27 ft. across the road			Resurfaced		5-Walls	Completed 2020	N/A	N/A	Reves Construction	\$21,933.88	LMRG & TSPLOST
Woodland Lane	813 ft.		11	Yes	Resurfaced		5-Walls	Completed July 2022	3/24/2022	4/7/2022	Oakford Construction Company	\$469,971.45	LMRG
Stock's Dairy Road	7,106.00 miles	20 ft.	06		Resurfaced		5-Walls	Completed July 2022	3/24/2022	4/7/2022	Oakford Construction Company	\$32,295.98	LMRG
Waterbury Court	0.6480 miles	27 ft.	8		Resurfaced		5-Walls	Completed July 2022	3/24/2022	4/7/2022	Oakford Construction Company	\$24,906.98	LMRG
Wayden Court	0.1260 miles	24 ft.	14		Resurfaced		5-Walls	Completed July 2022	3/24/2022	4/7/2022	Oakford Construction Company	\$26,728.91	LMRG
Winners Court	0.0630 miles	27 ft.	8		Resurfaced		5-Walls	Completed July 2022	3/24/2022	4/7/2022	Oakford Construction Company	\$230,200.14	LMRG
Woodhatch Circle	0.63 miles	27 ft.	30		Resurfaced		5-Walls	Completed July 2022	3/24/2022	4/7/2022	Oakford Construction Company	\$1,840,483.26	
TOTAL												\$1,840,483.26	
	4.6 miles				New York Road, with widening 1.5 feet new paving and 0.5 feet for repair of existing edge on each side from Gray Moss Road to Phoenix Road (approximately 4.6 miles)		1-Wheaton	Oakford to be a patch and strip with HPMA mid-April 2021	9/30/2019	10/8/2020	Oakford Construction Company	\$884,500.00	LMRG & TSPLOST
New York Road Phase II				Yes									
	approximately 4.5 miles			Yes	New York Road (CR #233), with widening 1.5 feet new paving and 0.5 feet for repair of existing edge on each side from Laramie Road to Gray Moss Road (approximately 4.5 miles)		1-Wheaton	Completed January 2020	10/1/2019	10/23/2019	Oakford Construction Company	\$934,400.00	LMRG & TSPLOST
New York Road					Resurfaced		1-Wheaton	Completed July 2022	3/24/2022	4/7/2022	Oakford Construction Company	\$40,014.46	LMRG
Groceries Street	0.10 miles	30 ft.	9		Resurfaced		1-Wheaton	Completed July 2022	3/24/2022	4/7/2022	Oakford Construction Company	\$30,014.46	LMRG
Van Martin Road	1.444 miles	20 ft.	7		Resurfaced		1-Wheaton	Completed July 2022	3/24/2022	4/7/2022	Oakford Construction Company	\$59,362.49	LMRG
Fire Tower Road					Resurfaced							\$2,202,061.94	
TOTAL												\$2,202,061.94	
Canoga Subdivision: Canoga Drive, Alvarado Lane, Toucote Lane, Upatoi Road, Clarendon Lane, Coarreta Drive, Calusa Court and Apollo New Drive					Resurfaced with over 2.0 inches of topping with 9.5mm asphalt.		3-Mathis	Completed September 2019	8/11/2020	3/25/2020	Oakford Construction Company	\$983,351.00	TSPLOST
Dunwoody Lane (to Dunwoody to W. Dunwoody section)	2,883 ft.	27 ft.		Yes	Resurfaced		3-Mathis	Completed January 2020	10/1/2019	10/21/2019	Reves Construction Company	\$265,110.00	LMRG & TSPLOST
W. Dunwoody Dr. (Dunwoody Lane to Fair Oaks Court)	4,065 ft.	27 ft.		Yes	Resurfaced		3-Mathis	Completed January 2020	10/1/2019	10/21/2019	Reves Construction Company	\$445,507.00	TSPLOST
Palmyra Subdivision: Archie Drive, Brenda Lane, Charlie Lane, Aspen Drive and Hawthorne Lane	15,840 ft.		34	Yes	Resurfaced		3-Mathis	Completed April 2021	1/17/2021	1/21/2021	Reves Construction Company	\$183,235.46	LMRG
Palmyra Road	1.01 miles	22 ft.	34		Resurfaced		3-Mathis	Completed July 2022	3/24/2022	4/7/2022	Oakford Construction Company	\$152,029.46	LMRG
Shore Lane	0.6778 miles	24 ft.	17		Resurfaced		3-Mathis	Completed July 2022	3/24/2022	4/7/2022	Oakford Construction Company	\$1,488,232.92	
TOTAL												\$1,488,232.92	
Joe Trade Road	2,660 ft.			Yes - photos only	Resurfaced/Resurfaced		2-Singleton	Completed January 2020	10/1/2019	10/8/2019	Jim Boyd Construction	\$181,095.00	TSPLOST
Sandy Beach Road	2,590 ft.	20 ft.	24	Yes	Resurfaced/redefine ditches		2-Singleton	Completed February 2020	10/13/2019	10/22/2019	Reves Construction Company	\$62,590.30	TSPLOST
London Road - From State Route 33 W to State Route 3 (Bypass)	1,407 ft.	21 ft.	6	Yes	Resurfaced		2-Singleton	Completed 2020	N/A	N/A	SAS Construction & Reves	\$17,154.45	TSPLOST
Uncle Jimmy's Lane	932ft.	27ft.	8	Yes	Resurfaced/redefine ditches		2-Singleton	Completed 2020	N/A	N/A	Zane Grace Construction	\$31,347.00	TSPLOST
Airport Road	17,424 ft.			Yes	Resurfaced		2-Singleton	Completed April 2021	1/17/2021	1/21/2021	Oakford Construction Company	\$724,594.50	TSPLOST
Richmond Road	16,368 ft.			Yes	Resurfaced		2-Singleton	Completed April 2021	1/17/2021	1/21/2021	Oakford Construction Company bid'd with Alcrest	\$185,000.00	TSPLOST
Brownwood Road				Yes	Resurfaced		2-Singleton	Completed November 2021	7/15/2021	8/19/2022	Oakford Construction Company bid'd with Alcrest	\$405,000.00	TSPLOST
Pinewood Road				Yes	Resurfaced		2-Singleton	Completed October 2021	7/8/2021	7/15/2021	Zane Grace Construction	\$54,844.00	TSPLOST
Century Road East	2.00 miles	20 ft.	33		Resurfaced		2-Singleton	Completed July 2022	3/24/2022	4/7/2022	Oakford Construction Company	\$392,185.46	LMRG
Countryside Road	1.0347 miles	20 ft.	20		Resurfaced		2-Singleton	Completed July 2022	3/24/2022	4/7/2022	Oakford Construction Company	\$193,345.46	LMRG
TOTAL												\$1,920,716.27	
Grave Springs Road					Striping, R.P.M.s, and Signage			Completed	8/26/2021	9/9/2021	Peck Pavement Marking, LLC	\$244,050.00	TSPLOST
Stock's Dairy Road					Striping, R.P.M.s, and Signage			Completed	8/26/2021	9/9/2021	Peck Pavement Marking, LLC	Included in cost above	
Lowery Lane Road					Striping, R.P.M.s, and Signage			Completed	8/26/2021	9/9/2021	Peck Pavement Marking, LLC	Included in cost above	
New York Road				Yes	Pave4/Resurfaced		N/A	Completed 2020	1/16/2020	1/13/2020	Zane Grace Construction	\$340,187.00	TSPLOST
Parking Lot - Ice Stations (they 81 and they 11 S) and Public Works	N/A	N/A	N/A									\$584,537.00	
TOTAL												\$584,537.00	
GRAND TOTAL												\$8,517,489.28	

