1. **INVOCATION**

2. **PLEDGE OF ALLEGIANCE**

3. **CALL TO ORDER**

4. **APPROVAL OF MINUTES**
   
   (A) Consideration to approve the Board of Commissioners meeting minutes for June 24, 2014.

5. **CONSENT AGENDA**
   
   NONE

6. **NEW BUSINESS**
   
   (A) Silke Deeley with Liberty House of Albany, Inc. requests to address the Board and thank them for their financial support to the Liberty House of Lee County.

   (B) David Baranko with Aspire BHDDS requests to address the Board regarding agency name change, agency brochures, contact information, agency vision/mission statements and data/services provided in Lee County.

   (C) Judge Jim Thurman to address the Board to discuss the cost-effectiveness of the Magistrate Court’s house arrest ankle bracelet monitoring program.

7. **PUBLIC HEARING**
   
   (A) The Board of Commissioners will hold a public hearing to take public comments regarding a request for an Alcohol License for retail sale of off-premises packaged malt beverages and wine to Ms. Bhumi Patel. This establishment is located at 1487 Philema Road and is known as “Easy Trip”.

8. **DEPARTMENTAL MATTERS**
   
   **Facilities**
   
   (A) Consideration to approve winning annual bids for HVAC Maintenance Services for County Facilities from South Georgia Heating & Cooling (24 buildings) for $9,790.00 annual; and from Safe Aire Heating & Cooling (Library and Bindery) for $1,369.85 annual.
Public Safety
(B) Consideration to approve the winning bid for EMS billing services with NRG, Co., Macon, Georgia at a base annual fee of 4.95% of net collections and authorize Chairman to sign contract for one year with two one year renewals based on satisfactory performance.

(C) Discussion of securing outside contract services for overdue EMS Bill Collections.

(D) Discussion and consideration of a response fee of $75.00 per ambulance call.

Planning, Development & Engineering
(E) Discussion of proposed Façade Ordinance Amendments

(F) Discussion of proposed Accessory Structures Ordinance Amendments.

9. CONSTITUTIONAL OFFICERS & GOVERNMENTAL BOARDS/AUTHORITIES
NONE

10. COUNTY MANAGER'S MATTERS
NONE

11. COMMISSIONER'S MATTERS
NONE

12. OLD BUSINESS
NONE

13. COUNTY ATTORNEY'S MATTERS
(A) Review of Lee County School bonds and consideration to approve School Tax Levy Resolution.

14. EXECUTIVE SESSION
NONE

15. PUBLIC FORUM
Up to six individuals will be allowed to address the Board of Commissioners for up to two minutes each. Individuals should sign up prior to the start of the meeting.

16. ANNOUNCEMENTS
(A) The next regularly scheduled County Commission Meeting is Tuesday, July 22, 2014 @ 6:00 p.m.

(B) The Public Hearings regarding the FY 2015 millage rate will be held Thursday, July 24, 2014 @ 8:00 a.m.; Thursday, July 24, 2014 @ 6:00 p.m.; and Thursday, July 31, 2014 @ 6:00 p.m. in the Opal Cannon Auditorium.

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 Katrina Chambers, 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.
The Lee County Board of Commissioners met in a Voting Session on Tuesday, June 24, 2014. The meeting was held in the Opal Cannon Auditorium of the Lee County T. Page Tharp Governmental Building in Leesburg, Georgia. Those present were Commissioners Rick Muggridge, Dennis Roland, and Ed Duffy. Commissioners Luke Singletary and Greg Frich teleconferenced into the meeting from out of town. Staff in attendance was County Manager Ron Rabun, County Attorney Jimmy Skipper and County Clerk Christi Dockery. Chairman Rick Muggridge gave the invocation and called the meeting to order at 6:00 P.M.

**INVOCATION**

**PLEDGE OF ALLEGIANCE**

**CALL TO ORDER**

**NEW BUSINESS I**

(A) Consideration to adopt Resolution approving FY 2014/2015 Budget  
Chairman Muggridge commented that there is no perfect budget. All Boards do the best they can with the information they have at the time. Chairman Muggridge said that he takes responsibility for any miscommunication regarding the budget.

Commissioner Frich made a MOTION to adopt the Resolution approving the FY 2014-2015 Budget. Commissioner Singletary seconded the MOTION. Commissioner Duffy and Roland opposed the MOTION. The MOTION passed with Commissioners Frich, Singletary, and Chairman Muggridge voting yea.

**CONSENT AGENDA**

(A) Z14-006 VARIANCE APPLICATION, JOE BERNARDONI, APPLICANT, has submitted an application to the Lee County/Leesburg/Smithville Planning Commission to receive approval for a variance to the Lee County Code of Ordinances Section 70.164 Area, Height, Bulk and placement Requirements for the purposes of placing an accessory structure eight feet (at the northernmost corner) and six feet (at the southernmost corner) from the side property line instead of the required ten foot setback. Property is zoned R-1 single family residential and located at 124 Orchard Hill Drive and further described as being that 0.506 acre tract known as (the revised) lot 24 of Cedar Grove Subdivision in Land Lot 70 and 71 of the 1st District in Lee County, Georgia. The Planning Commission conducted a public hearing on May 20th, 2014 and recommended approval. The Board of Commissioners conducted a public Hearing on June 10, 2014.

(B) Consideration to accept a two-year maintenance agreement for subdivision stormwater pond and drainage easements for Westwinds IV @ Armena Road with Lamar M. and Dorene S. Parker.

(C) Consideration of installation of a plaque to commemorate donation into the Lee County property inventory of the old school bell at the T. Page Tharp building.
(D) Consideration to accept the grant to update the Lee County Multi-Jurisdictional Hazard Mitigation Plan and approval of the Pre-Disaster Mitigation Program Grantee-Subgrantee Agreement with the Georgia Emergency Management Agency in the amount of $28,000 with a federal share of $21,000 and a local share of $7,000.

(E) Consideration to appoint one member to the Lee County Housing Board for a 5 year term. The current term expires 7-4-14. Letter of interest from Floyd Perdue.

(F) Consideration to appoint Robert Usry to a 1 year term of the Lee County Utilities Authority. Letter of interest from Robert Usry. No dual office holding conflict.

(G) Consideration to appoint two members to the Lee County Utilities Authority Board for a 1 year term. The current term expires 7-1-2014. Letter of interest from Victor Stubbs and George Walls.

(H) Consideration to appoint one member to the Lee County Family & Children Services Board for a 5 year term. The current term expires 6-30-14. Letter of interest from Joyce Lowthian.

(I) Consideration to appoint two members to the Lee County DARTS Citizen Transportation Committee for a 2 year term. The current term expires 7-1-14. Letter of interest from Lee N. Johnston III and Dr. Peter A. Ngwafu.

Chairman Muggridge read the Consent Agenda and asked if any Commissioners wanted to remove any item for further discussion. With no request to remove any item the Board proceeded to approve the Consent Agenda.

Commissioner Duffy made a MOTION to approve the Consent Agenda for June 24, 2014. Commissioner Singletary seconded the MOTION. The MOTION passed unanimously with Commissioners Frich and Roland voting yea.

NEW BUSINESS II

(A) Consideration to accept the lowest responsive conforming bid and execute a contract with Oxford Construction Co. for construction of 0.86 miles of a new roadway known as Westover Road Extension to include grading, base work, drainage and paving at a bid price of $322,835.00.

County Manager Rabun explained the Westover Road Extension project had a tight timeframe and the RFP stipulated that the successful contractor begin this Friday.

Commissioner Roland made a MOTION to award the lowest responsive conforming bid and execute a contract with Oxford Construction Co. for construction of 0.86 miles of a new roadway known as Westover Road Extension to include grading, base work, drainage and paving at a bid price of $322,835.00. Commissioner Duffy seconded the MOTION. The MOTION passed unanimously with Commissioners Frich and Singletary voting yea.

(B) Consideration to approve Farm Service Agency Lease from U.S. Department of Agriculture for rental of 2,568 sq. ft. of office space at an annual lease payment to Lee County of $23,266.08 retroactive to October 1, 2013.

Chairman Muggridge thanked County Manager Ron Rabun for requesting these lease funds retroactively and County Clerk Dockery for the research. County Manager Rabun stressed that previously the county provided free rent, but it is right and appropriate that this organization pay for this lease for use of this county-owned building. Commissioner Frich commented that he is appreciative of the pursuit of this lease.

Commissioner Roland made a MOTION to adopt the amendment to the Farm Service Agency lease from US Department of Agriculture for rental of 2,568 square feet of office space at an annual lease payment to Lee County of $23,266.08 ($9.06 per sq. ft.) retroactive to October 1, 2013. Commissioner Duffy seconded the MOTION. The MOTION passed unanimously with Commissioners Frich and Singletary voting yea.

(C) Consideration to approve six month no cost contract with CBV Collections, Inc. for Collection Services for overdue solid waste accounts.

County Manager Rabun explained that the Lee County Utility Services will turn over delinquent solid waste accounts to CBV collections, Inc. in an attempt to more efficiently collect overdue charges for solid waste collection services. Catherine Ponson, Utility Services Director, Heather Kittrell, Finance Director and County Manager Rabun all interviewed and negotiated with this firm. County Attorney Skipper also reviewed this contract and provided staff with good advice. CBV Collection Inc. will retain 32% of the proceeds from the bills they collect.
Commissioner Roland made a MOTION to approve the six month no cost contract with CBV Collections, Inc. for collection services for overdue solid waste accounts. Commissioner Duffy seconded the MOTION. The MOTION passed unanimously with Commissioners Singletary and Frich voting yea.

Commissioner Luke Singletary had to terminate his teleconference meeting at this time.

(D) **Consideration to adopt Resolution and Interlocal Agreement with the Clerk of Superior Court on county disposition of funds received from the State of Georgia Clerk’s Authority fund.**

Commissioner Roland made a MOTION to adopt the Resolution and Interlocal Agreement with the Clerk of Superior Court on county disposition of funds received from the State of Georgia Clerk’s Authority fund. Commissioner Duffy seconded the MOTION. The MOTION passed unanimously with Commissioner Frich voting yea.

(E) **Acceptance of $1,500 value donation from Representative Ed Rynders of a historic photograph of the Lee County courthouse to be hung in the Lee County courthouse.**

Chairman Muggridge explained that as part of the ACCG 100 year Anniversary they hired Newington Photography to travel throughout Georgia to photograph each county courthouse. Representative Ed Rynders has graciously offered to donate this photograph of the Lee County Courthouse to be displayed in the courthouse.

Commissioner Roland made a MOTION to accept the $1,500 value donation from Representative Ed Rynders of a historic photograph (48 x 72) of the Lee County courthouse to be hung in the Lee County courthouse. Commissioner Duffy seconded the MOTION. The MOTION passed unanimously with Commissioners Frich voting yea.

(F) **Recognition of Diane Herring, Human Resource & Payroll Clerk for completion of 3 years of coursework through the University of Georgia’s Carl Vinson Institute of Government to become a Certified Human Resources Manager.**

Chairman Muggridge presented Diane Herring with a Certified Human Resource Manager plaque and commended her for completion of the University of Georgia’s Carl Vinson Institute of Government program. Ms. Herring thanked the Board for their encouragement in completion of this program.

(G) **Consideration to adopt a resolution granting final approval for Buck Run subdivision (SD13-009) and accept 60 foot deed of right-of-way, easements, roads, water system infrastructure, and a 2 year maintenance bond. Road to be accepted is Buck Run Drive (.22 mi). Buck Run located in land lots 241, 242, and 272 of the 2nd Land District of Lee County.**

County Manager Rabun explained that this issue was added to the agenda and will need to be reviewed by County Attorney Skipper therefore he recommended adoption subject to the final review by the County Attorney.

Commissioner Duffy made a MOTION to adopt a resolution, subject to final review by County Attorney Skipper, granting final approval for Buck Run subdivision (SD13-009) and accept 60 foot deed of right-of-way, easements, roads, water system infrastructure, and a 2 year maintenance bond. Road to be accepted is Buck Run Drive (.22 mi). Buck Run located in land lots 241, 242, and 272 of the 2nd Land District of Lee County. Commissioner Roland seconded the MOTION. The MOTION passed unanimously with Commissioner Frich voting yea.

Commissioner Roland questioned why the Board did not make homeowners association take control of these holding ponds? County Attorney Skipper explained that the county’s subdivision ordinance requires developers to turn over holding ponds to the county.

(H) **Consideration to adopt a resolution granting final approval of Quail Chase IV subdivision (SD13-011) and accept 60 foot deed of right-of-way, easements, roads, water system infrastructure, and a 2 year maintenance bond. Roads to be accepted are Quail Chase Drive (.13 mi) and Primrose Court (.34 mi). Quail Chase IV is located in land lot 196 of the 2nd Land District of Lee County.**

County Manager Rabun explained that this issue was added to the agenda and will need to be reviewed by County Attorney Skipper therefore he recommended adoption subject to the final review by the County Attorney.

Commissioner Duffy made a MOTION to adopt the Resolution, subject to final approval from County Attorney Skipper, granting final approval of Quail Chase IV subdivision (SD13-011) and accept the 60 foot deed of right-of-way, easements, roads, water system infrastructure, and a 2 year maintenance bond. Roads to be accepted are Quail Chase Drive (.13 mi) and
Primrose Court (.34 mi). Quail Chase IV is located in land lot 196 of the 2nd Land District of Lee County. Commissioner Roland seconded the MOTION. The MOTION passed with Commissioner Frich voting yea.

PUBLIC HEARING
NONE

DEPARTMENTAL MATTERS
NONE

CONSTITUTIONAL OFFICERS & GOVERNMENTAL BOARDS/AUTHORITIES
NONE

COUNTY MANAGER'S MATTERS
NONE

COMMISSIONER'S MATTERS
NONE

APPROVAL OF MINUTES
(A) Consideration to approve the Board of Commissioners meeting minutes for June 10, 2014
Commissioner Roland made a MOTION to approve the Board of Commissioners meeting minutes for June 10, 2014. Commissioner Duffy seconded the MOTION. The MOTION passed with Commissioners Frich voting yea.

(B) Consideration to approve Board of Commissioners Budget Workshop minutes for May 19, 2014
Commissioner Roland made a MOTION to approve Budget Workshop meeting minutes for May 19, 2014. Commissioner Duffy seconded the MOTION. The MOTION passed with Commissioners Frich voting yea.

OLD BUSINESS
NONE

COUNTY ATTORNEY'S MATTERS
NONE

EXECUTIVE SESSION
NONE

PUBLIC FORUM
Up to six individuals will be allowed to address the Board of Commissioners for up to two minutes each. Individuals should sign up prior to the start of the meeting.

ANNOUNCEMENTS
(A) All County offices will be closed Friday, July 4, 2014 for Independence Day.

(B) The next regularly scheduled County Commission Meeting is Tuesday, July 8, 2014 @ 6:00 p.m. in the Opal Cannon Auditorium.

ADJOURNMENT
Commissioner Roland made a MOTION to adjourn the meeting. Commissioner Duffy seconded the MOTION. The MOTION passed unanimously with Commissioners Frich voting yea. The meeting was adjourned at 6:50 P.M.

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 Katrina Chambers, 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.
Subject: Liberty House  
Date Submitted: July 3, 2014

Agenda Date Requested: July 8, 2014  
Authorized by: Christi Dockery

Department/Office: Administration  
Contact Person: Christi Dockery

Division:  
Type: Regular  
Consent: 

Motion/Recommendation

Briefing - for information only.

Background:

Liberty House, established in 1981, is a non-profit agency in Dougherty County that provides comprehensive services for domestic violence victims and their families. Liberty House is committed to working collaboratively with the community to raise awareness, strengthen policies, and improve coordination to support survivors and end violence.

The Board of Commissioners budget $1,000.00 annually for support of Liberty House.

Since 2013, Liberty House has held their annual fundraiser at The Bindery at a cost of $900.00.

Ms. Silke Deeley, Executive Director, of Liberty House desires to provide a report to the Board of Commissioners on the activities of the organization in Lee County.
Name of Speaker: Ms. Silke Deeley

Company or Organization Being Represented: Liberty House of Albany, Inc.

Address: P.O. Box 2046, Albany, GA

Telephone Number: (Work) 229-439-7094 (Home)

Date of Commission Meeting You Wish to Appear: July 8 or July 22

Topic to Discuss with the Board of Commissioners
(Please be specific and include attachments as necessary):

Just want to thank the Board for their financial support and give information regarding services Liberty House provides in Lee County.

Signature of Speaker: Date:

Requests to address the Board of Commissioners must be received by **12:00 noon, and a minimum of one week prior to the Tuesday commission meeting.** Return this form to the County Clerk’s office at 110 Starkville Avenue North, Leesburg, GA or email cdockery@lee.ga.us.

The County Commission meetings are held twice per month. The Work Session is held the 2nd Tuesday of each month at 6:00 p.m. and the Voting Session is held the 4th Tuesday of each month at 6:00 p.m. (Exception 1 combined meeting in November & December). All meetings are opened to the public and held in the Opal Cannon Auditorium of the T. Page Tharp Governmental Building, 102 Starksville Avenue North in Leesburg. Check the county website for specific dates [www.lee.ga.us](http://www.lee.ga.us).

If you have any questions regarding this process, please contact Christi Dockery, County Clerk, at (229) 759-6000 or Email cdockery@lee.ga.us.

Modified: 7/19/2010
Liberty House of Albany

"If nothing ever changed, there would be no butterflies."

What is Liberty House?

Liberty House, established in 1981, is a non-profit agency in Dougherty County that provides comprehensive services for domestic violence victims, their children, families, and friends. Liberty House also provides referral information to perpetrators of domestic violence. It is the philosophy of Liberty House that domestic violence is not a private problem, but one that must be recognized and responded to by the entire community. Liberty House is committed to working collaboratively with the community to raise awareness, strengthen policies and improve coordination to support survivors and end violence. Liberty House is funded by federal and state grants, United Way, foundations, churches, and private contributors.

Contact Information

24-Hour Domestic Violence Crisis Lines
1-800-334-2836
(229) 439-7065

P.O. Box 2046
Albany, GA 31702

Business Office: (229) 439-7094
Fax Number: (229) 883-2635

Mission: To provide shelter and services for victims of domestic violence and their children.

Vision: To work towards the elimination of domestic violence in our community and service area by providing emergency shelter, advocacy, education, awareness, community resources, and collaboration to ensure that all victims are empowered to achieve self-sufficiency.

Service Areas

Dougherty
Baker
Early
Miller
Clay
Calhoun
Lee
Crisp
Dooly
Macon
Schley
Webster
Stewart
Quitman
Randolph
Terrell
Sumter
Liberty House of Albany

"If nothing ever changed, there would be no butterflies."

Crisis Line
Open 24 hours a day, 365 days a year, crisis line counseling provides immediate assistance, information, referrals or just someone who will listen.

Emergency Shelter
A safe and confidential environment is provided in which shelter residents receive counseling, legal and medical advocacy, group support and help with exploring options for housing, employment, and childcare.

Support Groups
Day and evening support groups provide victims of domestic violence with a chance to share experiences and explore options.

Legal and Individual Advocacy
Advocates assist victims of domestic violence with criminal and civil legal system protection. Advocates work on behalf of the victim with other agencies and assist the victim in accessing community services or funds. Liberty House legal advocates are not attorneys and do not practice law; they provide information about legal rights accompany victims to court and assist in filing temporary protective orders.

Bi-Lingual Services
Services are now available to Hispanic domestic violence victims that are in need of assistance. Hispanic client's are able to receive all of the same services that are available to other victims, as well as being able to receive domestic violence information in Spanish.

Information and Referrals
Information and referrals are provided in a variety of ways including housing, financial needs, job training, health care and additional counseling services. Referrals can be made on-site or through the crisis line.

Children and Youth
As shelter residents, children who have witnessed or experienced domestic violence can explore their feelings and learn how to stay safe. Services include support group, therapeutic art and play, and other specialized events. Additional counseling services are referred to the appropriate community agencies.

A Safe Place to Lay your Head

http://www.libertyhouseofalbany.com/services.html
07/03/2014
Services for Men

Men are not housed in the emergency shelter that is run by the organization, however, housing alternatives are located for men that are in need of escape from domestic violence situations. Hotels and relocation assistance are utilized during these cases. Men are also able to obtain assistance applying for temporary protection orders (TPO) and referrals for counseling services.

Domestic Violence Assessment

Domestic Violence assessors provide assistance to families seeking TANF and are available at the Department of Family and Children Services offices.

Prevention and Education Services

Through educational workshops and training for adults, youth, professionals and community groups, services are designed to increase awareness and provide information on how to address and prevent domestic violence.

Let us help you develop a strategy.
**Subject:** ASPIRE Behavioral Health & Developmental Disability Services  
**Date Submitted:** July 3, 2014

**Date Requested:** July 8, 2014  
**Authorized by:** Christi Dockery

**Department/Office:** Administration  
**Contact Person:** Christi Dockery

**Division:**                              **Type:** Regular

**Motion/Recommendation:**  
**Briefing – for information only.**

**Background:**

**Aspire Behavioral Health & Developmental Disability Services** is a public, non-profit organization providing mental health, addictive disease, and developmental disability services to citizens in Dougherty, Baker, Calhoun, Early, Lee, Miller, Terrell, Worth counties. **Aspire Behavioral Health and Developmental Disability Services** provides a full array of behavioral services including crisis intervention, assessment, individual and group counseling, day services, community support services, mediation management, recovery, residential and crisis stabilization services. Developmental Disability Services include day services, community and residential services. Aspire’s mental health services are aimed at diagnosing and successfully treating adults, children, and adolescents with mental illness and emotional disturbances. The ultimate goal is to provide needed services for consumers to help them recover from their illness, and to function at their highest possible level within the community.

The mission of **ASPIRE** is to offer Affordable, Accessible, and Quality Mental Health, Addictive Disease and Developmental Disability services by skilled professionals who are sensitive to the needs of individuals and families served.

The Board of Commissioners budgets $10,000.00 annually for support of **ASPIRE BHDDS**. Lee County is represented by one member, Heather Jones, on this ten member Board.

Mr. Baranko of **ASPIRE** request to address the Board of Commissioners regarding the agency name change and services provided in Lee County.

---

**Reviewed by:**

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<tr>
<th>Legal: N/R</th>
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<th>I.T.: N/R</th>
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**User Dept.:** N/A

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<th>Costs: $10,000.00</th>
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<tr>
<td>FY 2015</td>
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<td>Current FY</td>
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**Funding Source:**

- Capt. Imp.
- X Operating
- Other

**Affected Parties:**

- Not Required

**Appropriation Code:**

- 1. Speaker Sheet

**Commission Action:**

- Approved
- Approved w/ conditions
- Denied
- Continued to

**Attachments:**

1. Speaker Sheet
## LEE COUNTY BOARD OF COMMISSIONERS

**Request Form To Address**
The Board of Commissioners

<table>
<thead>
<tr>
<th>Name of Speaker:</th>
<th>David Baranko</th>
</tr>
</thead>
<tbody>
<tr>
<td>Company or Organization Being Represented:</td>
<td>Aspire BHDDS</td>
</tr>
<tr>
<td>Address:</td>
<td>1120 West Broad Ave., Albany GA 31702</td>
</tr>
<tr>
<td>Telephone Number:</td>
<td>(Work) 229.430.4005 (Home)</td>
</tr>
<tr>
<td>Date of Commission Meeting You Wish to Appear:</td>
<td>July 8, 2014</td>
</tr>
</tbody>
</table>

**Topic to Discuss with the Board of Commissioners**
(Please be specific and include attachments as necessary):

Letter regarding agency name change, agency brochures, contact information, agency vision/mission statements and data/services provided in Lee county.

| Signature of Speaker: | Date: | 7/2/14 |

Requests to address the Board of Commissioners must be received by **12:00 noon, and a minimum of one week prior to the Tuesday commission meeting.** Return this form to the County Clerk’s office at 110 Starksville Avenue North, Leesburg, GA or email cdockery@lee.ga.us.

The County Commission meetings are held twice per month. The Work Session is held the 2nd Tuesday of each month at 6:00 p.m. and the Voting Session is held the 4th Tuesday of each month at 6:00 p.m. (Exception 1 combined meeting in November & December). All meetings are opened to the public and held in the Opal Cannon Auditorium of the T. Page Tharp Governmental Building, 102 Starksville Avenue North in Leesburg. Check the county website for specific dates www.lee.ga.us.

If you have any questions regarding this process, please contact Christi Dockery, County Clerk, at (229) 759-6000 or Email cdockery@lee.ga.us.

Modified: 7/19/2010
# ALBANY AREA COMMUNITY SERVICE BOARD
## MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, & ADDICTIVE DISEASES
### BOARD MEMBERS for FY 2014

<table>
<thead>
<tr>
<th>NAME/Address</th>
<th>Phone Number</th>
<th>County</th>
<th>E-mail Addresses</th>
</tr>
</thead>
</table>
| Evera Moye  
2080 Rentz Bridge Road  
Newton, GA 39870 | 229-734-5281 (h) | BAKER | **Chairperson**  
teandeveramoye@gmail.com |
| Pam Conner  
P.O. Box 626  
Arlington, GA 39813 | 229-725-4386 (w)  
229-723-1181 (c)  
229-725-4128 (h) | CALHOUN | pam@connerinsurance.com |
| Richard Ware, Jr.  
1807 Whisperwood Street  
Albany, GA 31721 | 229-395-8161 (c) | Dougherty | Richardware426@gmail.com |
| Vacant | | DOUGHERTY | |
| Connie Meier  
Nurse (Retired)  
510 Pinecrest Drive  
Albany, Georgia 31707 | 229-436-3336 (h) | DOUGHERTY | EX-OFFICIO |
| Irene Bush  
225 Tom Sawyer Drive  
Blakely, GA 39823 | 229-723-6470 (h)  
229-308-2318 (c) | EARLY | **Vice Chairperson**  
bush6470@windstream.net |
| Heather Jones  
87 Senah Dr.  
Leesburg, GA 31763 | 229-438-2242 (o)  
229-881-0045 (c) | LEE | **Treasurer/Secretary**  
hjones@lee.ga.us |
| Cindy Spears  
179 South Cuthbert Street  
Colquitt, GA 39837 | 229-758-4104 (w)  
229-416-5832 (c) | MILLER | Bocfinan@millercountryga.com |
| Dianne Wimes  
Educator  
P.O. Box 573  
Dawson, Georgia 39842 | 229-995-6437 (h)  
229-995-6172 (w)  
229-347-0931 (c) | TERRELL | dwimes@albanytech.edu |
| Sandra Cosby  
8042 GA Hwy 133 N  
Doerun, GA 31744 | 229-776-5995 (h) | WORTH | jmcosby@bellsouth.net |

**AACSB BOARD Members**  
7/3/2014
What is Aspire Child & Adolescent Program?

Aspire Outpatient Services for Children and Adolescents is a unit of Albany Area Community Service Board, funded by the Department of Human Resources. Aspire is committed to serving children and adolescents with severe emotional, mental and/or behavioral problems and their families.

The program provides services in Baker, Calhoun, Dougherty, Early, Lee, Miller, Terrell and Worth Counties. The goal of Aspire is to provide comprehensive community-based no reject services to children, adolescents and their families. With adequate family support and community services, Aspire will reduce out-of-home placements and psychiatric hospital admissions, enabling children to remain in their homes and communities.

If your child and/or adolescent is experiencing any of the following, Aspire can help:

- Self-abusive behavior
- Depression
- Hyperactivity
- Poor academic performance
Motion/Recommendation:

Hear a report from Judge Thurman on the cost effectiveness of the House Arrest Program for Magistrate Court.

Background:

In FY 2010-2011 professional services were retained by the Magistrate Court to implement a house arrest and ankle bracelet monitoring program. The current contractor is START GPS.

The goal of this program is to reduce the jail population and overall costs for incarceration including housing and medical services.

Average monthly incarceration figures filed with the State Department of Corrections for the Lee County Jail in 2011 were 83.6, while our most recent monthly report (June, 2014) was 97 inmates.

According to the attached report from County Finance, net costs for the program were $65,822.75 in 2011; $75,214.75 in 2012; $134,230.00 in 2013; $120,623.81 in 2014; and are projected to be $168,000 in FY 2015. Judge Thurman has also attached a 2013-2014 financial analysis of the program. Restitution revenue from the participating offenders are also paid into this program.

Significant medical expenses have been avoided through the house arrest program. In a recent single case, approximately $200,000 in medical costs were avoided because the offender was not booked into the County jail.
<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Program Cost</th>
<th>Restitution</th>
<th>Net Cost</th>
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<tbody>
<tr>
<td>2010-2011</td>
<td>68,662.75</td>
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<td>2014-2015</td>
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<td>(Projected)</td>
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<table>
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<th>Month</th>
<th>Days</th>
<th>Cost</th>
<th># Days</th>
<th>Cost</th>
<th>Total Cost</th>
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<tbody>
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<td>July</td>
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<td>299</td>
<td>$2,691.00</td>
<td>$13,431.00</td>
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<td>300</td>
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<td>1013</td>
<td>$12,156.00</td>
<td>295</td>
<td>$2,655.00</td>
<td>$14,811.00</td>
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<tr>
<td>October</td>
<td>1189</td>
<td>$14,268.00</td>
<td>279</td>
<td>$2,511.00</td>
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<td>1287</td>
<td>$15,444.00</td>
<td>240</td>
<td>$2,160.00</td>
<td>$17,604.00</td>
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<tr>
<td>December</td>
<td>1109</td>
<td>$13,308.00</td>
<td>186</td>
<td>$1,998.00</td>
<td>$15,306.00</td>
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<td>125</td>
<td>$1,125.00</td>
<td>$11,025.00</td>
</tr>
</tbody>
</table>

| Total # of Days of arrest | 11595 | Jail Cost @ $64. a day | $742,080.00 | Jail Cost @ $65. a day | $753,675.00 | Total # of Days | 2390 | Total Up Front | $160,974.00 |

Restitution paid by Arrestee $39,089.77

Total Cost to County $121,884.23

Savings @ $64.00 per day (THIS DOES NOT INCLUDE MEDICAL) $620,195.77
Savings @ $65.00 per day (THIS DOES NOT INCLUDE MEDICAL) $631,790.77

* Jail Cost figure as provided by Sheriff's Office
# Jail Cost figure as provide by Chairman Muggridge

Alcohol Monitoring days would not be the same as incarceration days. This is used for the habitual alcohol abuser. These individuals do well as long as they are supervised. Without alcohol supervision they abuse alcohol and return to jail. Most have serious health problems which cost much more than incarceration. Although they would serve less time in jail the tax payer cost would be much higher.
<table>
<thead>
<tr>
<th>Month</th>
<th>Females</th>
<th>Males</th>
</tr>
</thead>
<tbody>
<tr>
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<td>Aug</td>
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<td>Sep</td>
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<td>7</td>
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<td>Oct</td>
<td>17</td>
<td>9</td>
</tr>
<tr>
<td>Nov</td>
<td>26</td>
<td>7</td>
</tr>
<tr>
<td>Dec</td>
<td>20</td>
<td>2</td>
</tr>
<tr>
<td>Jan</td>
<td>24</td>
<td>4</td>
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<tr>
<td>Feb</td>
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<td>Mar</td>
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<tr>
<td>Apr</td>
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<td>5</td>
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<tr>
<td>May</td>
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<td>1</td>
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<tr>
<td>June</td>
<td>15</td>
<td>10</td>
</tr>
<tr>
<td>Total</td>
<td>204</td>
<td>68</td>
</tr>
</tbody>
</table>
Your Honor,

Thank you for your interest in START GPS. This letter sets out our terms of engagement. Please read it and make sure you understand the scope of our engagement.

Please contact me if you do not understand, or wish to discuss, any aspect of the terms of this engagement.

Purpose and Scope

The engagement of START GPS is to provide the Magistrate Court of Lee County with the following:

- **GPS Ankle monitoring** - 24/7/365 coverage with 1 minute tracking intervals. Full time staff to monitor the locations of individuals and report violations via phone email and/or face-to-face depending on the nature of the violation and policies outline by your office. START GPS will provide all hardware and installation/removal of said hardware. START GPS will not hold the county liable for lost/damaged GPS equipment. Lifetime data storage of tracking points for all monitored individuals. $12/day per unit.

- **Alcohol Monitoring** - up to 12 (every two hours) alcohol test via breathalyser daily. Full time staff to monitor the results of individuals and report violations via phone email and/or face-to-face depending on the nature of the violation and policies outlined by your office. START GPS will provide all hardware and installation/removal of said hardware. START GPS will not hold the county liable for lost/damaged breathalyser equipment. Lifetime data storage of results for all monitored individuals. $9/day per unit.

- **Availability of staff members to testify in court as needed on violations** - Our staff consists of trained computer experts and former air force intelligence personnel. Our product suppliers have 60 years in the industry. We are available for testimony for monitored individuals at no additional cost to the county.

- **Availability of staff for training** - We are available to train staff as assigned by the court or upon request of the Sheriff at no additional costs to the county.

Subject to any agreement to the contrary, the work is limited to the above services noted.

The engagement will include the operations and procedures of the Magistrate Court of Lee County as detailed below:

- **Contact person (currently Jack Gleaton) within the court who acts as liaison between your office and our staff for the purposes of reporting violations when you are not directly available.**
• List of alternate persons that our office should contact with violations when your Honor and said contact is unavailable.

• List of violations and contact procedures you wish to be followed for said violations.

• Contact within the probation department (currently Jim Pack) with whom to report violations requiring a warrant for arrest.

Responsibilities
START GPS will ensure that all services are provided in accordance with agreed timeframes and to a professional standard.

The Court may need to arrange for reasonable access by us to relevant individuals and documents, and shall be responsible for both the completeness and accuracy of the information supplied to us.

Period of Engagement
This engagement will start upon acceptance of the terms of engagement by the Magistrate Court of Lee County.

Confidentiality
In conducting this engagement, information acquired by START GPS in the course of the engagement is subject to strict confidentiality requirements. That information will not be disclosed by us to other parties except as required or allowed for by law, or with your express consent.

Terms of Trade
The terms of payment are 30 days from invoice. An itemised account of all charges, costs and disbursements will be provided on the invoice.

Once you are satisfied with the terms of our engagement, your verbal agreement will suffice.

Please retain a copy of this as your evidence of our engagement.

We thank you for the opportunity to provide services to you and Lee County and we look forward to developing a strong relationship with you for many years to come.

Respectfully Submitted,

Rich Blanchard
START GPS
229.449.9867
Subject: Alcohol License for Ms. Bhum Patel

Date Submitted: 07/01/14

Agenda Date Requested: 07/08/2014

Authorized by: Matthew Inman

Department/Office: Planning, Development, & Engineering

Contact Person: Matthew Inman

Division: 7400

Type: Regular X Consent □

Motion/Recommendation:

Grant an alcohol license to Ms. Bhum Patel for off-premises consumption of wine & malt beverages. Ms. Bhum's establishment is located at 1487 Philema Road and is known as "Easy Trip".

Background:

Staff has reviewed the applicant's application and all requirements relating to the application have been met. Proposed use is in compliance with zoning and 100 yard proximity requirements with the exception of the church on the adjacent lot, Victory Baptist located at 1489 Philema Road, south of the subject property (in the former Wee Care Child Care). The church located their facilities after the permits were issued for the "Easy Trip" property and construction was underway. County code section 6.56 (a) (2) further states "...nor shall this subsection apply at any location for which a new license is applied for if the sale of wine and beer was lawful at such location at any time during the 12 months immediately preceding such application." At 1487 Philema Road, zoned C-2, the license for beer and wine would have been lawful at this location if it were applied for in the past 12 months as it would have been prior to the church's relocation to the adjacent property.

Staff recommends the Board of Commissioners conduct a public hearing regarding Ms. Patel's application for an off-premises consumption of wine and malt beverages during the County Commission July 8, 2014 work session at 6pm and vote on this matter at the July 22, 2014 voting session.

Reviewed by:

User Dept.: Planning

Costs: None

Commission Action:

☐ Approved
☐ Approved w/ conditions
☐ Denied
☐ Continued to ______

Funding Source:

☐ Capt. Imp.
☐ Operating
☐ Other

Appropriation Code:

Affected Parties:

☐ Not Required

Date: 7/2/2014

Paper: Lee Co. Ledger

Current FY

Submitted by:

County Manager
ARTICLE III. LOCATION

Sec. 6-56. Proximity restrictions.

(a) No person knowingly and intentionally may sell or offer to sell:
   (1) Any distilled spirits in or within 100 yards of any church building or within 200 yards of any school building, educational building, school grounds or college campus which are also located in the county.
   (2) Any wine or malt beverages within 100 yards of any school building, school grounds, church or college campus. This subparagraph shall not apply at any location for which a license has been issued prior to January 1, 2000, nor to the renewal of such license. Nor shall this subsection apply at any location for which a new license is applied for if the sale of wine and beer was lawful at such location at any time during the 12 months immediately preceding such applications;
   (3) Any distilled spirits, wine or malt beverages within 100 yards of an alcoholic treatment center owned and operated by this state or any county or municipal government therein. This subsection shall not apply to any business having a license in effect on January 1, 2000.

(b) Nothing contained in this article shall prohibit the licensing of the sale or distribution of alcoholic beverages by:
   (1) Hotels of 50 rooms or more which have been in continuous operation for a period of at least five years preceding January 1, 2000;
   (2) Bona fide private clubs, owning their own homes, subject to licensing under state law.

(c) As authorized pursuant to O.C.G.A. § 3-3-21(b)(3), the provisions of section 6-56(a) shall not be applicable to the retail sale of alcoholic beverages by licensees for consumption on the premises where sold where such licensee is a restaurant as defined under section 6-157 of this Code.

(d) For the purposes of this article, distances shall be measured by the most direct route of travel on the ground.

Secs. 6-57—6-80. Reserved.
Lee County Alcohol License Memorandum

Date: 06/27/14
To: Lee County Board of Commissioners
From: Lamanda Croft
License Administrator
RE: Retail Sale off premises packaged malt beverages and wine “Easy Trip”

Ms. Bhumi Patel is requesting that the Board of Commissioners of Lee County grant her an Alcohol License for off-premises consumption of wine and malt beverages. Ms. Patel’s establishment is located at 1487 Philema Road and is known as “Easy Trip”.

CONSIDERATIONS FOR APPROVAL OR DENIAL

1. The existence or non-existence of verifiable information regarding the applicant’s work history, status, experience, and reputation.

   The Business License Department is not aware of any negative information relating to the applicant’s work history, status etc. There is no record of any information on these subjects that would require staff to recommend against the granting of the application for this license.

2. The history of the applicant, if any, in engaging in fraudulent or criminal activities.

   There is no evidence of the applicant engaging in either fraudulent or criminal activities.

3. Compliance with application requirements.

   The applicant has completed all application requirements.


   Reference response was adequate and satisfactory.

5. Proximity of the proposed business to densely populated residential districts.
Date: June 30, 2014
To: Lamanda Croft, License Administrator
From: Marcia Studley, Zoning Administrator
Re: Retail Sale off premises packaged malt beverages and wine
    “Easy Trip”

Considerations for Approval - Items (5) and (6)

(5) Proximity of the proposed business to densely populated residential districts:

“Easy Trip” location at 1487 Philema Road is approximately 390 feet from nearest developed single family residence (located on opposite side of Philema Road). Easy Trip is NOT located within 100 yards of any school building, school grounds or college campus; and is NOT located within 100 yards of an alcoholic treatment center owned and operated by the state or county or municipality. Easy Trip IS located within 100 yards of church property (please see recommendation).

(6) Compliance with zoning regulations.

Location at 1487 Philema Road is a C-2 (general business) zoning district. The purpose of this General Business district is to provide areas for development permitting a wider range of business and entertainment activities than that permitted in neighborhood business district.

Recommendation:

Proposed use in compliance with zoning and proximity requirements. While Section 6.56 (a) 2 restricts sales of “any wine or malt beverages within 100 yards of any church” the subsection continues with “Nor shall this subsection apply at any location for which a new license is applied for if the sale of wine and beer was lawful at such location at any time during the 12 months immediately preceding such applications.” Review of adjacent property indicates the sale of wine or malt beverages would have been lawful at such location during the 12 months immediately preceding date of application.
6. Compliance with zoning regulations.

7. Safety of the premises from which the business will operate.

   The premise is safe for the operation of the business. The subject property is located along one of the busiest roads in the county, but this area is also the commercial center of south Lee County and will be busy with or without this business.

8. Compliance with state and local laws, regulations and ordinances.

   All requirements relating to the application have been met. All advertisements have been posted in the Lee County Ledger 07/02/2014

STAFF RECOMMENDATION:

Staff recommends the Board of Commissioners conduct a public hearing regarding Ms. Patel’s application for an off-premises consumption malt beverage and wine during the July 8, 2014 County Commission work session at 6:00 P.M. The Board of Commissioners will vote on this matter during the July 22, 2014 voting session.
Subject: Annual HVAC Service Agreement  
Date Submitted: June 30, 2014

Agenda Date Requested: July 8, 2014  
Authorized by:  

Department/Office: Facilities  
Contact Person: John Patrick

Division:  
Type: Regular X Consent

Motion/Recommendation:

1.) Authorize contract with South Georgia Heating & Cooling in the amount of $9,790.00 for the Annual HVAC Service Agreement for 24 buildings.
2.) Authorize contract with Safe Aire in the amount of $1,369.85 for the Oakland Library/Bindery Annual HVAC Service Agreement.

Background:

At the end of May staff sent out invitations to bid to all local HVAC contractors for the Annual HVAC Service of all HVAC units in County Buildings except The Sheriff's Office and Jail. Bids were received on June 18th, 2014 by 2:00pm. Staff received 8 bids from contractors. At that time staff in committee with the County Manager reviewed all bids and verified bids to be in compliance. At this time staff recommends the above contractors for the following reasons:

- Leesburg Air's Annual base bid amount is lower than other submittals but their markup on parts is 47% more than the next lowest bidder which is South Georgia Heating and Cooling. With this higher markup based on $5000.00 in annual parts purchases, their bid would cost an additional $2350.00 per year.