Street Name	Priority	Beg Loc	End Loc	Miles	Width	District	Subdivision	Houses	Notes
Wiregrass Way	1	Martindale Dr	Cul-de-Sac	1.78	24	3	Callaway Lakes	84	Base failure in several spots, several large depressions
Hawkstead Dr	2	Ambleside Dr	Cul-de-Sac	0.98	28	3	Holly Plantation	80	Few large depressions
Ambleside Dr	3	Winifred Rd	Dead End	0.99	26	3	Holly Plantation	63	Few large depressions
Hickory Grove Rd	3	Winifred Rd	Pebble Ridge	1.14	24	3	Hickory Grove Plantation	57	Alligator cracking on wheel paths that will soon lead to base failure
Fairethorne Dr	5	U.S. 82	Cul-de-Sac	0.54	27	3	Hickory Grove Plantation	41	Some rutting of wheel paths with alligator cracking and some potholes
Hearthstone Dr	5	Fairethorne Dr	Willow Lake Dr	0.33	27	3	Hickory Grove Plantation	21	Some rutting of wheel paths with alligator cracking and some potholes
Heathridge Ct	5	Hearthstone Dr	Cul-de-Sac	0.12	27	3	Hickory Grove Plantation	10	Some rutting of wheel paths with alligator cracking and some potholes
Willow Lake Dr	6	Cul-de-Sac	Cul-de-Sac	0.94	27	3	Hickory Grove Place	75	Some rutting of wheel paths with alligator cracking and some potholes
Tybee Ln	7	Amelia Ln	Cul-de-Sac	0.16	26	3	Palmyra -9	5	Couple of large potholes and damaged cul-de-sac
Doris Dr	1	Johns Dr	Cul-de-Sac	0.22	27	4	Myers Acres	13	3-4 large depressions with large block cracking
Huntingdon Dr	2	Old Leesburg	Cul-de-Sac	0.56	27	4	Huntingdon	52	Numerous repaired potholes from rutted wheel paths and 2 large depressions
Johns Dr	3	Lovers Lane	Cul-de-Sac	0.27	24	4	Myers Acres	7	Block cracking with few potholes but road is still smooth
Lavender Ln	3	Johns Dr	Cul-de-Sac	0.11	24	4	Myers Acres	10	Block cracking with few potholes but road is still smooth
Morning Mist Dr	4	Huntingdon Dr	Hedgerow Dr	0.25	27	4	Huntingdon	16	Few potholes with some cracking
Ravenwood Ct	1	Maplewood Ct	Cul-de-Sac	0.35	24	5	Pine Maple	9	Several large depressions and edge raveling, very uneven ride near cul-de-sac
				8.72					

Roads

						Details			
Mossy Dell Rd	1	S.R. 32	New York Rd	2.91	20	1		3	Severe Edge Unraveling, really bad section in low area, alligator cracking
Lumpkin Rd W	2	U.S. 19	Griffith Road	1.02	20	1		32	Edges unraveling, alligator cracking, and potholes
New York Rd	3	S.R. 195	Philema Rd	5.25	60	1	Resurface + Widening	48	Severe base failure in some locations, edges unraveling on 40% or road
Chokee Rd	4	S.R. 195	Pryor Rd	3.84	20	1	Could be spot fixed for less	9	5-6 bad spots with base failure and some unraveling of edges
Pinewood Rd	1	U.S. 19	S.R. 32	5.96	20	2	Could resurface partially	23	Some alligator cracking in wheel paths for the first 2 miles by Prison
Forrester Pkwy	3	U.S. 19	Philema Rd	5.35	24	2	3	5	9 (plus Forrester Senior Village) Some cracking and settling of road makes ride rough
Fussell Rd	4	U.S. 82	Palmyra Rd	2.22	20	3	4	62	Small amount of base failure, potholes and some edge unraveling
Cedric St	3	U.S. 19	Old Leesburg	0.81	24	4		16	Alligator cracking on wheel paths that will lead to base failure
Graves Spring Rd	3	Philema Rd	S.R. 32	5.65	20	5		110	Alligator cracking on wheel paths that will lead to base failure
Sportsmans Club Rd	5	Philema Rd	County Line	1.34	20	5		64	Some edges unraveling and a few cracks
				34.35					

Change Order requested by:

Popco, Inc.

By:  _____

Name/Title: JEFF LEWIS Sec/Treas

Witness: Joe L Grimbey

Date: 07-12-22

Change Order accepted by:

Lee County, Georgia Board of Commissioners

By: _____

Name/Title: _____

Witness: _____

Date: _____

POPCO, INC.

PHONE: 229-436-1411

FAX: 229-883-0382

JUNE 15, 2022

LANIER ENGINEERING, INC.
1504 WEST THIRD AVE.
ALBANY, GA. 31707

ATTENTION: MR. BOBBY DONLEY, ENGINEER
MR. GREGG BACON, PROJECT MANAGER

RE: LEE COUNTY HWY 82 WATERLINE
MATERIALS COST INCREASE

DEAR SIR:

THE FOLLOWING IS THE COST INCREASE FOR THE MATERIALS FOR THE ABOVE REFERENCED PROJECT AS WE DISCUSSED.

COST BREAKDOWN:

- 1) 12" PVC DR 18 ORIGINAL COST OF \$44.50 PER LF. UPDATED COST PER LF IS \$49.90. COST DIFFERENCE OF **\$5.40** PER LF. INCREASE.
- 2) 8" PVC DR 18 ORIGINAL COST OF \$21.00 PER LF. UPDATED COST PER LF IS \$25.85. COST DIFFERENCE OF **\$4.85** PER LF. INCREASE.

WE APPRECIATE THE OPPORTUNITY OF WORKING WITH YOU ON THIS PROJECT. WE ARE STILL ON SCHEDULE FOR PIPE TO BE SHIPPED SOMETIME DURING THE LAST WEEK OF JUNE 2022, AS OF TODAY'S DELIVERY SCHEDULE.

SINCERELY,

JEFF LEWIS

JEFF LEWIS
POPCO, INC.
PROJECT#PC22-001-1

P O BOX 526 - SYLVESTER GA - 31791



Consolidated

PIPE & SUPPLY COMPANY, INC.