- For the Oakland Library/Bindery location the 2 apparent lowest bids were non-compliant as they did not include all the items that were required. The next lowest responsive bidder was Safe Aire.
<table>
<thead>
<tr>
<th>Service</th>
<th>South Ga Heating and Cooling</th>
<th>Pollock Heating and Cooling</th>
<th>Comfort Systems USA</th>
<th>Dougherty Heating and Cooling</th>
<th>Albany Air</th>
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<td>Annual Amount</td>
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<td>$12,319.00</td>
<td>$12,925.00</td>
<td>$12,435.00</td>
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<tr>
<td>Alternate #2 (Oakland Library)</td>
<td>* $984</td>
<td>$5,710.00</td>
<td>* $1,650.00</td>
<td>* $225</td>
<td>$2,469.00</td>
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<table>
<thead>
<tr>
<th>Service</th>
<th>South Ga Heating and Cooling</th>
<th>Pollock Heating and Cooling</th>
<th>Comfort Systems USA</th>
<th>Dougherty Heating and Cooling</th>
<th>Albany Air</th>
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<tr>
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<td>$65.00</td>
<td>$75.00</td>
<td>$65.00</td>
<td>$82.00</td>
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<tr>
<td>% Markup for Parts</td>
<td>33.00%</td>
<td>80.00%</td>
<td>35.00% Flat Rate</td>
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<td>$85.00</td>
<td>$125.00</td>
<td>$97.50</td>
<td>$123.00</td>
</tr>
</tbody>
</table>

Alternate 1 was for filter changes. Decision was made for filter changes to be done by County staff.
* Non Compliant Bid
INVITATION TO BID ANNUAL HVAC SERVICE AGREEMENT RE-BID

SECTION A

Sealed proposals from Mechanical Contractors will be received by Lee County Board of Commissioners, at 110 Starkville Avenue North, Leesburg, GA 31763, on June 18th, 2014 at 2:00 pm Legally Prevailing Time, for the HVAC Equipment Preventive Maintenance and Periodic Service; Lee County, Georgia. Contractors shall be licensed in Georgia and Lee County to perform HVAC, Heating and Cooling Repair and Installation.

At the time and place noted above, the proposal will be publicly opened validated, evaluated and presented to the County Manager for review and if approved will be placed on a future Lee County Board of Commissioners agenda for action. No extension of the bidding period will be made.

Bids will be evaluated on a lowest but best bid basis that is compliant and responsive to the specifications and with a timely installation schedule. The reputation and references of the winning bidder will also be evaluated as a factor in the bid award process.

Additional support documents that contain specifications on each HVAC unit may be obtained at the office of the Engineer, Driggers & Associates, Inc., 1107 4th Avenue, Albany, Georgia 31707. Applications for Bid Documents should be filed promptly with the Engineer. Bidding material will be forwarded; shipping charges collect. as soon as possible.

In the event anyone submitting a bid requires more information or access to some sites, please contact Mr. John Patrick, Facilities Director for the Lee County Board of Commissioners by email at jpatrick@lee.ga.us or by fax at 229-759-6050.
The following is a tabulation of buildings and associated HVAC units for your use in pricing. Specific building by building unit data can be viewed at John Patrick's or Driggers & Associates, Inc. Office by calling and scheduling an appointment.

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<tr>
<th>Building/Complex</th>
<th>Units</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Leesburg Library</td>
<td>5</td>
</tr>
<tr>
<td>2. Redbone Library</td>
<td>2</td>
</tr>
<tr>
<td>3. Oakland Library &amp; Bindery</td>
<td>2</td>
</tr>
<tr>
<td>4. Parks &amp; Recreation Offices</td>
<td>2</td>
</tr>
<tr>
<td>5. Kinchafoonee Score Tower</td>
<td>1</td>
</tr>
<tr>
<td>6. Park Street Complex</td>
<td>2</td>
</tr>
<tr>
<td>7. Leesburg Public Safety Station #1</td>
<td>3</td>
</tr>
<tr>
<td>8. Century Public Safety Station #2</td>
<td>3</td>
</tr>
<tr>
<td>9. Palmyra Public Safety Station #3</td>
<td>1</td>
</tr>
<tr>
<td>10. Smithville Public Safety Station #4</td>
<td>2</td>
</tr>
<tr>
<td>11. Redbone Public Safety Station #5</td>
<td>3</td>
</tr>
<tr>
<td>12. Public Works Building</td>
<td>2</td>
</tr>
<tr>
<td>13. Animal Control</td>
<td>2</td>
</tr>
<tr>
<td>14. Landfill Office</td>
<td>1</td>
</tr>
<tr>
<td>15. Administration Building</td>
<td>5</td>
</tr>
<tr>
<td>16. Courthouse</td>
<td>14</td>
</tr>
<tr>
<td>17. Courthouse Annex</td>
<td>7</td>
</tr>
<tr>
<td>18. Development Authority Building</td>
<td>8</td>
</tr>
<tr>
<td>19. D. F. A. C. S. Building</td>
<td>3</td>
</tr>
<tr>
<td>20. Elections Warehouse &amp; Chokee Precinct #1</td>
<td>2</td>
</tr>
<tr>
<td>21. Governmental Building</td>
<td>6</td>
</tr>
<tr>
<td>22. Leesburg Health Department</td>
<td>8</td>
</tr>
<tr>
<td>23. State Audit Building</td>
<td>2</td>
</tr>
<tr>
<td>24. Tax Assessor Building</td>
<td>1</td>
</tr>
<tr>
<td>25. T. Page Tharp Building</td>
<td>12</td>
</tr>
</tbody>
</table>

* Oakland Library & Bindery to be bid as a separate item – See Page 3, Alternate #2.

NOTE: The Contractor shall verify the quantity/type filters required for each HVAC unit/system, to be used in pricing Bid Alternate #1. Please contact Mr. John Patrick, Facilities Director for the Lee County Board of Commissioners by email at jpatrick@lee.ga.us or by fax at 229-759-6050 to verify number of filters for each HVAC unit/system.

Attached find a copy of the Preventive Maintenance Periodic Service Record Sheet to be completed with each site visit [every 6 months]; one for each HVAC System in each building or complex.

Contract, if awarded, will be on a lump sum basis. No bid may be withdrawn for a period of 60 days after time has been called on the date of opening.

**Local Office:** Must be in a geographic area that will provide for a one-hour response time after receiving a call for service, by a fully qualified technician with appropriate equipment and material.

The party submitting the proposal is solely responsible for delivering the proposal form to the exact location and by the time stated above, being this complete bid package executed with no additional pages. No faxed, telephone or electronic delivery bids will be accepted.

The Contractor shall, after the Contract has been signed and work begins, invoice Lee County based on the Yearly Contract Amount divided by 12 plus work performed [other than Preventive Maintenance Items] for that month. Invoice by the 25th of each month and payment by the 10th of the following month.

The Owner reserves the right to reject any or all bids and to waive technicalities and informalities.
B.5 GENERAL INSURANCE:
A. Contractor shall have, as a minimum, the following Comprehensive General Liability Insurance Certificates:
   Contractor’s Protective Liability, Owner’s Protective Liability, Contractor’s Public Liability, Products and Completed Operations, and Personal Injury:
   $1,000,000 Each Occurrence $1,000,000 Aggregate
   Fire Damage:
   $50,000 Each Occurrence $50,000 Aggregate
   Insurance Certificate shall list the Owner as the Certificate Holder and shall name the Owner as an additional insured.
B. Worker’s Compensation Insurance: Insurance shall be in accordance with statutory limits for the State of Georgia.
C. Comprehensive Automobile Liability Insurance:
   Bodily Injury: $500,000 Each Occurrence and $200,000 Each Person
   Property Damage: $50,000 Each Occurrence
All of the above Insurance costs shall be furnished and paid for by the Contractor for the duration of the Contract, and the cost of the premiums shall be included in the Proposal.

B.6 The foregoing statement of qualifications is submitted under oath.

Respectfully submitted,

Name: SAFEAIRE HEATING & COOLING CO., INC
Street Address: 1199 PALMYRA ROAD
               ALBANY, CA 31707
By: Jim Bacon
Title: GENERAL MANAGER

The full names and years of experience with any licenses or certifications within 1 hour lead time from Lee County Facilities are as follows:
SEE ATTACHED

The legal name of the bidder is:
SAFEAIRE HEATING & COOLING CO., INC.
SafeAire Heating & Cooling  
Invitation to Bid  
Lee County

Section B.6 Names & Experience of Technicians Within One (1) Hour Leadtime of Lee County Facilities

<table>
<thead>
<tr>
<th>Technician</th>
<th>Experience</th>
</tr>
</thead>
<tbody>
<tr>
<td>Todd Espy</td>
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<td>Clay Carr</td>
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<td>John Barge</td>
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<td>Mike Espy</td>
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<td>Daniel Davis</td>
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<td>Chris Espy</td>
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<td>John Harrison</td>
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<td>Tony Gunnells</td>
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<td>Jeremy Clark</td>
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<td>Rick Carnes</td>
<td>2</td>
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<td>Todd Roberts</td>
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</tr>
<tr>
<td>Justin Tranthem</td>
<td>1</td>
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<tr>
<td>Matt Dupree</td>
<td>1</td>
</tr>
<tr>
<td>Robet Curlee</td>
<td>1</td>
</tr>
</tbody>
</table>

License #: CN001348
**CERTIFICATE OF LIABILITY INSURANCE**

**THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.**

**IMPORTANT:** If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

**CONTACT**
- **NAME:** Doherty Duggan Hart & Tiernan Insurors
- **P.O. Box 71828**
- **Albany GA 31708-1628**
- **PHONE:** 229-889-2040
- **FAX:** 229-435-3036
- **ADDRESS:** ServiceCenter@ddhtins.com
- **NAIC #:** 13892

**INSURED**
- **SAFEA-1**
- **SafeAire Heating & Cooling Company, Inc.**
- **3199 Palmyra Road**
- **Albany GA 31707**

**CERTIFICATE NUMBER:** 86330240

**REVISION NUMBER:**

**COVERAGES**

**DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES** (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

Farmers Furniture is Additional Insured ATIMA with regards to General Liability.

---

**CERTIFICATE HOLDER CANCELLATION**

**SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.**

**AUTHORIZED REPRESENTATIVE**

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INVITATION TO BID ANNUAL HVAC SERVICE AGREEMENT

Lee County Library
Leesburg, Georgia 31763

RE: HVAC Preventive Maintenance and Periodic Service, Lee County, Georgia

Gentlemen:

B.1-a Having carefully examined the Specifications entitled HVAC Preventive Maintenance and Periodic Service, Lee County, Georgia, as well as the premises and conditions affecting the work, the undersigned proposes to furnish all services, labor and materials called for by them for the entire work, in accordance with said documents, for the

Sum of: FOURTEEN THOUSAND SEVEN HUNDRED THIRTY FIVE AND 50/100 Dollars (ANNUAL AMOUNT) [$14,735.50]

which sum is hereinafter called the "Base Bid".

Alternate No. 1 All filters shall be changed every [2] months, ADD the sum of

SIX THOUSAND SEVEN HUNDRED SEVENTY EIGHT Dollars (ANNUAL AMOUNT) [$6,778.00]

Alternate No. 2 Oakland Library & Bindery Chilled Water Unit, Maintenance to include filters changed every [2] months, ADD the sum of

ONE THOUSAND THREE HUNDRED SIXTY NINE AND 85/100 Dollars (ANNUAL AMOUNT) [$1,369.85]

B.1-b Provide the following line items and unit costs for the contract year.

1. Service call charge [Include Diagnostic Fee] $75.00
2. Hourly charge for repairs not including service call or diagnostics $75.00
3. Percentage markup on parts used to repair the HVAC, include overhead, profit and miscellaneous charges %50
4. After hours service call between 5:00 pm to 8:00 am and weekends minimum hourly charge [Include Diagnostic Fee] $75.00

B.2 For and in consideration of the sum of $1.00, the receipt of which is hereby acknowledge, the undersigned agrees that this proposal may not be revoked or withdrawn after the time set for the opening of bids, but shall remain open for acceptance for a period of thirty-five [35] days following such time.

B.3 In case he is notified in writing by mail, telegraph or delivery of the acceptance of this proposal within sixty [60] days after the time set for the opening of bids, the undersigned agrees to execute within ten [10] days contract [Form of Agreement Between Contractor and Owner], for the work for the above stated compensation and meet with the Owner to discuss timing, access to the buildings for servicing.

B.4 BIDDER'S REQUIREMENTS: Bidders shall have a non-restricted air conditioning license from the State of Georgia, and demonstrate that it has experience in maintaining and servicing all the types of equipment listed in the packet: DX, DX Heat Pump and Chiller Systems.
BIDDER'S QUALIFICATIONS [To be subscribed and sworn before a Notary Public]

Name of Bidder: SAFEAIRE HEATING & COOLING CO., INC

Street Address: 3199 PALMYRA ROAD ALBANY, GA 31707

When Organized: 1964

Where Incorporated: GA

Number of Years engaged in the Contracting Business under the Present Firm Name: 50

Credit Available for this Contract: $ 1,000,000 +

Contracts now in Hand: $ 150,000

Plan of Organization: [PROPRIETORSHIP] [CORPORATION] [PARTNERSHIP]

The Bidder has never refused to sign a Contract at the Original Bid? YES

The Bidder has never declared in default on a Contract? YES

Remarks: 

__________________________

Date: 6/18/14

Firm Name: SAFEAIRE HEATING & COOLING CO., INC

By: Jim Bacon

Title: GENERAL MANAGER

__________________________ [Notary Public]

END OF SECTION
SECTION 01010

SUMMARY OF WORK

PART 1 GENERAL

1.1 SECTION INCLUDES
A. Summary of Work.
B. Work by Owner.
C. Owner Occupancy.
D. Contractor use of site and premises.

1.2 SUMMARY OF WORK
A. In general, and without force and effect of the scope of the Contract Documents, the work of this contract may be summarized as follows:
   1. Provide Labor and Materials for Preventive Maintenance, checking each HVAC System for each Building as listed in the attached “Preventive Maintenance and Service Record”. Minimum of every [6] six months; Copies to be filed with the Owner’s Representative, Facilities Director or an appointed other.
   2. All repairs exclusive of regular maintenance must be pre-approved by Facilities Director.
   3. Provide service for HVAC Equipment that fails, or as discovered during the [6] months inspection.
   4. Provide unit costs for service call during normal work day hours, and after hours or on the weekends.
   5. Replace all filters in all units as listed on the Equipment Data Sheets, every two months, bid this as an alternate # 1, Line Item. Contact John Patrick at his email address listed above for Data Sheets.
   6. The term of this contract shall extend from July 1st 2014 through June 30th 2015. The County, at its discretion, shall have the option to renew this contract for two(2) additional one(1) year terms, with no change in the Contract price and terms and conditions.

1.3 WORK BY OWNER
A. Items noted ‘NIC’ [Not in Contract], will be furnished and installed by Owner.
B. The Owner shall have the right to pursue competitive bids for any repairs that exceed $ 2,000.00.

1.4 OWNER OCCUPANCY
A. The premises will be occupied during normal work hours, coordinate schedules, to create the least interruption of normal operation.
B. Cooperate with Owner to minimize conflict, and to facilitate Owner’s operations.

1.5 CONTRACTOR ACCESS TO THE SITE AND PREMISES
A. Limit use of site and premises to allow Owner occupancy.
B. Contractor shall notify the Office Personnel of the nature of the work to be done per Contract.
C. Utility Outages and Shutdown: Coordinate with Owner’s Representative “John Patrick” to assure continued operation as desired.

PART 2 PRODUCTS - Not used.
PART 3 EXECUTION - Not used.

END OF SECTION
# LEE COUNTY, GEORGIA
## HVAC
### PREVENTIVE MAINTENANCE & PERIODIC SERVICE RECORD

| Building Name |  |
|---------------|  |
| Unit #        |  |
| DATE:         |  |
| Technician:   |  |

### Equipment Information

| Condenser |  |
| Air Handler |  |
| Package Unit |  |

### Condenser Status

<table>
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<tr>
<th>Condenser Coil</th>
<th>Dirty</th>
<th>Comments</th>
<th>Clean</th>
<th>Washed</th>
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</table>

### Evaporator Status

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<tr>
<th>Evaporator Coil</th>
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<th>Washed</th>
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</table>

### Compressor

<table>
<thead>
<tr>
<th>Name Plate AMPS</th>
<th>Condensate Drain Pan Washed &amp; Drain Line</th>
<th>Actual AMPS</th>
<th>Algaecide Tablets</th>
</tr>
</thead>
</table>

### Condenser Fan Motor

<table>
<thead>
<tr>
<th>Name Plate AMPS</th>
<th>Blower Wheel Cleaned</th>
<th>Actual AMPS</th>
</tr>
</thead>
</table>

### System Charge

<table>
<thead>
<tr>
<th>Suction Pressure</th>
<th>Indoor dry bulb temp</th>
<th>°F</th>
</tr>
</thead>
<tbody>
<tr>
<td>Head Pressure</td>
<td>Outdoor wet bulb temp</td>
<td>°F</td>
</tr>
<tr>
<td>Super Heat</td>
<td>Indoor discharge temp @ grills</td>
<td>°F</td>
</tr>
</tbody>
</table>

### O. D. Ambient

| Temp |  |
|------|  |

### Outdoor Cabinet

| Washed |  |
|--------|  |

### Thermostat

| Level | Calibrated |  |
|-------|------------|  |

### Technician Comments/Recommendations:

<table>
<thead>
<tr>
<th>Filters Required Changed</th>
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</thead>
</table>

<table>
<thead>
<tr>
<th>Belts Required Changed</th>
</tr>
</thead>
</table>
INVITATION TO BID ANNUAL HVAC SERVICE AGREEMENT RE-BID

SECTION A

Sealed proposals from Mechanical Contractors will be received by Lee County Board of Commissioners, at 110 Starksville Avenue North, Leesburg, GA 31763, on June 18th, 2014 at 2:00 pm Legally Prevailing Time, for the HVAC Equipment Preventive Maintenance and Periodic Service; Lee County, Georgia. Contractors shall be licensed in Georgia and Lee County to perform HVAC, Heating and Cooling Repair and Installation.

At the time and place noted above, the proposal will be publicly opened validated, evaluated and presented to the County Manager for review and if approved will be placed on a future Lee County Board of Commissioners agenda for action. No extension of the bidding period will be made.

Bids will be evaluated on a lowest but best bid basis that is compliant and responsive to the specifications and with a timely installation schedule. The reputation and references of the winning bidder will also be evaluated as a factor in the bid award process.

Additional support documents that contain specifications on each HVAC unit may be obtained at the office of the Engineer, Driggers & Associates, Inc., 1107 4th Avenue, Albany, Georgia 31707. Applications for Bid Documents should be filed promptly with the Engineer. Bidding material will be forwarded; shipping charges collect, as soon as possible.

In the event anyone submitting a bid requires more information or access to some sites, please contact Mr. John Patrick, Facilities Director for the Lee County Board of Commissioners by email at jpatrick@lee.ga.us or by fax at 229-759-6050.
The following is a tabulation of buildings and associated HVAC units for your use in pricing. Specific building by building unit data can be viewed at John Patrick’s or Driggers & Associates, Inc. Office by calling and scheduling an appointment.

1. Leesburg Library 5 Units
2. Redbone Library 2 Units
3. Oakland Library & Bindery 2 Units
4. Parks & Recreation Offices 2 Units
5. Kincafoonee Score Tower 1 Unit
6. Park Street Complex 2 Units
7. Leesburg Public Safety Station # 1 3 Units
8. Century Public Safety Station # 2 3 Units
9. Palmyra Public Safety Station # 3 1 Unit
10. Smithville Public Safety Station # 4 2 Units
11. Redbone Public Safety Station # 5 3 Units
12. Public Works Building 2 Units
13. Animal Control 2 Units
14. Landfill Office 1 Unit
15. Administration Building 5 Units
16. Courthouse 14 Units
17. Courthouse Annex 7 Units
18. Development Authority Building 8 Units
19. D. F. A. C. S. Building 3 Units
20. Elections Warehouse & Chokee Precinct # 1 2 Units
21. Governmental Building 6 Units
22. Leesburg Health Department 8 Units
23. State Audit Building 2 Units
24. Tax Assessor Building 1 Unit
25. T. Page Tharp Building 12 Units

* Oakland Library & Bindery to be bid as a separate item — See Page 3, Alternate #2.

NOTE: The Contractor shall verify the quantity/type filters required for each HVAC unit/system, to be used in pricing Bid Alternate # 1. Please contact Mr. John Patrick, Facilities Director for the Lee County Board of Commissioners by email at jpatrick@lee.ga.us or by fax at 229-759-6050 to verify number of filters for each HVAC unit/system.

Attached find a copy of the Preventive Maintenance Periodic Service Record Sheet to be completed with each site visit [every 6 months]; one for each HVAC System in each building or complex.

Contract, if awarded, will be on a lump sum basis. No bid may be withdrawn for a period of 60 days after time has been called on the date of opening.

Local Office: Must be in a geographic area that will provide for a one-hour response time after receiving a call for service, by a fully qualified technician with appropriate equipment and material.

The party submitting the proposal is solely responsible for delivering the proposal form to the exact location and by the time stated above, being this complete bid package executed with no additional pages. No faxed, telephone or electronic delivery bids will be accepted.

The Contractor shall, after the Contract has been signed and work begins, invoice Lee County based on the Yearly Contract Amount divided by 12 plus work performed [other than Preventive Maintenance Items] for that month. Invoice by the 25th of each month and payment by the 10th of the following month.

The Owner reserves the right to reject any or all bids and to waive technicalities and informalities.
SECTION 01010

SUMMARY OF WORK

PART 1 GENERAL

1.1 SECTION INCLUDES
A. Summary of Work.
B. Work by Owner.
C. Owner Occupancy.
D. Contractor use of site and premises.

1.2 SUMMARY OF WORK
A. In general, and without force and effect of the scope of the Contract Documents, the work of this contract may be summarized as follows:
   1. Provide Labor and Materials for Preventive Maintenance, checking each HVAC System for each Building as listed in the attached “Preventive Maintenance and Service Record”. Minimum of every [6] six months; Copies to be filed with the Owner’s Representative, Facilities Director or an appointed other.
   2. All repairs exclusive of regular maintenance must be pre-approved by Facilities Director.
   3. Provide service for HVAC Equipment that fails, or as discovered during the [6] months inspection.
   4. Provide unit costs for service call during normal work day hours, and after hours or on the weekends.
   5. Replace all filters in all units as listed on the Equipment Data Sheets, every two months, bid this as an alternate #1, Line Item. Contact John Patrick at his email address listed above for Data Sheets.
   6. The term of this contract shall extend from July 1st 2014 through June 30th 2015. The County, at its discretion, shall have the option to renew this contract for two(2) additional one(1) year terms, with no change in the Contract price and terms and conditions.

1.3 WORK BY OWNER
A. Items noted ‘NIC’ [Not in Contract], will be furnished and installed by Owner.
B. The Owner shall have the right to pursue competitive bids for any repairs that exceed $2,000.00.

1.4 OWNER OCCUPANCY
A. The premises will be occupied during normal work hours, coordinate schedules, to create the least interruption of normal operation.
B. Cooperate with Owner to minimize conflict, and to facilitate Owner’s operations.

1.5 CONTRACTOR ACCESS TO THE SITE AND PREMISES
A. Limit use of site and premises to allow Owner occupancy.
B. Contractor shall notify the Office Personnel of the nature of the work to be done per Contract.
C. Utility Outages and Shutdown: Coordinate with Owner’s Representative “John Patrick” to assure continued operation as desired.

PART 2 PRODUCTS - Not used.
PART 3 EXECUTION - Not used.

END OF SECTION
BIDDER'S QUALIFICATIONS [To be subscribed and sworn before a Notary Public]

Name of Bidder: South Georgia Heating & Cooling
Street Address: 117 Magnolia St. Leesburg GA
When Organized: Sept 94
Where Incorporated: NO
Number of Years engaged in the Contracting Business under the Present Firm Name: ____________________________
Credit Available for this Contract: $ 1,000,000.00
Contracts now in Hand: $ 800 Plus
Plan of Organization: PROPRIETORSHIP [CORPORATION] [PARTNERSHIP]
The Bidder has never refused to sign a Contract at the Original Bid? NO
The Bidder has never declared in default on a Contract? NO
Remarks: N/A

Date: 6-18-14
Firm Name: South Georgia Heating & Cooling
By: Shane Parsons
Title: OWNER

[Notary Public] Shayna Ellin 6/18/14 expires 4/19/15

END OF SECTION
SECTION B- PROPOSAL FORM

INVITATION TO BID ANNUAL HVAC SERVICE AGREEMENT

Lee County Library
Leesburg, Georgia 31763

RE: HVAC Preventive Maintenance and Periodic Service, Lee County, Georgia

Gentlemen:
B.1-a Having carefully examined the Specifications entitled HVAC Preventive Maintenance and Periodic Service, Lee County, Georgia, as well as the premises and conditions affecting the work, the undersigned proposes to furnish all services, labor and materials called for by them for the entire work, in accordance with said documents, for the

Sum of: nine thousand seven hundred forty nifty

Dollars (ANNUAL AMOUNT) [$9,790.00]

which sum is hereinafter called the "Base Bid".

Alternate No. 1 All filters shall be changed every [2] months, ADD the sum of

twelve thousand four hundred

Dollars (ANNUAL AMOUNT) [$12,400.00]

Alternate No. 2 Oakland Library & Bindery Chilled Water Unit, Maintenance to include filters changed every [2] months, ADD the sum of

nine hundred eighty four

Dollars (ANNUAL AMOUNT) [$9,840.00]

B.1-b Provide the following line items and unit costs for the contract year:
1. Service call charge [Include Diagnostic Fee] $60.00
2. Hourly charge for repairs not including service call or diagnostics $65.00
3. Percentage markup on parts used to repair the HVAC, include overhead, profit and miscellaneous charges 33%
4. After hours service call between 5:00 pm to 8:00 am and weekends minimum hourly charge [Include Diagnostic Fee] $75.00

B.2 For and in consideration of the sum of $1.00, the receipt of which is hereby acknowledge, the undersigned agrees that this proposal may not be revoked or withdrawn after the time set for the opening of bids, but shall remain open for acceptance for a period of thirty-five [35] days following such time.

B.3 In case he is notified in writing by mail, telegraph or delivery of the acceptance of this proposal within sixty [60] days after the time set for the opening of bids, the undersigned agrees to execute within ten [10] days contract [Form of Agreement Between Contractor and Owner], for the work for the above stated compensation and meet with the Owner to discuss timing, access to the buildings for servicing.

B.4 BIDDER'S REQUIREMENTS: Bidders shall have a non-restricted air conditioning license from the State of Georgia, and demonstrate that it has experience in maintaining and servicing all the types of equipment listed in the packet: DX, DX Heat Pump and Chiller Systems.
B.5 GENERAL INSURANCE:
A. Contractor shall have, as a minimum, the following Comprehensive General Liability Insurance Certificates:
- Contractor's Protective Liability, Owner's Protective Liability, Contractor's Public Liability, Products and Completed Operations, and Personal Injury:
  $1,000,000 Each Occurrence $1,000,000 Aggregate
- Fire Damage:
  $50,000 Each Occurrence $50,000 Aggregate
Insurance Certificate shall list the Owner as the Certificate Holder and shall name the Owner as an additional insured.
B. Worker's Compensation Insurance: Insurance shall be in accordance with statutory limits for the State of Georgia.
C. Comprehensive Automobile Liability Insurance:
- Bodily Injury: $500,000 Each Occurrence and $200,000 Each Person
- Property Damage: $50,000 Each Occurrence
All of the above Insurance costs shall be furnished and paid for by the Contractor for the duration of the Contract, and the cost of the premiums shall be included in the Proposal.

B.6 The foregoing statement of qualifications is submitted under oath.

Respectfully submitted,

Name: South Georgia Heating & Cooling
Street Address: 117 Magnolia St. LuSBUrg GA 31763

By: Shane Parsons
Title: Owner

The full names and years of experience with any licenses or certifications within 1 hour lead time from Lee County Facilities are as follows:

Shane Parsons - 26 years, Kenny Brock - 26 years
J.C. Cater - 19 years, Tommy Meredith - 20 years
David Byrd - 27 years, Kolt Parsons - 6 years

The legal name of the bidder is:

SAME NAMES AS ABOVE
## LEE COUNTY, GEORGIA
### HVAC
#### PREVENTIVE MAINTENANCE & PERIODIC SERVICE RECORD

| Building Name | ________________________________ |
| Unit #        | ________________________________ |
| DATE:         | ________________________________ |
| Technician:   | ________________________________ |

### Equipment Information

| Condenser | ________________________________ |
| Air Handler | ________________________________ |
| Package Unit | ________________________________ |

#### Condenser Status

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<tr>
<th>Condenser Coil</th>
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<th>Evaporator Coil</th>
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#### Condenser Fan Motor

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<th>Condenser Fan Motor</th>
<th>Name Plate AMPS</th>
<th>Actual AMPS</th>
<th>Blower Wheel</th>
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<th>Fan Motor Name Plate AMPS</th>
<th>Actual AMPS</th>
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#### Compressor

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<th>Name Plate AMPS</th>
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<th>Condensate Drain Pan</th>
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<th>&amp; Drain Line</th>
<th>Algaecide Tablets</th>
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#### System Charge

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<th>System Charge</th>
<th>Suction Pressure</th>
<th>Indoor dry bulb temp</th>
<th>°F</th>
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<td>Super Heat</td>
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<td></td>
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<td>@ grills</td>
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#### O. D. Ambient

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#### Technician Comments/Recommendations:

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<th>Changed</th>
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</thead>
<tbody>
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</table>

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34
Subject: EMS Billing Contract  Date Submitted: June 30, 2014

Agenda Date Requested: July 8, 2014  Authorized by: Ron H. Rabun

Department/Office: Public Safety  Contact Person: Bobby Watkins

Division: EMS  Type: Regular X  Consent □

Motion/Recommendation:

Approval of winning EMS billing RFP submittal and authorize the Chairman to sign a contract with NRG of Macon, GA for EMS billing services.

Background:

On June 10, 2014, the EMS billing RFP’s were opened by Finance Director Heather Jones and Interim Public Safety Director Bobby Watkins. Ten vendors submitted sealed RFP’s. The top three vendors were reviewed for compliance with our specifications. AMB came in at 4% of Net billings, CAB came in at 4.75%, and NRG came in at 4.95%.

Although, NRG’s fee is not the lowest of the responders, it is the most compliant of all the RFP requirements. As a part of their written submittal, NRG also offered to pay for our Code Red software ($4,800.00) and replace all defective laptops at no charge as needed at $3,500 each. AMG nor CAB use Code Red patient care reporting software.

NRG has been billing Ambulance Transports for 25 years and has many satisfied clients in the State of Georgia.

After careful review, staff recommends NRG as the most responsive bidder.
To: Ron Rabun  
From: Heather Jones  
Date: June 13, 2014  
Subject: EMS Billing Contract  

After reviewing the request for proposals opened June 10, 2014 with Bobby Watkins, Public Safety Director, I recommend the following:

Contracting with NRG on a month to month basis for routine billing and unpaid balance billing accounts for Lee County EMS on a collected percentage basis of 4.95% of net collections.

Bobby Watkins and I have reviewed the requests for proposals of the three lowest responders to make sure that they met the requirements. If the Board of Commissioners approves the request for proposal as recommended, we will save approximately $11,671.34 per year based on 2012-2013 FY collections. Please see the spreadsheet below as documentation as to how we came up with our recommendation. Thanks and please let me know if I can help or if you have any questions.

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<th>Company Name</th>
<th>Billing Percentage</th>
<th>Provided Copy of GA License</th>
<th>Provided Copy of GA References</th>
<th>Located in State of Georgia</th>
<th>Use Code Red Software (current software used)</th>
<th>Provide Toughbook Replacement and Maintenance</th>
<th>Years in Business</th>
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<td>No</td>
<td>No</td>
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<td>9</td>
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<tr>
<td>CAB</td>
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SECTION 1 – INTRODUCTION

1.1 PURPOSE:
The County is looking to enter into a two (2) year agreement with a professional firm to provide routine billing and unpaid balance billing accounts for Lee County EMS Service on a collected percentage basis. The County will also extend this agreement to the successful proposer to provide collection services for delinquent ambulance fees and EMS service fees.

SECTION 2 – SCOPE OF SERVICES

2.1 SERVICES:
Services to be provided include but are not limited to the following:

A. Firms need to provide all services, software and license, supervision, labor, equipment products and materials necessary to provide the County with a fully comprehensive and automated medical transport services billing and collection system hosted by the Firm including technical, administrative services support, secure transmission, secure accessibility of data, in compliance with HIPAA, all federal, state and local laws and regulations.

B. Firm shall be responsible for providing and hosting a comprehensive billing and collection system in compliance with all requirements of Medicare, Medicaid, and other governmental insurance programs and commercial insurance companies (collectively referred to as insurance providers).

C. Preparation for Billing; the Firm shall obtain all approvals and reviews by insurance providers, including government entities, Medicare, Medicaid and any other insurance companies.

D. Firm shall be responsible for billing out all ambulance and EMS services calls to the responsible party, including both primary and secondary insurance providers, electronically where applicable or by sending appropriate invoices, monthly statements and past due statements. Claims containing adequate documentation for processing, including but not limited to ICD-9 codes and HCPCS codes will be filed within three (3) business days of receipt of the electronic file from the County. Firm shall provide a toll free telephone line for patient and client inquiries concerning accounts. Firm shall also maintain an office location that operates a minimum from 9:00AM to 5:00 PM EST Monday through Friday except holidays.
E. Proper Patient Care, Certified Medical Necessity Documentation; the Firm shall ensure to the greatest extent possible proper documentation of medical care rendered.

F. Verification and Missing Information Follow-up to include researching non deliverable mail addresses; the Firm shall provide all labor, materials and equipment for verification of PPCR information and collection of any field data.

G. Data Entry and Claim Submission: The successful Firm will need to use the necessary forms for routine billing and collection of ambulance and emergency medical services fees from the following various types of services (see numbered items below). Data Entry and Claim Submission: The Firm shall file primary and secondary claims using electronic transmission directly to the insurance providers. Appropriate billing forms shall be used in self-pay situations.

1. Self-Pay (patient pays the bill).
2. Commercial Insurance, including Medicare Supplements & Replacements.
3. Medicare.
6. Other Governmental Insurance Programs.

H. Prepare and submit required documentation to maintain the County’s Medicare and Medicaid provider status.

I. The Firm will actively resubmit or appeal any denied claims for covered services and respond to requests for information available to the Firm.

J. Should employee training be required of County staff as a result of this service, Firm shall provide on-site training to designated County staff, i.e. software and appropriate documentation of ambulance claims. If a fee is associated with training, provide as a separate cost in proposal package.

K. Firm will provide a monthly report in electronic format to the Lee County Public Safety Director and the Lee County Finance Director by the 10th of each month for the previous month’s activity.

2.2 TIMELINE FOR COLLECTION:
Firm shall have three (3) months from the date of placement of each account to procure payment or a bona fide arrangement to pay the outstanding debt. Thereafter Firm shall return the account to the County unless otherwise agreed in writing. Firm may not collect interest, service or carrying charges on any account unless otherwise instructed to do so in writing by the County. Firm may arrange payment schedules within the debtor’s current income and ability to pay. All payments are to be made payable to Lee County Board of Commissioners and checks sent directly to the Lee County EMS Office. Firm will not have the authority to write-off or reduce the balance due on any account without approval by the Lee County Board of Commissioners, or its designated agent.

2.3 INVOICES:
On a monthly basis Firm will provide a spreadsheet of collection history for each client and mail directly to Lee County Public Safety Office.
2.4 **REPORTS:**
County shall submit reports of payments received on accounts to Firm no less often than weekly. Firm shall submit monthly reports of collected billings by amount and percentage to County EMS and the County Finance Director. Firm shall use forms acceptable to the County to report collection and status of accounts. Firm will provide to the County monthly, a summary of billables and account collection activity. Firm shall maintain adequate files and records of the services performed, revenues collected and remitted to the County for audit by the County and all such records shall be available for inspection and audit, without prior notice, by Lee County’s auditor. Such files shall contain records of collection efforts made by the Firm and other pertinent information. The successful bidder will provide a sample of required reports and forms to Lee County with its bid submission. At the end of each contract period, Firm shall furnish an annual report to the County, summarizing the activity of their respective assigned accounts and percentage of billings collected during the preceding year.

2.5 **UNCOLLECTIBLE ACCOUNTS:**
Firm shall provide a report each month of what has not been paid. Firm shall report each month all accounts which, after making every reasonable effort to collect, it deems uncollectible and such report shall contain a statement of the reasons why such items are considered to be uncollectible. The report must contain, at a minimum, the debtor’s name, debtor’s most recent address, telephone number and patient account number. At the request of the County, Firm shall further document its effort to collect any specific amount. Firm shall provide language on final statement of billing advising the debtor that if account is not paid, then account maybe submitted to an outside credit reporting and collection agency. Unless otherwise directed, Firm shall return uncollected accounts to County and shall have no right to a commission for any sums thereafter collected upon these accounts.

2.6 **MISCELLANEOUS:**
All information not subject to a public records request acquired by the Firm in the course of performing services under this Agreement shall be confidential, and shall not be open to examination for any purpose without prior approval of the County. Firm shall not use or display the official seal of Lee County or letterheads on communications with any debtor without having previously obtained written authorization from the County. This Agreement may be amended only by written instrument signed by both the Firm and the County.

2.7 **EXPERIENCE AND QUALIFICATIONS:**
The Firms responding to the RFP shall have the following qualifications and experience and provide the appropriate documentation with its response. Failure to do so may result in your proposal being found non-responsive.

1. Indicate years of experience and with whom in conducting similar tasks for similar entities.
2. Provide a minimum of three (3) client references to include name, agency, address, work phone number, and email address.
3. Submit for review all the appropriate licenses, certifications, including a copy of Certificate to do Business in the State of Georgia and any and all relevant documentation that qualifies your firm as a professional collection agency.
4. Substantiate your good working knowledge of any other Federal, State or Local laws that apply to your profession and the County’s project.
5. Demonstrate knowledge of regulating agency (both Lee County knowledge and governmental EMS billing in the State of Georgia).
6. Provide a precise explanation of the agencies understanding of the County’s collection environment.
7. Provide a narrative rendition of firm’s proposed work plan. Show all required task to be accomplished.
8. Identify key personnel to be assigned to the County’s account, and provide a resume outlining their education, their qualifications and experience.

9. Have adequate insurance, technical and financial resources for performance. (Provide a current copy of Dunn & Bradstreet Report)

SECTION 3 - PROCUREMENT RULES AND INFORMATION

3.1 Contact Person:

Heather Jones
Finance Director & Purchasing Agent
110 Starksville Avenue North
Leesburg, GA 31763
229-759-6000
Fax: 229-759-6050
Email: hjones@lee.ga.us

All technical questions regarding this Request for Proposal (RFP) should be directed in writing; preferably by email to the Purchasing Agent. Questions shall be submitted no later than 12:00 Noon (local time) on May 30, 2014. Questions submitted after that date and time will not be answered. If applicable, written answers citing the question asked but not identifying the questioner will be distributed to all known prospective vendors. Note: Written requirements in the Request for Proposal (RFP) or its amendments are binding, but any oral communications between the proposed vendor and the County are not.

3.2 SUBMISSION OF PROPOSAL:
Each proposal shall be prepared simply and economically, providing a straightforward, concise delineation of the proposal’s capabilities to satisfy the requirements of this Request for Proposal. Fancy bindings, colored displays and promotional material are not desired. Emphasis in each proposal must be on completeness and clarity of content. In order to expedite the evaluation of proposals, it is essential that proposers follow the format and instructions herein.

3.3 PROPOSAL OPENING:
Proposals will be accepted until 10th day of June, 2014 by 2:00 PM local time and will be opened immediately thereafter. Proposals are due at the time and date specified. Proposals received late will not be considered and will be marked as LATE. Any person with a qualified disability requiring special accommodations at the proposal opening should contact Administration at 229-759-6000 at least five (5) working days prior to the due date for the proposal.

3.4 FEE STRUCTURE:
Provide in detail the proposed fee structure or percentage collection rate pertaining to the services. The County will consider an alternate collection percentage for as an incentive for hard to collect bills. This fee structure shall be submitted in a separate sealed envelope enclosed in the RFP submittal package to the county.

3.5 CRITERIA FOR SELECTION:
The winning proposal will be selected on the basis of responsiveness to the County’s requirements outlined in this proposal, the expertise and track record of the company as requested by these specifications and the lowest quoted collected revenue percentage rate.
3.6 REJECTION OF PROPOSAL:
The County reserves the right to accept or reject any all proposals as may be deemed necessary by the County to be in its best interest. The County further reserves the right to waive any and all informalities, and reserves the right to reject all nonconforming, unresponsive, unbalanced or conditional Proposals. The County reserves the right to reject the Proposal of any Proposer if the County believes that it would not be in the best interest of the Project to make an award to that Proposer, because the Proposal is not responsive or responsible, or the Proposer is unqualified or of doubtful financial ability or fails to meet any other pertinent standard or criteria established by the County. The County also reserves the right to enter into contract negotiations with a qualified, responsible, and responsive Proposer who submits the highest ranked proposal. If the County and the highest ranked Proposer cannot negotiate a successful contract the County may terminate such negotiations and begin negotiations with the qualified, responsible, and responsive Proposer who submits the next highest ranked proposal. No Proposer shall have any rights against the County arising from such negotiations. Discrepancies in the multiplication of units of work and unit prices will be resolved in favor of the unit prices. Discrepancies between the indicated sum of any column of figures and the correct sum thereof will be resolved in favor of the correct sum. Where numeric data is given both in Arabic numerals and in written language, and where there exists a discrepancy between an Arabic numeral and written language, the written language shall be presumed to be correct and the Arabic numeral presumed incorrect.