600 OAKLAND COURT
 LEESBURG, GA 31763
 (229) 878-0239
 (229) 878-0529 FAX
 866-699-5171 TOLL FREE

QUOTATION

COMPANY:	POPCO, INC.	DATE:	January 13, 2022
ATTENTION:	JOHN LEWIS	FREIGHT:	HUB 100 SITE
PHONE:		DELIVERY:	SEE BELOW
FAX:		PRICE TERM:	30 DAYS
JOB NAME:	LEE COUNTY HWY 82 WATER SYSTEM ALTERNATES TO DR14 C-900 PVC	LOCATION:	LEESBURG, GA

LINE	QUANTITY	DESCRIPTION	UNIT PRICE	EXT PRICE
4280	FT	12" DR18 C-900 PVC	\$ 44.50	\$ 190,860.00
1020	FE	8" DR18 C-900 PVC	\$ 21.00	\$ 21,420.00
5018	FT	12" CL350 DIP CL2TC	\$ 44.40	\$ 222,799.20
1020	FT	8" CL350 DIP CL2TC	\$ 30.65	\$ 31,260.00
5050	FT	12" HDPE DIPS SORT1 BLUE STRIPE 50'	\$ 30.75	\$ 155,287.50
1050	FT	8" HDPE DIPS SORT1 BLUE STRIPE 50'	\$ 15.05	\$ 15,307.50

PVC CURRENTLY HAS AROUND A 20 WEEK LEAD TIME
 DIP CURRENTLY HAS AROUND A 24 WEEK LEAD TIME
 HDPE CURRENTLY HAS AROUND A 6 WEEK LEAD TIME

SIGNATURE:

Rob Stryker
 Branch Manager



Consolidated

PIPE & SUPPLY COMPANY, INC.

600 OAKLAND COURT
LEESBURG, GA 31763
(229) 878-0239
(229) 878-0829 FAX
855-699-5174 TOLL FREE

QUOTATION

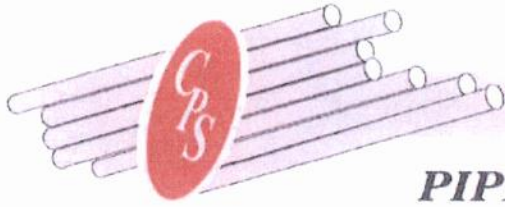
COMPANY:	POPCO INC	DATE:	JUN 15 2022
ATTENTION:	JOHN LEWIS	FREIGHT:	FOB DOW SITE
PHONE:		DELIVERY:	SEE BELOW
FAX:		PRICE FIRM:	30 DAYS
JOB NAME:	LEF COUNTY HWY 82 WATER SYSTEM ALTERNATES TO D1814 0900 PVC	LOCATION:	LEESBURG GA

LINE	QUANTITY	DESCRIPTION	UNIT PRICE	EXT PRICE
	4280 FT	12" DR18 C-900 PVC	\$ 49.90	213,572.00
	1020 FT	8" DR18 C-900 PVC	\$ 25.85	26,367.00
	5018 FT	12" CL350 DIP CL/TC	\$ 52.30	262,943.20
	1030 FT	8" CL350 DIP CL/TC	\$ 44.49	45,288.00
	5050 FT	12" HDPE DIPS SR11 BLUE STRIPE 50'	\$ 38.75	195,687.50
	1050 FT	8" HDPE DIPS SDR11 BLUE STRIPE 50'	\$ 22.05	23,152.50

PVC CURRENTLY HAS AROUND A 20 WEEK LEAD TIME
DIP CURRENTLY HAS AROUND A 24 WEEK LEAD TIME
HDPE CURRENTLY HAS AROUND A 6 WEEK LEAD TIME

SIGNATURE:

Rob Stryker
Branch Manager



Consolidated

PIPE & SUPPLY COMPANY, INC.

600 OAKLAND COURT
LEESBURG, GA 31763
OFF: 229-878-0239 FAX: 229-878-0529

Attn: Gregg Bacon

Reference: Popco Inc.

Job: Lee County HWY 82 Water Extension

Gregg,

Over the past year the pvc market has seen numerous increases in pricing. These increases are due to the extremely high demand that the market is in right now and has been experiencing for some time. We have seen anywhere from 35% to 50%, sometimes even higher, increase in price over the past year. PVC lead times have also been pushed out to 12-24 weeks on most common sizes and types causing higher and higher prices. We have tried to hold pricing but have been unable to do so in this turbulent market.

Let me know if you have any questions.

Sincerely,

ROB STRYKER
BRANCH MANAGER
CONSOLIDATED PIPE & SUPPLY
LEESBURG GA 31763

DATE: 5/23/22

MEMBER OF GEORGIA RURAL WATER ASSOCIATION
MEMBER OF GUCA
MEMBER OF GEORGIA MUNICIPAL ASSOCIATION