The County reserves the right to delete any proposal items and the total proposal shall be determined as the sum of the proposal items awarded. In evaluating proposals, the County will consider the responsiveness of the proposal, qualifications of the proposers, whether or not the proposals comply with the prescribed requirements, cost, time of completion and other data, as may be requested in the Proposal form or prior to the Notice of Award. The County may conduct such investigations as the County deems necessary to assist in the evaluation of any proposal and to establish the responsibility, qualifications and financial ability of proposers, proposed subcontractors, suppliers and other persons and organizations to perform and complete the Project in accordance with the contract documents to the County’s satisfaction within the prescribed time. The County may consider the operating costs, maintenance requirements, performance data and guarantees of major items of materials and equipment proposed for incorporation in the Project when such data is required to be submitted prior to Notice of Award.

If the contract is to be awarded, it will be awarded to the most responsible and responsive proposer submitting the best proposal whose evaluation by the County indicates to the County that the award will be in the best interest of the Project.

3.7 PROPOSAL CONFERENCE:
There will not be a pre-proposal conference.

3.8 SHORT LIST PRESENTATION:
The County reserves the right to request a presentation to the county’s review committee of the finalist or finalists.

3.9 VERBAL INSTRUCTIONS:
No negotiations, decisions, or actions shall be initiated or executed by the proposer as a result of any discussion with any county employee. Only those communications from proposers, which are signed, and in writing will be recognized by the County, as duly authorized expressions on behalf of the Proposer. Oral and other interpretations or clarifications will be without legal effect.
ATTACHMENTS AND STATEMENTS

1. SSAE16 Audit => on USB Drive
2. Sample Reports => on USB Drive
3. NRG Client Compliance Guide => on USB Drive
4. Copy of Proposal in PDF Format => on USB Drive
5. NRG does subscribe to and pay for a Dun and Bradstreet rating.

NON-COLLUSION CERTIFICATION

Lee County, Georgia

Non-Collusion Certification

The undersigned bidder certifies that I have not either directly or indirectly entered into any agreement, participated in any collusion, nor otherwise taken any action in restraint of free competitive bidding in connection with this submitted bid.

Authorized Signature: Shae Hinson

Name Printed: Shae Hinson

Name of Company: National Reimbursement Group

Date: 6-5-14
PROPOSAL SUBMITTED BY:

National Reimbursement Group
Company
112 Ward St. Macon, GA 31204
Address

Shae Hinson - 478.731.6794 - shinson@nrgbilling.com
Contact (Name, Phone #, E-Mail)

By: Shae Hinson
Company Representative

Signature

Title: CEO

Attest:

ACCEPTED BY:

Lee County, Georgia Board of Commissioners
By: ________________________________
   Name

Signature

Title: ________________________________

Attest: ________________________________
   Christi Dockery, Clerk
   (7)
**CERTIFICATE OF LIABILITY INSURANCE**

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**DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES**

The County of Cleveland is named as Additional Insured on all liability policies. It is agreed that coverage under the above listed policies shall be primary to, and not contribute with, any insurance or self-insurance maintained by the County.

**CERTIFICATE HOLDER**

Lee County Board of Commissioners
110 Starkville Avenue North
Leesburg, GA 31763

**CANCELLATION**

 SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

**AUTHORIZED REPRESENTATIVE**

*Signature*

© 1988-2010 ACORD CORPORATION. All rights reserved.
NRG’s updated business license is in transit to the company and 2013’s license plus 2014’s cleared check are below. Also, NRG’s business license payment is below for 2014.

The business listed above is registered with the City of Macon for the year 2013.

End of Proposal
Subject: Overdue EMS Bill Collections

Date Submitted: 7/2/2014

Agenda Date Requested: 7/8/2014

Authorized by: Ron H. Rabun

Department/Office: Public Safety

Contact Person: Ron H. Rabun

Division: EMS & County Finance

Type: Regular X Consent □

Motion/Recommendation:

Provide direction for County Manager to solicit proposals for collection of past due EMS accounts.

Background:

In the process of soliciting EMS billing proposals from the private sector, we have discovered that virtually all of these companies do not specialize in the collection of overdue accounts.

Twelve months of past due EMS medical charges are projected to be approximately $144,000.
Subject: EMS Non-Transport Fee
Date Submitted: 07/02/2014

Agenda Date Requested: 07/08/2014
Authorized by: Ron H. Rabun

Department/Office: Public Safety
Contact Person: Bobby Watkins

Division: EMS
Type: Regular X Consent □

Motion/Recommendation:

Provide direction to staff on initiation of an EMS non-transport fee.

Background:

The Board of Commissioners have requested that staff research the imposition of a charge for non-transport by EMS. After research through the State EMS Office we have found only (1) service in Georgia charging a non-transport response fee. Grady County EMS charges $75.00 plus $11.50 per mile a call that results in the patient electing to not be transported to the Emergency Room. Grady County EMS Director Billy Rathel said his service initiated this fee in April 2013 to reduce EMS abuse. He said he has seen a small decrease in those types of calls.

Grady County EMS has a form that the patient signs acknowledging that there is a charge and the patient is responsible for paying it within 90 days. Since the initiation of this new fee they have recorded a 20% collection rate. This bill is sent by the EMS department, not a billing company. Grady County does not turn anyone over to a collection agency for non-payment of this fee.

Lee County EMS initiated a non-payment fee in 2008 in an attempt to generate more revenue and to reduce abuse of the 911 system. The fee was initially $100.00 which was not covered by Medicare, Medicaid and most insurance companies. In May 2009 the Board voted to reduce the amount to $50.00. In our attempt to reduce the 911 abuse we found that those patients who called us excessively were not paying the non-transport charge either. Some commissioners received citizen calls complaining about the charge. From November 2008 to February 2011 (27 months) the County had 1665 non-transport calls and billed out $84,550.00. The total amount collected from the patients was $14,225.00. In February 22, 2011 the Board eliminated the non-transport fee.
NON-TRANSPORT FEE NOTIFICATION

It has been explained and I understand that Lee County Emergency Medical Service has provided a service that is not covered by any insurance company.

I understand that by not being transported, I will be responsible for the bill and will make payment within 90 days of service.

The charge for this non-transport will be $75.00 plus mileage of $10.00 per mile, (one way).

__________________________________________  __________________________________________
(Signature)                                                (Date)

__________________________________________
Name

__________________________________________
Address

__________________________________________
Phone #

__________________________________________
Social Security #

__________________________________________
Medic

__________________________________________
# of Miles

__________________________________________
Driver
Subject: Facade Ordinance Revision  
Date Submitted: 06/30/14

Agenda Date Requested: 07/08/2014  
Authorized by: Matthew Inman

Department/Office: Planning, Development, & Engineering  
Contact Person: Matthew Inman

Division: 7400  
Type: Regular  
Consent X

Motion/Recommendation:

Approve new code language regulating building façades in commercial zones while allowing additional options for aesthetically pleasing building materials.

Background:

In order to clarify the County’s requirements regarding the types of facades, and to allow for flexibility in the range of acceptable building façade treatments, it is suggested that a code revision be made to allow certain types of façade treatments. This has recently become an issue as our ordinance as currently written would not allow for architectural metal panels such as on Prince Chevrolet. Our ordinance currently states that “no metal facades” are allowed on buildings along roadway frontage in C-1, C-2, or C-4 zones. We request that flexibility be allowed that would provide staff with the ability to approve treatments that fit within our allowed uses while preventing the use of industrial or agricultural metal sheeting along roadway frontage.

At the 6/10/2014 BOC work session, the Board asked staff to discuss the contents of the proposed changes with commercial and residential contractors. The Planning & Development Director met and communicated with contractors and received mostly positive feedback.

A new question that has arisen is whether the definition of “frontage” in the above commercial zones should be limited to a measurement of 250 feet from the closest edge of the right-of-way to the building in question. A review of codes from other jurisdictions has not revealed use of such a distance of measurement.

The following revision is requested to be made to Sections 70-350, 70-384 & 70-425 of our zoning ordinance:

a. Building Materials. Building exteriors with frontage along the right-of-way in C-1, C-2, & C-4 districts shall have an architectural treatment of brick, stone, split face blocks, painted / stained wood, architectural metal, stucco, or imitations of the same or other high quality architectural treatments approved by the Planning Director.

Prohibited building materials are:
1. *Industrial or agricultural metal sheeting (profiled single or double-skinned metal panels with exposed fasteners)*

2. *Standard painted or unpainted concrete block, or plywood.*

If approved, staff will work with the County Attorney to develop the proper language for an ordinance amendment and schedule a public hearing.

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*Note: The table includes placeholders for further details which are not filled in.*
Dear Board members,

As you will see from the attached Lee County code section (adopted December 2002), Lee County does not allow the front of any building to display any metal façade fronting any public road in C-1, C-2 or C-4 zoning districts (neighborhood business; general business or traditional office). This code section was enacted for aesthetic reasons (after the IGA building was built) so that our county looked a little more “dressed up” in its commercial high traffic districts. We require the installation of brick, stone, cast stone, masonry, stucco, wood, etc. for the facings of a building in these commercial districts.

The City of Albany requires special façade treatment for the first two floors of buildings in its retail districts consisting of brick, natural stone, cast stone, natural wood siding or hardiplank.

Some questions and disagreement from our user community has occurred over the years and very recently regarding the economic impact of this code requirement and due to some reported instances of unequal application and enforcement of the code. Unfortunately, this has occurred. Some commercial buildings have been allowed to have facades with a smaller percentage than 100%, and some have all metal facades.

I have since instructed our planning and building department staff that the current ordinance must now and always be enforced 100%, until or unless the ordinance may (or may not) be amended. The question that I bring before the Board of Commissioners is: SHOULD OUR ORDINANCE BE AMENDED OR RELAXED SOMEWHAT TO REDUCE THE PERCENTAGE, I.E. SHOULD WE REQUIRE 70% STONE BRICK, MASONRY, ROCK, ETC. AND ALLOW 30% METAL? Or, should we continue with our current ordinance?

I welcome discussion and input from the Board.
METAL FACADE
Lee County Code of Ordinances

(C-1 Neighborhood Business) Sec. 70-350. Restrictions.

The following restrictions shall apply to all permitted and conditional business covered by this article.

(1) All outdoor business operations shall be subject to the following restrictions:
   a. There shall be no outdoor storage or display of any kind.
   b. Eating and drinking establishments are allowed to have tables outside. There shall be no more than ten tables, or up to 25 percent of the number of indoor tables, whichever number is less.
   c. Convenience stores may have up to two fuel pumps and as many as eight propane tanks stored in a cage outside.
   d. No business or activity, indoor or outdoor, shall be conducted in a manner which violates section 34-106 of this Code, nor shall any business activities, indoor or outdoor, cause decibel levels as taken in nearby residential neighborhoods to be such that they violate the restrictions set forth for that neighborhood in section 34-107 of this Code.
(2) Retail businesses shall have no more than 7,000 square feet of gross floor area.
(3) No business operations shall be conducted between the hours or 11:00 p.m. and 7:00 a.m. with the exception of normal business opening and closing activities, i.e. cleaning, restocking, etc. Nor shall any establishment be open to the public during those hours.
(4) Unless specifically covered by this article, all other sections of this chapter shall apply to all establishments.
(5) Manufactured or mobile homes are not to be used as retail, office, etc.
(6) Buildings constructed under this article shall not have a metal facade fronting any public road.

(Ord. of 12-2-2002, § 70-350)

(C-2 general business) Sec. 70-384. Restrictions.

The following restrictions shall apply to all businesses covered by this article:

(2) No manufactured or mobile homes shall be used for commercial purposes except for manufactured home sales offices.
(3) No buildings constructed under this article shall have a metal facade fronting any public road.

(Ord. of 12-2-2002, § 70-384)
The following restrictions shall apply to all permitted and conditional businesses covered by this article.

1) All outdoor business operations shall be subject to the following restrictions:
   a. There shall be no outdoor storage or display of any kind.
   b. No business or activity, indoor or outdoor, shall be conducted in a manner which violates section 34-106 of this Code, nor shall any business activities, indoor or outdoor, cause decibel levels as taken in nearby residential neighborhoods to be such that they violate the restrictions set forth for that neighborhood in section 34-107 of this Code.

2) Retail businesses shall have no more than 7,000 square feet of gross floor area.

3) No business operations shall be conducted between the hours of 11:00 p.m. and 7:00 a.m. with the exception of normal business opening and closing activities, i.e. cleaning, restocking, etc. Nor shall any establishment be open to the public during those hours.

4) Unless specifically covered by this article, all other sections of this article shall apply to all establishments.

5) Manufactured or mobile homes are not to be used as retail, office, etc.

6) Buildings constructed under this article shall not have a metal facade fronting any public road.

(Ord. of 12-2-2002, § 70-425)
METAL FAÇADE

Ordinance appears in C-1, C-2 and C-4 zoning districts. Does not appear in C-3 (Commercial recreation district)

(C-1 Neighborhood Business) Sec. 70-350. Restrictions.

The following restrictions shall apply to all permitted and conditional businesses covered by this article:

(5) Manufactured or mobile homes are not to be used as retail, office, etc.
(6) Buildings constructed under this article shall not have a metal façade fronting any public road.

(Ord. of 12-2-2002, § 70-350)

(C-2 General Business) Sec. 70-384. Restrictions.

The following restrictions shall apply to all businesses covered by this article:

(1) No manufactured or mobile homes shall be used for commercial purposes except for manufactured home sales offices.
(2) No buildings constructed under this article shall have a metal façade fronting any public road.

(Ord. of 12-2-2002, § 70-384)

(C-4 Traditional Office) Sec. 70-425. Restrictions.

The following restrictions shall apply to all permitted and conditional businesses covered by this article:

(5) Manufactured or mobile homes are not to be used as retail, office, etc.
(6) Buildings constructed under this article shall not have a metal façade fronting any public road.

(Ord. of 12-2-2002, § 70-425)
Cherokee County

Cherokee County Zoning Ordinance (Section 7.5-3.4): Architectural metal (attachment) is allowed, but agriculture metal sheeting is prohibited (exception if the side or rear of buildings is a minimum of 50% opaque from thoroughfare ROW).

Clarke County

Spoke with Craig Page, Planner. Ordinance attached. No metal siding, plain concrete block, or plain concrete walls are allowed if building is visible from the front or side yard adjacent to a street.

Cobb County

Spoke with David in Planning. He directed me to their Architectural Design Guidelines (attached). Metal buildings are prohibited except for buildings that have an Industrial use (even then, only a max. of 50% of front or rear can be metal).

Fulton County

Spoke with Kathleen Phipps. Email attached. If a property is zoned for commercial use like C-1, the developer has to also comply with the requirements for the C-1 district AND the overlay district. Zoning Resolution for each overlay is attached also.

Glynn County

Dave, Planner, stated that in the new planned development no metal facades fronting any public roads are allowed.

Gordon County

Spoke with Ursula Desrosier, Zoning Administrator. She directed me to the Land Development Code, which is attached. Section 4.01.04 (B)(1). Metal panel is prohibited on front and side exterior facades.
Rockdale County

Sec. 214-7 Exterior Building Materials attached. Metal sheeting is prohibited as exterior materials on sides of buildings facing any road.

Troup County

Jay, Planner, stated that no metal is allowed. They do allow brick, stucco, stone, wood, etc.

Counties that do not enforce or have a code prohibiting metal facades:

- Baldwin County
- Floyd County—Sue Hiller, Planning Director, said she wished they did!!
- Lowndes County—Spoke with Carmella Braswell, Zoning Administrator. They have no ordinance concerning metal facades at all.
- Chatham County—Charlotte Moore, Planner. Stated that Chatham County does not have an ordinance (outside the historic district) that prohibits metal facades in commercial districts. They have what they call ‘compatibility’ in where the Planning Commission decides what’s ok.
7.5-3.4 Commercial Building Requirements.

The following requirements are applicable to all commercial and buildings in Cherokee County.

a. Screening of Dumpsters. All garbage dumpsters and other similar areas devoted to the storage of waste materials shall be screened on three (3) sides of said dumpster or area with a minimum six (6) foot high solid wooden fence, or a wall constructed of materials substantially similar in appearance to the building on site that complies with the architectural requirements of these regulations. In addition, said dumpster areas shall be gated on the fourth side, and the gate shall be architecturally finished.

b. Building Materials. Building exteriors not screened (50% opaque) from view from the right-of-way or shall have an architectural treatment of brick, stone, split face blocks, painted / stained wood, architectural metal, vinyl, stucco, or imitations of the same or other architectural treatments approved by the Planning Director.

Prohibited building materials are:

1. *Industrial or agricultural metal sheeting

2. *Standard painted or unpainted concrete block.

3. Any awnings shall be maintained in good order, and any dilapidated awnings or canopies shall be removed.

* These finishes are allowed on the side or rear of buildings if a minimum of 50% opaque from thoroughfare ROW.
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Sec. 9-25-8. Site design standards.

The following site design standards must be met.

A. Landscaping requirements.

1. Each project shall provide the amount of landscaping required by that zone as set forth in the table below.

   The following percentages of landscaping are required for all properties that require a site review permit:

<table>
<thead>
<tr>
<th>Zone</th>
<th>% Landscaping</th>
</tr>
</thead>
<tbody>
<tr>
<td>RM-1</td>
<td>45%</td>
</tr>
<tr>
<td>RM-2</td>
<td>35%</td>
</tr>
<tr>
<td>RM-3</td>
<td>25%</td>
</tr>
<tr>
<td>C-D</td>
<td>0%</td>
</tr>
<tr>
<td>C-N</td>
<td>25%</td>
</tr>
<tr>
<td>C-G</td>
<td>20%</td>
</tr>
<tr>
<td>C-O</td>
<td>35%</td>
</tr>
<tr>
<td>C-R</td>
<td>65%</td>
</tr>
<tr>
<td>E-O</td>
<td>25%</td>
</tr>
<tr>
<td>E-I</td>
<td>15%</td>
</tr>
<tr>
<td>L</td>
<td>5%</td>
</tr>
<tr>
<td>IN</td>
<td>20%</td>
</tr>
</tbody>
</table>

   2. Landscaped areas include all areas that are planted. Areas that are retained in a natural state may be included if they are comprised of native or non-invasive species.

   3. A tree management plan is required in accordance with section 8-7-17.

   4. Landscaping in the adjacent public right-of-way may be counted toward meeting the overall landscaping requirements of this Code.

B. Design standards for subdivisions platted with an overall density exceeding 2.5 dwelling units per acre or for any residential lots of less than 8,000 square feet, or any attached houses in any zone:

1. Buildings shall utilize at least two of the following design features to provide visual relief along the front of the residence:
   a. Dormers.
   b. Gables.
   c. Recessed entries.
   d. Covered front porches.
   e. Cupolas.
   f. Pillars or posts.
   g. Bay window (min. 24-inch projection)

2. The front facade area of the garage shall not occupy more than 40 percent of the total front facade area for the building. The front facade area of the garage...
Landscaping shall be designed so that 100 percent of the required landscaping occurs in accordance with the approved development plan.

c. Outdoor storage areas shall be screened from view from adjacent public rights-of-way, except in "I" zones. Outdoor storage areas and loading facilities shall be screened and buffered when adjacent to residentially zoned land.

d. Landscaping design shall include a variety of deciduous and evergreen trees and shrubs and flowering plant species well adapted to the local climate.

e. Landscaped areas of at least ten feet in width shall buffer buildings adjacent to public and/or private streets, unless another section requires a more intensive buffer.

3. Parking.

a. Parking areas shall be located behind buildings or on one or both sides of the building. Parking areas shall not be located in the front yard (unless otherwise noted in section 9-10-2 of this title).

b. Parking areas shall be shaded by trees in accordance with section 8-7-15(J) and shall be adequately screened and buffered from adjacent uses.

4. Designated creek protection and environmental buffer areas.

a. Designated stream protection areas shall be considered positive design elements and incorporated in the overall design of a given project.

b. When a creek area is disturbed or without vegetation, native riparian plant materials shall be planted in and adjacent to the creek to enhance the creek habitat.

E. Non-residential design standards for all "C" (other than C-D) and "IN" zones, and also for "E" and "I" zones located on Level One or Level Two corridor types based on the Athens-Clarke County Corridor Designations Chart, as provided in section 9-25-8-J. These standards shall also apply to any non-residential use other than agricultural buildings in any "AR," "RS," or "RM" zone.

1. Orientation and scale.

a. Buildings shall have their primary orientation toward the street rather than the parking area. Public sidewalks shall be provided adjacent to a public street along the street frontage.

b. Trash storage areas, mechanical equipment, and similar areas are not permitted to be visible from the street, or are permitted between the building and the street.

c. Reserved.

d. If located on a Level One corridor type, developments of properties in "C-G" or "C-N" zones shall have a minimum floor area ratio of 0.40. If located on a Level Two corridor type, developments of properties in "C-G" or "C-N" zones shall have a minimum floor area of 0.25. Expansions of existing development for which at least 50 percent of the original structure is retained are exempt from these FAR minimums. Plazas and pedestrian areas, conforming to the standards of section 9-25-8-F.2, shall count as floor area for the purpose of meeting the minimum FAR. Reductions of the lot area calculation shall be allowed for flood plain.
Developments of two acres or more must provide a pedestrian circulation plan for the site. Pedestrian walkways shall be directly linked to entrances.

f. Connections shall be made when feasible to any streets adjacent to the property and to any pedestrian facilities that connect with the property.

4. Buffering and screening.
   a. Landscape buffers and screening shall be located between incompatible uses on an adjacent lot. Those buffers can consist of either plant material or building materials and must be compatible with proposed buildings.
   b. Parking lots shall be buffered from the main street, cross streets and screened from residentially zoned land.

5. Lighting. Lighting shall include adequate lights so that pedestrian areas are illuminated with at least one half-foot candle of illumination. Light may not directly illuminate property beyond the development, except for the public right-of-way.

6. Building materials. Building facades if visible from the front or side yard adjacent to a street may not be clad in metal siding, plain concrete block, or plain concrete walls. Decorative concrete block or concrete walls with textured surface materials are permitted.
   a. Buildings frontages greater than 100 feet in length shall have offsets or other distinctive changes in the building facade.
   b. Buildings may not incorporate glass for more than 70 percent of the building exterior.
   c. Transit amenities. Transit amenities, bus shelters, pullouts shall be required in accordance with the Athens-Clarke County Transit Service.

F. Additional standards for large scale developments. Developments (1) involving a gross floor area in excess of 60,000 square feet, and (2) located in any "C" zone other than C-D (Commercial Downtown) or "IN" zone, shall, in addition to complying to the basic site design standards contained in section 9-25-8, conform to the following standards:

1. Orientation and scale.
   a. No new buildings or contiguous groups of buildings shall exceed a combined contiguous building length of 300 feet.
   b. All on-site circulation systems shall incorporate a streetscape, which includes curbs, sidewalks, pedestrian scale light standards, and street trees.

2. Public spaces.
   a. One square foot of plaza or public space shall be required for every ten square feet of gross floor area.
   b. Plazas or public spaces shall incorporate at least three of the five following elements:
      (1) Sitting space—At least one sitting space for each 250 square feet shall be included in the plaza. Ledge benches shall have a minimum depth of 30 inches.
      (2) Trees in accordance with the Athens-Clarke County Tree Species List at a minimum of one tree per 800 square feet.
these review guidelines, but are in addition to the adopted laws and ordinances of the Cobb County Code. If any Guideline element is in conflict with, or is more stringent than any pertinent County Code, the more stringent requirement will be enforced.

**Submission of Design Guideline Worksheet**

Review of the worksheet is conducted by the Planning, Division staff and not an architectural review committee, thereby ensuring an efficient review process. The architectural review will be concurrent with the Plan Review process and conducted in an expedient manner. At the time the developer/architect/engineer submits engineering drawings to Plan Review, the applicant will submit the following items for architectural review: (1) elevation drawings of all sides of the building, (2) footprint of building with all pertinent measurements needed for guideline calculation purposes (see worksheet), (3) list of building materials and associated color, size, style and (4) a completed architectural review worksheet, as supplied by the County. Routine review time shall be no more than ten (10) business days, which will provide ample time for staff to conduct the review and for the architect/engineer, if necessary, to make any necessary revisions. Once architectural approval is granted, the architect/engineer/developer will be contacted and notified of the approval and all review items submitted by the applicant will be forwarded to the Plan Review Section, including the approved Guideline Worksheet. Please note, prior to the adopted date of these standards, all plans submitted to Site Plan Review for approval, as well as sites currently being permitted and constructed, will be considered exempt.

**Architectural Requirements**

Architectural design of the building's exterior shall comply with the following minimum standards:

1. Building facades shall be of architectural treatments of glass and brick, stone, architectural block, stucco and/or wood (combining these finishes are allowed and encouraged).

2. Portable buildings shall be prohibited. Metal buildings are prohibited except for buildings that have an *Industrial use. Only then, a maximum of fifty percent (50%) of the building's side(s) or rear can be metal and shall be used in combination with another exterior building material noted in #1 above. However, the front of all *Industrial buildings must be made of a building material noted in #1 above. If an *Industrial building will be adjacent to a residentially zoned property, any side(s) of the building visible from that residentially zoned property shall not be made of metal.

3. The preferred roofing materials for roofs are metal, tile, slate, stone or wood shake. If typical shingles are used such as asphalt, the appearance should be that of slate, tile, metal, or shake.

4. Facades of anchor stores located within a multi-tenant buildings shall be varied in the depth of the footprint and in the height of each tenants roofline. Also, distinct architectural identity for the entry into separate businesses shall be provided in the facade.
5. Exterior building walls shall incorporate changes in building material, color or facade by using such elements as windows, doors, trellises, false windows, recessed panels, soldiered columns, or landscaping adjacent to, or growing on, the building. Such changes should be frequent and determined by the height, length and overall scale of the building.

6. All mechanical, HVAC and like systems shall be screened from all street, driveway, pedestrian level views and residential views. Rooftops shall be designed to screen such equipment located atop buildings, and an opaque wall or fence of masonry, stucco, split-faced block, wood, etc. shall provide adequate screening for ground-based equipment.

Site Plan Recommendations

1. Where appropriate and feasible, buildings may be situated to the front of property setbacks with parking oriented toward the side and rear of structure(s).

2. Landscaping should be used to shield automobile parking lots from public vantage points, including streets and sidewalks.

3. Dumpsters should be located at the rear of a structure/site and should be enclosed with an opaque (solid) wall enclosure. The enclosure should be constructed of a masonry building material that is the same, or similar, to the primary structure and have gates made of metal.

4. Decorative lamppost, benches, bicycle racks, planters are all encouraged to improve the pedestrian sidewalk area and to encourage pedestrian activity.

Appeal of Guidelines

An applicant that does not meet the minimum design score and is appealing a scoring criteria element, can do so with the Director of Community Development. An appeal of the Director's determination can be made at the monthly meeting of the Cobb County Board of Zoning Appeals (BZA). The BZA will only consider appeals of the staff's administrative decisions and scoring criteria. The BZA will not consider variances to these guidelines. An application for appeal can be filed with the Cobb County Zoning Division. Following the appeal review, the decision of the BZA shall be final.
The Board of Commissioners' has adopted quite a number of Overlay Districts throughout the County and these districts have a number of regulations which are added to the standard requirements for the zoning districts' classifications. e.g. if a property is zoned for commercial use like C-1 (Community Business) that developer has to comply with the requirements for the C-1 Business District and also comply with the requirements of the Overlay District. These Overlay Districts control the development standards which include the building materials and Architectural Treatments to be used. The extent of any metal which is allowed or prohibited for a site.

Please take a look at our Overlay Districts’ Standards which are located in Article XII of our Zoning Resolution. Any other building material restrictions would be usually part of the conditions of zoning.

You can located our Overlay Districts by going to the following: –
   fultoncountyga.gov
   Planning and community Services
   Zoning Resolution/Ordinance
   Article 12
   Building Materials and Architectural Treatments.

Let me know if I can be of any further assistance.
2. Building Design and Materials

a) Nonresidential Building Materials

i) Industrially zoned buildings: All exterior walls visible from the public right-of-way shall consist of the following: stucco, stone, brick, or other similar alternative building material approved by the Director of Planning and Community Services.

ii) Commercially zoned and/or commercially used buildings: All exterior walls shall consist of a minimum of 60% (per vertical plane) of the following: stucco, brick, or stone. Accent wall materials shall consist of glass, architecturally treated concrete masonry or precast stone. Alternative treatments and building materials may be approved by the Director of Planning and Community Services.

b) Burglar Bars, Steel Gates and Steel Roll Down Curtains

i) Burglar bars, steel gates, and steel roll down curtains are prohibited on the exterior and interior of the structure except at the structures rear. Security grilles are allowed if installed interior to the place of business. Grilles should be of a grid or brick pattern and placed so that the grid is at a uniform height across the business front. Where a nonconforming burglar bar, steel gate or steel roll curtain exists on the adoption date of this Article, such burglar bar, steel gate or steel roll down curtain shall be brought into conformance with this Article or removed within 24 months of this Article adoption date.

3. Fence Materials

a) Wood privacy fencing is prohibited.

B. SIGN STANDARDS

1. Prohibited Signs

a) Window signs are prohibited.

2. Sign Materials

a) Free Standing Sign structures shall be constructed of brick, granite, stone, marble or other material used in the primary building and be in the same colors as the primary building. If primary building
possible to the Federally required minimum lumen output requirement for the specific task.

11. Luminaires used primarily for sign illumination may be mounted at any height to a maximum of 25 feet, regardless of lumen rating.

12. Top Mounted Fixtures Required: Lighting fixtures used to illuminate an outdoor advertising sign shall be mounted on the top of the sign structure. All such fixtures shall comply with the shielding requirements of Section 1.10.3 (A). Bottom-mounted outdoor advertising-sign lighting shall not be used.

13. Compliance Limit: Existing outdoor advertising structures shall be brought into conformance with this Code within ten years from the date of adoption of this provision.

14. The use of laser source light or any similar high intensity light for outdoor advertising or entertainment, searchlights, permanent mounted exterior neon lights and back-lit awnings and roof mounted lights are prohibited.

E. Building Design.

1. Buildings shall include architecture elements such as columns, arcades, covered entry-walkways, arches, facade offsets, windows, balconies, offset walls, clock towers, cupolas and/or courtyards.

2. All buildings shall be oriented to face a street or a courtyard.

3. The principle entry area of a building shall be articulated and express greater architectural detail than other portions of the building.

4. All primary entrances shall face the street or courtyard.

5. All primary entrances which face a street shall be at street level.

6. Buildings are limited to 35 feet in height.

7. The exterior wall materials of all nonresidential buildings shall consist of a minimum of 60% (per vertical wall plane) of the following: brick, stone, or clapboard (or an equivalent alternative treatment approved by the Director of Environment and Community Development). (Amended 06/01/11)
8. The exterior wall materials of all residential buildings shall consist of a minimum of 60% (per vertical wall plane) of the following: brick, stone, stucco, solid plank, cementitious plank, or horizontal clapboard siding (or an equivalent alternative treatment approved by the Director of Environment and Community Development) (Amended 06/01/11)

9. Any nonresidential building façade shall have a minimum of 25% fenestration or as may be approved by the Director. Black glass and/or tinted glass is prohibited.

10. Accent wall materials on residential and nonresidential buildings shall consist of glass, architecturally treated concrete masonry, precast stone, or stucco (or an equivalent alternative treatment approved by the Director of Environment and Community Development) and shall not exceed 40% per vertical wall plane.

11. To the extent any rear or side of any building is visible from any public street or single family residence, architectural treatment shall continue through the rear or side.

12. Exterior finishes for accessory structures shall be consistent with the principle structure.

13. Permitted colors for exterior walls, building components, sign structures, accent and decorative elements shall be specified by Table 12L or as approved by the Director.

<table>
<thead>
<tr>
<th>Table 12L</th>
</tr>
</thead>
<tbody>
<tr>
<td>Allowable Accent/Trim Colors for the Cliftondale Overlay District</td>
</tr>
<tr>
<td>(Reference Pantone Color Formula Guide)</td>
</tr>
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</table>

<table>
<thead>
<tr>
<th>Red Toncs</th>
<th>Blue Toncs</th>
<th>Yellow Toncs</th>
<th>Green Toncs</th>
<th>Brown Toncs</th>
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<td>1215 C</td>
<td>372 C</td>
<td>Warm Gray 9 C</td>
<td>430 C</td>
<td></td>
</tr>
</tbody>
</table>

ZONING RESOLUTION OF FULTON COUNTY

12L-9
7. Paths shall be direct and convenient routes between points of origin (such as a bus stop) and destination (such as a shop, bank, etc).

8. Street furniture shall be located outside the specified width of any pedestrian path.

9. If a business is open after dark, the path shall be well-lit by a minimum of 0.9 foot-candles with an average to minimum uniformity ratio of 4:1. The lighting plan for pedestrian paths shall be included on the site plan submitted at the time of application for a Land Disturbance Permit.

D. Building Materials and Architectural Treatments

1. Developments shall include architecture elements such as columns, arcades, covered entry-walkways, arches, facade offsets, windows, balconies, offset walls, clock towers, cupolas and/or courtyards.

2. The exterior finish of all buildings shall be at least 51% brick (or an equivalent alternative treatment approved by the Director of Environment and Community Development) per vertical wall plane. (Amended 07/02/03, 06/01/11)

3. Accent building materials of nonreflective glass, natural stone, precast concrete, stucco, stucco-like material, glass block, Hardi-plank and tile (or an equivalent alternative treatment approved by the Director of Environment and Community Development) shall not exceed 49% per vertical wall plane. (Amended 06/01/11)

4. The principle entry area of a building shall be articulated and express greater architectural detail than other portions of the building.

5. To the extent any rear or side of any building is visible from any public street or single family residence, architectural treatment shall continue through the rear or side.

6. Exterior finishes for accessory structures shall be consistent with the principle structure.

7. Permitted colors for exterior walls, building components, sign structures, accent and decorative elements shall be as specified by
Table 12C or as approved by the Director of Environment and Community Development.

**Table 12C**

Acceptable Color for Architectural Treatment Elements Pantone Matching System (PMS)

<table>
<thead>
<tr>
<th>Color-Hue</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yellow</td>
<td>138U, 1385U, 145U</td>
</tr>
<tr>
<td>Brown</td>
<td>462U-468U</td>
</tr>
<tr>
<td>Red</td>
<td>1945U</td>
</tr>
<tr>
<td>Green</td>
<td>340U-343U, 3415U, 3425U, 3435U</td>
</tr>
<tr>
<td>Black</td>
<td>40U, 401U-405U, 4U, 7U, Cool Grey 4U</td>
</tr>
<tr>
<td>Tan</td>
<td>726U-732U</td>
</tr>
</tbody>
</table>

8. Roof colors shall be black, gray, brown, or green. Reflective and metallic colors are prohibited.

9. Exposed concrete masonry unit (CMU) block, corrugated steel, aluminum siding, vinyl siding, wood siding, prefabricated metal, exposed plywood, and exposed pressboard are prohibited as exterior finishes.

10. Burglar bars, steel gates, metal awnings and steel-roll down curtains are prohibited on the exterior of a structure except at the structure's rear. Burglar bars are prohibited on the rear if visible from a public street. Burglar bars are also prohibited on the rear of an outparcel building if visible from the main structure. Roll-down security devices that allow visibility into the store when they are deployed, such as security shutters, are allowed if installed interior to the structure. Said interior security devices shall give the overall appearance of a uniform horizontal pattern, and shall be placed so that the pattern is at a uniform height across the entire business front, and shall match or

ZONING RESOLUTION OF FULTON COUNTY

12C-5
10. All site lighting shall be architecturally compatible with the buildings on a site. Lights shall be architecturally decorative with a historical style (includes shepherds crooks, pole top, and bollard).

11. Exterior wall-mounted lights shall be directed downward fully shielded to prevent spillage. The bottom of wall-mounted light fixtures shall be no higher than 7 feet above grade.

12. Soffit mounted light fixtures shall be recessed into the soffit or otherwise fully shielded.

13. Ground mounted or other upward directional lighting is allowed to accent architectural features.

14. Unshielded floodlights, wall packs, NEMA head style fixtures, sag/convex lens mounted on shoebox fixtures, cobra, neon and dome lights are prohibited.

12K.4. E. Building Materials and Architectural Treatments

1. Developments shall include architecture elements such as columns, arcades, covered entry-walkways, arches, facade offsets, windows, balconies, offset walls, clock towers, cupolas and/or courtyards.

2. The exterior wall materials of all nonresidential buildings shall consist of a minimum of 60% (per vertical wall plane) of the following: brick, pre-cast concrete, natural or precast stone, or tinted glass for an equivalent alternative treatment approved by the Director of Environment and Community Development. (Amended 06/01/11)

3. The exterior wall materials of all residential buildings shall consist of a minimum of 60% (per vertical wall plane) of the following: brick, stone, stucco, hardi plank siding, solid plank, or cementitious plank (or an equivalent alternative treatment approved by the Director of Environment and Community Development). (Amended 06/01/11)

4. Accent wall materials on residential and nonresidential buildings shall not exceed 40% per vertical wall plane.

5. Prohibited exterior finishes (except on mechanical penthouses and roof screens) are highly reflective, shiny, or mirror-like materials, exposed unfinished foundations, exposed plywood or particle
6. To the extent the rear and/or side of a building is visible from a public street or an adjacent agriculturally or residentially zoned or developed property, architectural treatments shall continue through the rear and sides of the building.

7. The principle entry area of a building shall be articulated and express greater architectural detail than other portions of the building.

8. Outparcel buildings shall have architectural features consistent with the principal buildings.

9. Permitted colors for exterior walls, building components, sign structures, accent and decorative elements shall be as specified by Table 12K or as approved by the Director.

ZONING RESOLUTION OF FULTON COUNTY

12K-3
Table 12K
Permitted Colors for Exterior Walls, Building Components, Sign Structure, Accent and Decorative Elements.
The following numbers refer to the Pantone Matching System, an international color matching system.

<table>
<thead>
<tr>
<th>Exterior Building Walls, Building Components, Sign Structure, Accent and Decorative Elements</th>
<th>Accent and Decorative Elements Only</th>
</tr>
</thead>
<tbody>
<tr>
<td>Red-Browns</td>
<td>Grey-Blue</td>
</tr>
<tr>
<td>154U, 1395U</td>
<td>5395U to 5455U</td>
</tr>
<tr>
<td>1405U</td>
<td>621U to 627U</td>
</tr>
<tr>
<td></td>
<td>642U to 644U</td>
</tr>
<tr>
<td></td>
<td>647U to 650U</td>
</tr>
<tr>
<td></td>
<td>654U to 656L</td>
</tr>
<tr>
<td></td>
<td>662U</td>
</tr>
<tr>
<td>Green-Grey</td>
<td>5605U to 5665U</td>
</tr>
</tbody>
</table>

10. Flat roofs and roof-mounted equipment shall be screened by a parapet or other architectural feature as approved by the Director from the view of public and private streets and adjacent agriculturally and residentially zoned and/or developed properties.

11. Sloped roofs shall be standing seam, metal, slate and concrete roof tiles and composition shingles.

12. Building components such as burglar bars, steel gates, metal awnings and steel roll-down curtains are prohibited if visible from a public street.

13. Vending machines, paper stands, and other similar devices must be located inside a building.

12K.4 Streetscape Features

1. Benches, trash receptacles, drinking fountains, and other street furniture shall be compatible in material, color, finish and architectural style of the development.

2. Marketing signage in streetscape features is prohibited.
<table>
<thead>
<tr>
<th>STANDARDS</th>
<th>A. MIX-CGA (VILLAGE)</th>
<th>B. CUP-CGA (HAMLET)</th>
</tr>
</thead>
<tbody>
<tr>
<td>6. Maximum overall residential density</td>
<td>14 units per acre with 10 percent of all residential units to be workforce housing</td>
<td>1 unit per acre</td>
</tr>
<tr>
<td>7. Maximum height</td>
<td>45 feet for nonresidential buildings except (1) civic and/or institutional buildings, (2) buildings which include a residential component, and (3) multi-family residential buildings</td>
<td>45 feet for nonresidential buildings except (1) civic and/or institutional buildings, (2) buildings which include a residential component, and (3) multi-family residential buildings</td>
</tr>
<tr>
<td></td>
<td>50 feet for civic and/or institutional buildings</td>
<td>50 feet for civic and/or institutional buildings</td>
</tr>
<tr>
<td></td>
<td>75 feet for buildings with steeples, cupolas, and similar structures</td>
<td>75 feet for buildings with steeples, cupolas, and similar structures</td>
</tr>
<tr>
<td></td>
<td>40 feet for single family attached and detached residential structures</td>
<td>40 feet for single family attached and detached residential structures</td>
</tr>
<tr>
<td>8. Maximum impervious surface of developed area</td>
<td>70 percent</td>
<td>60 percent</td>
</tr>
<tr>
<td>9. Maximum lot size</td>
<td>14,400 square feet for single family, duplexes, three-family, four-family, and other attached and detached dwellings</td>
<td>21,600 square feet for single family, duplexes, three-family, four-family, and other attached and detached dwellings</td>
</tr>
</tbody>
</table>

**12M(1).6 ADDITIONAL DEVELOPMENT STANDARDS FOR MIX-CGA AND CUP-CGA DISTRICTS.**

**A. Buildings**

1. All buildings shall be oriented to face the street and or courtyard.

2. Display windows shall be oriented to face the street and or courtyard, and be at street level.

3. All primary entrances be oriented to face the street and or courtyard, and be at street level.

**ZONING RESOLUTION OF FULTON COUNTY**

12M(1)-5
4. Any nonresidential building façade shall have a minimum of 25% fenestration or as may be approved by the Director of Environment and Community Development.

B. Residential Uses

1. All residential structures be oriented to face the street and or courtyard.

2. A street-facing door (excluding garage door) for each unit is required.

3. No front-loaded, attached garage shall protrude beyond the front façade of a building.

4. Fence height shall not exceed 3 feet in the front yard and 6 feet in the rear and side yards.

5. Front yard fences shall be non-opaque. Opaque fences are permitted in side and rear yards. Chain link fences (black or green vinyl-coated only) are permitted in rear yards only.

6. Gated communities are prohibited.

C. Gasoline Service Stations

1. Fuel pumps, canopies and associated gasoline station service areas shall be located at the rear of the lot, and not between the building and the street.

D. Parking

1. All off-street parking for non-residential buildings, townhouses, and multi-family buildings shall be located to the side or rear.

2. A minimum of 75% of the required surface parking shall be oriented to the rear of building.

3. No surface parking area shall be larger than 65,340 square feet unless separated by a street, lane, alley or building.

4. On-street surface parking spaces located adjacent to the front property line shall be counted toward the minimum number of parking spaces required for that lot.

ZONING RESOLUTION OF FULTON COUNTY

12M(1)-6
<table>
<thead>
<tr>
<th>Location or Type of Lighting</th>
<th>Minimum Level</th>
<th>Average Level</th>
<th>Maximum Level</th>
</tr>
</thead>
<tbody>
<tr>
<td>Walkways and Streets</td>
<td>0.2</td>
<td>2.00</td>
<td>10.0</td>
</tr>
<tr>
<td>Landscape and Decorative</td>
<td>0.0</td>
<td>0.50</td>
<td>5.0</td>
</tr>
</tbody>
</table>

7. Historic period lighting shall be used.

8. Lights shall be architecturally decorative with a historic style (includes shepherds crook, pole top, and bollard). The same type of design must be used along pedestrian pathways and/or common areas.

9. Shoe box, cobra lighting fixtures, and neon lighting are prohibited.

12F.4 E. Building Design, Materials and Architectural Treatments

1. Non-residential buildings are limited to 35 feet in height. Residential buildings and mixed-use buildings that contain a residential component are limited to 3 stories. (Added November 5, 2008)

2. Developments shall include architecture elements such as columns, arcades, covered entry-walkways, arches, facade offsets, windows, balconies, offset walls, clock towers, cupolas and/or courtyards.

3. The exterior of all industrial building facades shall be provided with an architectural treatment such as stucco, stone, brick, wood or an alternative treatment approved by the Director of Environment and Community Development.

4. The exterior wall materials of all nonresidential buildings except industrial buildings shall consist of a minimum of 60% (per vertical wall plane) of the following: solid wood siding, cementitious siding, stucco, brick, stone or an alternative treatment approved by the Director of Environment and Community Development. (Amended November 5, 2008)

5. The exterior wall materials of all residential buildings shall consist of a minimum of 60% (per vertical wall plane) of the following: stucco, cementitious siding, solid wood siding, brick, stone or an alternative treatment approved by the Director of Environment and Community Development. (Amended November 5, 2008)

6. Accent wall materials on residential and nonresidential buildings shall consist of glass, architecturally treated concrete masonry.
precast stone, stucco, material designed to have the appearance of stucco if installed a minimum of 4 feet above grade or combination thereof and shall not exceed 40% per vertical wall plane. (Amended November 5, 2008)

7. Any nonresidential building façade shall have a minimum of fenestration or as may be approved by the Director. (Amended November 5, 2008)

8. The principle entry area of a building shall be articulated and express greater architectural detail than other portions of the building.

9. To the extent any rear or side of any building is visible from any public street or single family residence, architectural treatment shall continue through the rear or side.

10. Exterior finishes for accessory structures shall be consistent with the principle structure.

11. Permitted colors for exterior walls, building components, sign structures, accent and decorative elements shall be as specified by Table 12F or as approved by the Director of Environment and Community Development. (Amended November 5, 2008)

<table>
<thead>
<tr>
<th>Permitted Colors for Exterior Walls, Building Components, Sign Structure, Accent and Decorative Elements</th>
</tr>
</thead>
<tbody>
<tr>
<td>The following numbers refer to the Pantone Matching System, an international color matching system</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Exterior Building Walls, Building Components, Sign Structure, Accent and Decorative Elements</th>
<th>Accent and Decorative Elements Only</th>
</tr>
</thead>
<tbody>
<tr>
<td>Browns, Beiges and Taus</td>
<td>Greens</td>
</tr>
<tr>
<td>462 - 468</td>
<td>356, 357</td>
</tr>
<tr>
<td>4625 - 4685</td>
<td></td>
</tr>
<tr>
<td>469 - 474, 475</td>
<td></td>
</tr>
<tr>
<td>4695 - 4735</td>
<td></td>
</tr>
<tr>
<td>478</td>
<td></td>
</tr>
<tr>
<td>719 - 731</td>
<td></td>
</tr>
<tr>
<td>476 - 482</td>
<td></td>
</tr>
<tr>
<td>12-0711</td>
<td></td>
</tr>
<tr>
<td>Reds</td>
<td></td>
</tr>
<tr>
<td>168, 181</td>
<td></td>
</tr>
<tr>
<td>483, 484</td>
<td></td>
</tr>
<tr>
<td>575, 1685</td>
<td></td>
</tr>
<tr>
<td>4975, 154</td>
<td></td>
</tr>
<tr>
<td>1395, 1405</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
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<tr>
<td>Greens</td>
<td></td>
</tr>
<tr>
<td>356, 357</td>
<td></td>
</tr>
<tr>
<td>17-0133</td>
<td></td>
</tr>
<tr>
<td>Reds</td>
<td></td>
</tr>
<tr>
<td>1788, 186</td>
<td></td>
</tr>
<tr>
<td>18-1660</td>
<td></td>
</tr>
</tbody>
</table>
12. Burglar bars, steel gates, and steel-roll down curtains are prohibited on the exterior and interior of the structure except at the structure’s rear. Security grilles are allowed if installed interior to the place of business. Grilles shall be of a grid or brick pattern and placed so that the grid or brick pattern is at a uniform height across the entire business front. (Amended November 5, 2008)

13. Neon lights outlining and/or detailing building features are prohibited.

14. Flat roofs and roof-mounted equipment shall be screened from the view of public and private streets by a parapet. No parapet shall be required to be greater than 4 feet above roof.


ZONING RESOLUTION OF FULTON COUNTY

12F-9
4.01.04 Design Standards for Structures in Commercial, Office, and Institutional Zoning Districts

A. General
1. This section applies to all principal structures or buildings constructed in a Commercial, Office, and Institutional Zoning District as established herein this ULDC.
2. Structures subject to these standards shall meet the standards for the zoning district in which the structure is proposed for location.
3. Proposed designs shall be submitted with applications for development plan approval in accordance with Section 10.02.04.
4. Designs shall include a front elevation that depicts the exterior appearance of the front façade and clearly shows by way of illustration and explanatory text that the proposed design is in conformance with Section 4.01.04(B). The front elevation shall be prepared by an architect, engineer, landscape architect or land surveyor whose state registration is current and valid.

B. Standards to ensure quality in appearance are required as follows:
1. Front and side exterior wall surfaces shall be brick, stone (natural or manufactured), solid wood, natural stucco, architectural or rusticated cement masonry units, cement fiber board or other building code approved composite lapboard siding, Exterior Insulation Finish System (EIFS) product, or vinyl siding provided the grade of vinyl meets or exceeds the Standard Specification for Rigid PVC Siding (ASTM D-3679) and all manufacturers' recommendations concerning vinyl siding installation are closely followed. Metal panel sheathing or a standard cement masonry unit (cement block) is prohibited on front and side exterior façades, with the exception that cut-face, or split-face, block is permitted on front and side exterior façades.
2. No greater than seventy-five percent (75%) of the total surface area of exterior front or side walls shall be constructed of any one exterior wall veneer product permitted in Section 4.01.04(B)(1) above (excluding Exterior Insulation Finish Systems) with the exception that any wall may be constructed entirely of brick, solid wood, natural stone, natural stucco, or cement fiber board or other building code approved composite lapboard siding.
3. No greater than twenty-five percent (25%) of the total surface area of exterior front or side walls, including accent trim, shall be constructed of vinyl siding or an Exterior Insulation Finish System (EIFS) product.
4. Not less than thirty percent (30%) of the total surface area of the front facade shall be public entrances and windows (including retail displays windows).
5. Windows on front or side facades shall be transparent. Mirrored glass is prohibited on front or side facades.
6. Rigid canopies or all fabric (non-vinyl), shed-style awnings are allowed. Awnings may be sideless construction. Projection shall be no less than 5.5 feet with a bottom edge no less than 7.5 feet above the sidewalk. Canopies and awnings shall only be as wide as the storefront and shall not cross major vertical building elements.

7. Gable roofs and Hip roofs shall provide a minimum overhang or eave of twelve (12) inches beyond the building wall. Flat roofs may be allowed with the use of a parapet wall having a minimum height of three (3) feet. Shed roofs shall be prohibited with the exception that such roofs may be allowed on incidental rooms or building wings attached to the primary structure and said roofs shall not exceed thirty percent (30%) of the total roof area. Where roof materials are visible from the public right of way, only standing seam metal, stamped metal shingles, or fiberglass composite shingles may be utilized.

8. Standards 4.01.04(B)1-7 shall apply to all side walls on a building that is located on a double frontage lot or through lot.

4.01.05 Structure Numbering

A. Designation of street names and numbers

Streets now being maintained by the County and other public agencies within the unincorporated County shall in the future be named and numbered as now designated on the official map and official index of the County as amended by each implementing resolution. Every other street within the unincorporated County shown on the official index shall hereafter be referred to as designated on the official index for structure numbering purposes.

B. Designation of structure numbers

The Emergency Management Director shall keep a record of all numbers assigned under this section. Such records may be maintained in data processing storage systems if so desired. Structure numbers for dwelling units, places of business, industrial locations and all other structures and uses requiring same shall be assigned by:

1. The Emergency Management Director in conjunction with the United States Postal Service during the implementation stage of the system; and

2. The Emergency Management Director following the implementation phase of the system.

C. Posting of designated structure numbers

The owner, occupant or person in charge of any dwelling unit, structure or use to which a number has been assigned shall be notified in writing by the implementing agency of the number assigned to the same. Within sixty (60) days after receipt of such written notification, the owner, occupant or person in charge of any dwelling unit, structure or use to which a number has been assigned shall cause the same to be posted in either one (1) or two (2) locations depending on the following conditions:

(a) In nonresidential zoning districts, sheet metal, vinyl siding, exposed common concrete block and similar materials shall not be permitted as exterior materials on sides of buildings facing any road. The exterior materials of the face of said buildings on the sides facing a road shall consist of glass, brick, stone, architectural concrete block, real stucco or similar building materials.

(b) In residential zoning districts, sheet metal, vinyl siding, exposed common concrete block and similar materials shall not be permitted as exterior building materials on principal use structures except that soffits, gables and eaves may be finished in vinyl. Refer to section 218 -7 Accessory use standards for allowable exterior materials on accessory structures in residential zoning districts.

Subject: Accessory Structure Ordinance  
Date Submitted: 06/23/2014

Agenda Date Requested: 07/08/2014  
Authorized by: Matthew Inman

Department/Office: Planning, Development, & Engineering  
Contact Person: Matthew Inman

Division: 7400  
Type: Regular  
Consent ☑

Motion/Recommendation:

Request additional verbiage be added to the Zoning Codes for accessory structures based on acreage.

Background:

We currently receive a very high number of variance cases relating to accessory structure size in relationship to the size of the primary structure as stated in Sec. 70-84.3 "In residential districts, an accessory building shall not exceed two stories and in no instance shall the square footage of the footprint of the accessory building, or combination of accessory buildings, exceed the square footage of the ground floor area of the principal building." This typically becomes an issue in areas where there are larger lot sizes (typically more than 10 acres) where people have more space and wish to have more storage or have additional uses such as a barn or stable.

Staff recommends consideration of additional criteria which would allow an accessory structure to be sized based on the size of the primary structure, but also to include a provision to allow the accessory structure to be sized based on the acreage of the parcel.

At the 6/10/14 BOC meeting, the Board asked that staff survey additional local government jurisdictions in Georgia for examples of how they regulate accessory structures. The attached map and supporting materials are gathered from six Georgia counties; Athens-Clarke, Cherokee, Dawson, DeKalb, Forsyth, Lowndes, and Rockdale. There is great variety in each County's approach in determining the maximum size of accessory structures to be allowed. We believe that the Lowndes County approach is the most appropriate and provides the most flexibility for the resident's use of their property in Lee County.

We propose that the below guidelines be added to our ordinance to allow for sizing of an accessory structure based upon the acreage of the lot in addition to the existing criteria:

Accessory buildings shall comply with the standards below for number of structures and maximum total floor area set forth in the following table:

<table>
<thead>
<tr>
<th>Lot Area Where Accessory Building is Proposed</th>
<th>Maximum Number of Accessory Building</th>
<th>Maximum Total Floor Area for All Buildings</th>
</tr>
</thead>
<tbody>
<tr>
<td>Up to 21,780 square feet</td>
<td>3</td>
<td>600 square feet</td>
</tr>
<tr>
<td>21,781 to 43,560 square feet</td>
<td>3</td>
<td>800 square feet</td>
</tr>
<tr>
<td>43,561 or more square feet (1 acre)</td>
<td>5</td>
<td>1,500 square feet, plus 500 square feet for each additional 43,560 square feet of lot area, not to exceed a total of 5,000 square feet of floor area</td>
</tr>
</tbody>
</table>

If approved, staff will work with the County Attorney to develop the proper language for an ordinance amendment and a public hearing.
a) Accessory structures shall be no larger than the footprint of the primary structure or one-half the gross square footage, whichever is greater.
   i. Exception: When the lot size is three (3) acres or greater, then the size of the accessory structure shall not be regulated in size but shall meet all setback requirements.

5. Animals such as dogs or cats owned by the resident for their personal enjoyment in compliance with the Dawson County Animal Control Ordinance and not for commercial purposes.

6. Home Occupations upon approval if the following requirements are met in addition to those found under Article VI, Section 611.
   a) The use of an accessory building for a home occupation is prohibited.

7. Industrialized single family modular home.

8. Public parks and subdivision amenity areas.

9. Private Amenity areas such as swimming pools, tennis courts, children's play areas, small gardens, non-commercial greenhouses, fitness and recreations centers, club houses or community rooms and other similar uses if the following conditions are met:
   a. Adequate parking area is provided for the amenity area; typically a minimum of 15 parking spaces, unless a variance is approved.
   b. The area is fenced and landscaped. All pools shall be landscaped and screened such that at least 50% of the view from the public road is obscured.
   c. The amenity area is constructed and completed in the first phase of the development.
   d. Lighting is provided for the parking area and all walkways and pedestrian access points.

10. Schools and other public buildings.

11. Public Utilities with a maximum gross total of 400 sq. ft. of structure per parcel, unless a variance is approved.

B. Prohibited Uses.


2. Industrial Uses.

3. Manufactured (Mobile) Homes and houses moved from other locations (excluding industrialized modular homes) are prohibited.

4. Animals that individually or in numbers create a nuisance by noise, smell, unsanitary or visual effects. Horses are prohibited. Kennels for the breeding of any animal for sale are prohibited. Pet fowl or birds may be kept in cages in accord with the same provisions of this sub-section. No swine are permitted.

5. Any use not permitted in accord with the terms hereof.

C. Building Requirements.

The minimum area, yard, setback, and building requirements in the RT Land Use District are as set forth herein unless a variance is approved.
Accessory Buildings, Structures, and Uses

The following provisions apply to accessory buildings, structures, and uses of land that are incidental to authorized and permitted uses (27-731):

(a) All accessory buildings, accessory structures, and accessory uses of land, including off-street parking, shall be located on the same lot as the principal building(s) to which they are accessory.

(b) No accessory building or structure shall be constructed upon a lot until construction of the principal building has commenced.

(c) All accessory buildings or structures shall be located in the rear yard of the lot. No accessory building or structure shall be located closer than ten (10) feet to a side or rear lot line in any district. Basketball goals attached to the principal residential structure or erected adjacent to and abutting the driveway of the principal residential structure shall be allowed in the front yard but not within the right-of-way of a public street. No such basketball goal shall be erected in such a manner that the play area for the basketball goal is located within any portion of a public right-of-way.

(d) No accessory building or structure in a nonresidential district shall be used by other than employees of the owner, lessee or tenant of the premises, unless otherwise allowed by provisions of this chapter.

(e) Except as otherwise provided herein within the R-200 district, accessory buildings in single-family residential districts shall not be used as separate dwelling units and shall not contain a bedroom or kitchen or other food preparation facility of any kind. Further no such accessory building shall be rented or occupied for gain, and no accessory structure or building shall be used for a home occupation.

(f) Where the rear yard of a corner lot adjoins the side yard of a lot in a residential district, no accessory building or structure shall be located closer than twenty-five (25) feet to the rear property line and no closer to the side street right-of-way line than the principal building.

(g) Where an accessory building or structure is attached to the principal building by a breezeway, passageway or similar means, the accessory building or structure shall comply with the yard requirements of the principal building to which it is accessory.

(h) Swimming pools, as accessory structures in a residential district, shall be measured from the decking or closest part of the pool structure to the applicable property line. Accessory swimming pools shall be authorized only after written approval from the board of health pursuant to applicable regulations. (See section 13-181 et seq.)

(i) Accessory buildings, structures and uses authorized in an apartment complex include a leasing office, post office, clubroom, health club or exercise facilities, laundry facilities, child care center and similar facilities for the use of residents of the complex.

(j) The floor area of an accessory building(s) in single-family and two- and three-family residential districts shall not exceed the following maximum floor areas:
<table>
<thead>
<tr>
<th>Property Size</th>
<th>Maximum Floor Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 to 0.999 acres</td>
<td>900 square feet</td>
</tr>
<tr>
<td>1 to 4.999 acres</td>
<td>1,200 square feet</td>
</tr>
<tr>
<td>5 to 9.999 acres</td>
<td>2,000 square feet</td>
</tr>
<tr>
<td>10 or more acres</td>
<td>No size limit</td>
</tr>
</tbody>
</table>

Accessory uses, buildings and structures shall be located within the rear yard. Accessory buildings and structures shall not exceed twenty (20) feet in height or the height of the principal structure, whichever is less, and shall comply with the requirements of section 27-731.

(a) Accessory uses and buildings and structures incidental to any authorized principal use, including the following and similar uses:

1. Garages for parking of automobiles.
2. Storage buildings.
4. Tennis courts and other play and recreation areas.

*Building height* means the vertical distance from finished grade to the top of the highest roof beams on a flat or shed roof, the deck level on a mansard roof, and the average distance between the eaves and the ridge level for gable, hip, and gambrel roofs. (Chapter 14 definitions)

*Yard, rear* means a yard extending across the total width of a lot between side lot lines and being that area between the rear lot line and that line or lines established by the rear wall or walls of the principal structure projected to intersect the side lot lines. (Chapter 27 definitions)
(1) Changes occur in the activities or character of the home occupation or professional home office being conducted that warrant additional review and approval by the director, or Planning Commission;

(2) Whenever the director has reasonable cause to believe that any of the general or specific requirements and/or performance criteria set forth in the Code, or conditions imposed as part of the professional home office or home occupation are being or have been violated, or, any activity associated with conduct of the home occupation or professional home business becomes hazardous, harmful, noxious, offensive or a nuisance to the surrounding neighborhood and properties.

(M) If the director does revoke a home occupation or professional home office license, the director's decision may be appealed to the ZBA.

(N) The granting of a home occupation or professional home office license shall not constitute a covenant running with the property from which such home business is being conducted. A home occupation or professional home office license shall not be transferable to another property and shall automatically and immediately terminate and become null and void upon the sale, lease, or transfer of said property to a party different than to whom the home occupation or professional home office license was originally granted.

16-3.3 Procedures.

(A) An appeal of any decision by the director shall be processed and considered by the Zoning Board of Appeals as set forth in Chapter 8 of this Code.

(B) All renewal applications for home occupation and professional home office licenses shall be reviewed and either approved, approved with conditions, or denied by the director within thirty (30) days of the date said renewal application has been received by the department.

ARTICLE IV, SUPPLEMENTARY REGULATIONS FOR SPECIFIC USES:

16-4.1 Accessory Structures in Residential Districts. Accessory structures are permitted in all residential zoning districts. Accessory structures shall meet the following standards:

(A) The height of the accessory structure shall not exceed the height of the principal building.

(B) Accessory structures must be constructed in conjunction with or after the principal building is constructed.

(C) The following limitations on the allowable square feet of accessory structures exclude swimming pools. The limitations are aggregate and may be distributed among any permitted accessory structures. Finished spaces within the principal building shall exclude unheated areas such as porches, unfinished basements, garages and decks.

<table>
<thead>
<tr>
<th>Lot Size</th>
<th>Maximum Size</th>
</tr>
</thead>
<tbody>
<tr>
<td>&lt; 1 Acre</td>
<td>30% of the finished space within the principal building or 1,000 square feet, whichever is greater</td>
</tr>
<tr>
<td>≥ 1 Acre and &lt; 3 Acres</td>
<td>60% of the finished space within the principal building or 1,000 square feet of building space per acre of lot area, whichever is greater</td>
</tr>
<tr>
<td>≥ 3 Acres</td>
<td>90% of the finished space within the principal building or 1,000 square feet of building space per acre of lot area, whichever is greater</td>
</tr>
</tbody>
</table>

(D) Accessory structures greater than 550 square feet shall have exterior finishes substantially similar to those on the principal dwelling.

(E) Accessory structures shall conform to the setback requirements of the zoning district in which they are located.

(F) Attached Accessory Apartments shall be regulated through Section 16-4.2.

(G) Detached Accessory Apartments shall be regulated through Section 16-4.3.
9. Accessory buildings shall comply with the standards for number of structures and maximum floor area set forth in the following table:

Table 5.02.01(D)(9). Maximum floor area for Accessory buildings.

<table>
<thead>
<tr>
<th>Lot Area Where Accessory building is Proposed</th>
<th>Maximum Number of Accessory building</th>
<th>Maximum Total floor area for All Buildings</th>
</tr>
</thead>
<tbody>
<tr>
<td>Up to 21,780 square feet</td>
<td>3</td>
<td>600 square feet</td>
</tr>
<tr>
<td>21,781 to 43,560 square feet</td>
<td>3</td>
<td>800 square feet</td>
</tr>
<tr>
<td>43,561 or more square feet</td>
<td>5</td>
<td>1,500 square feet, plus 500 square feet for each additional 43,560 square feet of lot area, not to exceed a total of 5,000 square feet of floor area</td>
</tr>
</tbody>
</table>

F. An accessory building may be permitted on a separately platted lot provided that the following standards are met:

1. The lot on which the accessory building is proposed shall abut the lot on which the principal building is located;
2. The lot on which the accessory building is proposed and the lot on which the principal building is located shall have the same ownership;
3. The lot on which the accessory building is located shall comply with the standards for lots within the zoning district as set forth in Section 4.01.01;
4. The accessory building shall be located in compliance with the setback standards for the zoning district, as set forth in Section 4.01.02; and
5. The accessory building shall otherwise comply with all standards set forth in Section 5.02.01.

5.02.02 Accessory Dwellings (Guest Houses, Caretaker Houses)

A. Accessory dwellings include, but are not limited to, basement apartments, garage apartments, caretaker or other employee quarters, guesthouses, and other accessory dwellings.

B. Accessory dwellings are permissible within the principal dwelling or as a freestanding dwelling in the following zoning districts: E-A, R-A, R-1, and R-21, MAZ III, and P-D. Accessory dwellings are permissible within the following zoning districts as freestanding dwelling units: CON, M-1, and M-2. Accessory dwellings within the principle structure are permissible within the following zoning district: MAZ II.

C. Accessory dwellings contained within a principal dwelling shall comply with the following standards:
Table 5.3: Subdivision Types Reference

<table>
<thead>
<tr>
<th>Description of Subdivision Type</th>
<th>Preliminary Plan</th>
<th>Construction Plan</th>
<th>Final Plat</th>
</tr>
</thead>
<tbody>
<tr>
<td>Combination of two or more lots into one</td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Boundary line adjustment between two lots</td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Division of one parcel into no more than five lots smaller than 10 acres each within any two-year period, and no public infrastructure is proposed</td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Division of one parcel into any number of lots larger than 10 acres each</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Division of one parcel into two to five lots smaller than 10 acres each, with the installation of public infrastructure</td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Division of one parcel into six or more lots smaller than 10 acres each within any two-year period</td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Non Residential common plan of development</td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Non Residential single lot development</td>
<td></td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>

(Ord. No. 2008-Z-003, 12-16-08)

5.6 Accessory Uses and Structures.
(Ord. No. 1995-0-010, 08-08-95)

No accessory building or use shall be constructed upon a lot until construction of the principal building has commenced, except in the case of a barn in the AG district, which may be permitted before construction of principal building. The preceding requirements shall not apply to accessory use and structures in the TND district. (Ord. No. 2007-Z-002, 08-07-07)

Accessory Structure – A structure detached from a principal building on the same lot and incidental and subordinate to the principal building.

Barn – Building traditionally used for storing hay, grain, etc., and often for housing livestock.
Cherokee County Zoning Ordinance

Article 5 – General Provisions

Farm Outbuilding – A detached accessory structure used in AG only for farm related storage or activity.

Lot Coverage – The cumulative square foot measurement of the principal building footprint, any accessory buildings’ footprints and accessory uses such as pools along with the concrete decking and tennis courts, as well as patios of impervious material.

A. Location on Lot. Where an accessory building is structurally attached to a main building it shall be subject to and must conform to all regulations of the Ordinance applicable to the main building.

When an accessory building is attached to the principal building by breezeway, passageway or similar means, it shall comply with the yard requirements of the principal building to which it is accessory.

On a corner lot, no accessory building or use shall be located closer to any street right-of-way line than the principal building setback.

Accessory uses and structures shall be located on the same lot or parcel as the principal use or structure. No garage or other accessory building or use shall be allowed within a front yard area or be located closer to ten (10) feet to a side or rear lot line. A two (2) foot overhang for eves or gutters will be permitted within this ten (10) foot setback.

B. Number and Size. No accessory use, or structure, or combination of, shall exceed the number or total lot coverage area shown in the attached chart. Wells, pump houses, and well houses of less than thirty-five (35) square feet, gazebos and other decorative structures of less than 120 square feet, farm outbuildings, and barns shall not be included in determining the allowable number or size. Except for barns and farm outbuildings in AG, no accessory structure may exceed the footprint of the principal structure.

C. Height. No accessory building or portion thereof located in the required side or rear yard shall exceed twenty-five (25) feet in height or the height of the primary structure, whichever is lower.

D. Structure Limitations. Accessory structures shall not be used as dwelling units or for lodging purposes except as otherwise provided herein. (See Guest Houses Section 5.6-11)

E. Incidental uses. The following accessory uses and structures and similar uses and structures which are incidental to a residential use or use are permitted in their respective residential and AG districts, except for farm outbuildings which shall be permitted in the AG district only.

5.6-1 A children’s playhouse, private greenhouse.

5.6-2 A swimming pool for private use. Pools shall be fenced with a sturdy material of chain link or of material and colors compatible with the main dwelling; that prevents entry that is continuous around the pool except for gate openings; that is a minimum of five feet in height; that has latches out of reach of children or at least five feet off
Table 5.4: Accessory Structure Standards

<table>
<thead>
<tr>
<th>ZONE</th>
<th>DISTRICT</th>
<th>MAXIMUM LOT COVERAGE BY ACCESSORY STRUCTURES</th>
<th>MAX NO. ACCESSORY STRUCTURES</th>
</tr>
</thead>
<tbody>
<tr>
<td>AG</td>
<td>Unplatted</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>AG</td>
<td>Platted Subdivision</td>
<td>4.60%</td>
<td>3</td>
</tr>
<tr>
<td>R-80</td>
<td>Estate Residential</td>
<td>4.75%</td>
<td>3</td>
</tr>
<tr>
<td>R-60</td>
<td>Single-Family Residential</td>
<td>6%</td>
<td>3</td>
</tr>
<tr>
<td>R-40</td>
<td>Single-Family Residential</td>
<td>7%</td>
<td>3</td>
</tr>
<tr>
<td>R-30</td>
<td>Single-Family Residential</td>
<td>8%</td>
<td>2</td>
</tr>
<tr>
<td>R-20</td>
<td>Single-Family Residential</td>
<td>9%</td>
<td>2</td>
</tr>
<tr>
<td>R-15</td>
<td>Single-Family Residential</td>
<td>10%</td>
<td>2</td>
</tr>
<tr>
<td>RD-3</td>
<td>Single-Family Residential</td>
<td>12%</td>
<td>1</td>
</tr>
<tr>
<td>RZL</td>
<td>Zero-Lot-Line</td>
<td>14%</td>
<td>1</td>
</tr>
</tbody>
</table>

NOTE: This chart applies to accessory structures only. Homes, pools and tennis courts are excluded.

(Ord. No. 2007-Z-001, 04-03-07)

5.7 Vision Clearance at Intersections.

In all zoning districts, no fence, wall, structure, shrubbery or other obstruction to vision between the heights of three (3) feet and fifteen (15) feet, except utility poles, light or street sign standards or tree trunks shall be permitted within twenty-five (25) feet of the intersection of the right-of-way lines or streets, roads, highways or railroads as long as the same also complies with State Law.

5.8 Approvals for Developments along Interstates, State Highways and County Roads.

For all businesses and industrial developments fronting on a state, interstate highway and County road, no building permit shall be issued until the approval of the Georgia Department of Transportation or the County Engineer has been obtained by the applicant on entrances and exits, curb radii, drainage and other matters that are the appropriate concern of the Department.

5.9 Use Occupancy and Erection.

No building or structure or land shall hereafter be used or occupied and no building or structure or part thereof shall be erected, constructed, reconstructed, moved or altered except in conformity with the regulations of this Ordinance.

5.9-1 Public Buildings and Use. Buildings erected and owned by any government or other public agency shall be permitted in any zoning district.

5.9-2 Street Setback Requirement. No building or structure shall hereafter be erected closer than seventy-five (75) feet from the right-of-way of any existing two (2) lane arterial; or January 13, 2009 5-24
Sec. 9-15-12. Accessory buildings and structures.

Accessory buildings and structures shall comply with all requirements for the principal use except where specifically modified by this title and shall comply with the following limitations:

A. A greenhouse or hothouse may be maintained accessory to a dwelling in any RS or RM districts.

B. A guesthouse may be maintained accessory to a single-family dwelling provided there are no kitchen cooking facilities in the guesthouse.

C. Mechanical equipment shall be subject to the provisions of this section. Such equipment shall not be located between the main structure on the site and any street adjacent to a front or sideyard, and every attempt shall be made to place such equipment so that it is not visible from adjacent public streets. Any installation of mechanical equipment shall require a building permit.

D. Regardless of the side and rear yard requirements of the district, in a residential district, a side or rear yard may be reduced to three feet for an accessory structure, including swimming pools, erected more than 50 feet from any street, other than alleys, provided the structure is detached and separated from other buildings and structures by ten feet or more, and is no more than 15 feet in height.

E. Exclusive of swimming pools, no more than three accessory structures per lot are permitted in any RS zone, which may not total more than 25 percent of the total square footage of the principal structure on the lot. The contiguous roofed portion of the principal structure, including covered porches, garages, and carports shall be included in this calculation. The total square footage shall be exclusive of attics, crawl spaces, and similar storage areas.

F. Except in the A-R zone, an accessory structure for a single-family residence is not permitted in a front yard, unless erected more than 100 feet from the front street right-of-way.

G. Signs, fences, parking, driveways, accessory dwellings, and temporary structures are not subject to the provisions of this section.

(Ord. of 12-5-2000 § 1; Ord. of 8-2-2005 § 1)
Sec. 218-7. Accessory use standards.

(a) All accessory buildings, structures and uses of land, including off-street parking, shall be clearly subordinate to and supportive of the principal use and located on the same lot as the principal dwelling to which they are accessory.

(b) All accessory buildings or structures shall be located in the rear yard or in the side yard behind the front yard building line. Accessory buildings in front yards are prohibited. Accessory structures are prohibited in the side yard of a corner lot that faces a public street. Front yards for corner lots shall be as defined in section 214-3.

(c) Accessory structures in residential zoning districts may be finished with any material, including metal, vinyl siding and concrete block, providing the style and color of the structure match those of the principal structure and create visual cohesion throughout the property. Accessory structures finished in metal shall be visually screened from the street. Accessory structures shall be assembled in a professional manner and maintained in good condition.

(d) No accessory building shall be utilized unless the principal structure is occupied, and no accessory building shall be used for any type of human habitation.

(e) No accessory building shall be erected on a lot prior to the time of construction of the principal building to which it is accessory.

(f) No accessory buildings or structures shall be closer than ten feet from an abutting side or rear property line.

(g) There shall be a distance of not less than 20 feet between a principal and detached accessory building located on the same lot or parcel.

(h) The following accessory uses and structures, including similar uses and structures, shall be permitted in the A-R district, provided that they comply with all conditions and standards in subsections (a) through (g):

(1) Garages for the parking of automobiles, decks, garbage pads and storage buildings, subject to the following conditions:
   a. Maximum height of two stories or 35 feet.
   b. On a corner lot, no accessory building, structure, use or deck shall be located closer to the side street right-of-way line than the principal building.
   c. No garage or other accessory building, structure or use shall be closer than ten feet to a side or rear lot line or the nearest point along any required buffer, whichever is greater.

(2) Heating and air conditioning units, provided that heating and air conditioning units, and related equipment, shall be located within the buildable area of the lot.

(3) Swimming pools in compliance with section 218-13 of the UDO.

(4) Tennis courts and other play and outdoor recreation areas.

(5) Antennae and satellite dishes in compliance with section 218-13 of the UDO.

(6) Doghouses, runs, pens, rabbits hutches, cages and other similar structures for the housing of household pets, but not including hobby kennels or pet boarding kennels.

(7) Gardening and composting.

(8) Statues, arbors, trellises, clotheslines, barbeque stoves, flagpoles, fences, walls and hedges, gates and gateposts and basketball goals.

(9)
Barns and other similar buildings that are customarily incidental to agricultural operations; maximum height of 50 feet.

(10) Livestock quarters and enclosures in compliance with section 218-13 of the UDO.

(11) The number of household pets on a single lot shall be limited to five (not including litters under six months of age).

(12) Accessory buildings in the A-R district shall not be used for storage or warehousing of bulk items, such as food, clothing, furniture, household supplies, automobile parts, building materials, landscaping supplies and other large quantities of items not listed.

(i) All residential accessory uses and structures permitted above, except for those provided in subsection (h)(9) and (10), are permitted in the R-1, R-2, CRS, CSD, CSO, MUR, RM and WP districts provided that they comply with all stated conditions and standards of subsection (a) through (g), and meet each of the following additional standards:

1) The accessory structure must maintain a residential appearance and shall not produce impacts detrimental to adjacent properties as a result of traffic, noise, light, refuse, parking or other activities.

2) No accessory structure in a residential district shall be used by other than family members of the owner, lessee or tenant of the premises, unless otherwise allowed by provisions of the UDO.

3) Accessory buildings in residential districts shall not be used for any type of human habitation or commercial operation whether permanent or part-time. Furthermore, accessory buildings in residential districts shall not be used for storage or warehousing of bulk items, such as food, clothing, furniture, household supplies, automobile parts, building materials, landscaping supplies and other large quantities of items not listed.

4) No accessory building shall exceed a height of 35 feet.

5) Accessory buildings shall be located at least 20 feet from the principal structure on a lot.

6) Satellite dish antennae shall be permitted as accessory structures only in rear yards, unless it can be documented that reception is impaired by such location. In this case, an antenna would be permitted in a side yard. Satellite dish antenna larger than 18 inches shall not be located on the roof of a residential structure.

(j) The size and number of accessory structures in R-1, R-2, CRS, CSD, CSO, MUR and RM districts shall comply with the following table.

<table>
<thead>
<tr>
<th>Property size</th>
<th>Maximum Floor Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 to 0.999 acres</td>
<td>No more than one accessory structure per lot. Shall not exceed 1,000 square feet.</td>
</tr>
<tr>
<td>1.0 to 4.999 acres</td>
<td>Up to two accessory structures per lot. Aggregate shall not exceed 1,200 square feet or 50% of the total floor area of the principal dwelling; whichever is less will apply.</td>
</tr>
<tr>
<td>5.0 or more acres</td>
<td>Up to two accessory structures per lot. Aggregate shall not exceed the total floor area of the principal dwelling on the lot.</td>
</tr>
</tbody>
</table>

• Subject to the maximum percentage of impervious surface as required in section 214-1.

(k)
A RESOLUTION PROVIDING FOR THE LEVY AND COLLECTION OF AN ANNUAL AD VALOREM TAX TO PROVIDE FUNDS FOR THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON $2,115,000 IN AGGREGATE PRINCIPAL AMOUNT OF THE LEE COUNTY SCHOOL DISTRICT TAXABLE GENERAL OBLIGATION BONDS, SERIES 2014A AND $9,385,000 IN AGGREGATE PRINCIPAL AMOUNT OF THE LEE COUNTY SCHOOL DISTRICT GENERAL OBLIGATION BONDS, SERIES 2014B AND FOR OTHER RELATED PURPOSES.

WHEREAS, pursuant to a referendum resolution of the Lee County Board of Education (the "Board of Education") adopted on February 24, 2014, a special election was called and held on May 20, 2014 in all of the election districts of Lee County, Georgia to determine the issuance or non-issuance of $11,500,000 of general obligation debt by the Lee County School District (the "School District");

WHEREAS, said election resulted in favor of the issuance of $11,500,000 of general obligation debt by the School District, by an affirmative vote of a majority of the qualified voters of Lee County voting at said election held for said purpose, and that said issuance of general obligation debt has been authorized as provided by law;

WHEREAS, the Board of Education, acting pursuant to a resolution adopted on June 25, 2014 (the "Bond Resolution"), authorized the issuance by the School District of general obligation bonds in the aggregate principal amount of $11,500,000 comprised of $2,115,000 LEE COUNTY SCHOOL DISTRICT TAXABLE GENERAL OBLIGATION BONDS, SERIES 2014A (the "Taxable Series 2014A Bonds") and $9,385,000 LEE COUNTY SCHOOL DISTRICT GENERAL OBLIGATION BONDS, SERIES 2014B (the "Series 2014B Bonds") and together with the Taxable Series 2014A Bonds, where applicable, the "Bonds");

WHEREAS, the Bonds are general obligations of the School District and are payable, as to both principal and interest from ad valorem taxes that may be levied, without limitation as to rate or amount, upon all taxable property within the territorial limits of the School District subject to taxation for school bond purposes;

WHEREAS, the Bonds were validated by order of the Superior Court of Lee County dated June 26, 2014;

WHEREAS, the Board of Education has determined that it is necessary that there be levied an annual ad valorem tax upon all property subject to taxation for school bond purposes within the territorial limits of the School District sufficient to pay the total amount of principal and interest to be paid on the Bonds at their respective maturities;

WHEREAS, the Board of Education has recommended in the Bond Resolution, a certified copy of which has been delivered to the Lee County Board of County Commissioners (the "Board of
Commissioners"), that the Board of Commissioners levy an annual ad valorem tax upon all property within the territorial limits of the School District subject to taxation for school bond purposes, at such rate as will raise, together with any other available funds of the School District, an amount equal to the total principal of and interest on the Bonds as set forth in Exhibit A attached hereto; and

WHEREAS, it is necessary at this time that an ad valorem tax be levied as required by Article IX, Section V, Paragraph VI of the Constitution of the State of Georgia for the purpose of paying the annual amount of principal of and interest on the Bonds, which tax shall be levied in the preceding year.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners and it is hereby resolved by authority of the same, that there shall be and is hereby levied a direct annual ad valorem tax for the years 2014 through 2034 without limitation as to rate or amount, upon all property subject to taxation for school bond purposes within the territorial limits of the School District, being all of Lee County, Georgia, sufficient to provide moneys required to pay the principal of and interest on the Bonds, as more fully set forth in Exhibit A attached hereto and incorporated herein by this reference. The sums hereby levied are hereby irrevocably pledged and appropriated to the payment of the principal of and interest on the Bonds as the same become due and payable. The amount to be levied for each year is the amount specified by the Board of Education to pay principal and interest coming due in the following year. These sums shall be collected by the Tax Commissioner of Lee County, Georgia in each of the years levied, and shall be paid into the debt service fund for the Bonds as the same become due and payable. Provisions to meet the requirements of this resolution shall be made annually hereafter.

BE IT FURTHER RESOLVED by the authority aforesaid that the Board of Commissioners, as levying authority, together with the Board of Education, as recommending authority, shall comply with the provisions of O.C.G.A. § 48-5-32, and all other statutory requirements as may exist from time to time relating to the publication of any reports or notices required prior to establishing millage rates each year for educational purposes, and shall take such other actions as may be required for the assessment and collection of taxes to provide funds in the years and amounts set forth in this resolution. The Board of Commissioners and the Board of Education shall cause a report to be published in a newspaper of general circulation throughout Lee County at least two weeks prior to the establishment of the millage rates for ad valorem taxes for educational purposes during the current calendar year, in accordance with O.C.G.A. § 48-5-32.

BE IT FURTHER RESOLVED by the authority aforesaid that this resolution is adopted in order to assure compliance with Article IX, Section V, Paragraph VI of the Constitution of the State of Georgia. The Board of Commissioners will take no action to establish a millage levy for the payment of any portion of the principal of and interest on the Bonds from ad valorem taxes until the Board of Education certifies to it any millage required for such purposes.

BE IT FURTHER RESOLVED by the authority aforesaid that all orders and resolutions in conflict with this resolution this day passed, if any, be, and the same are hereby, repealed.

[Signature Page Follows]
PASSED, ADOPTED, SIGNED, APPROVED, AND EFFECTIVE this 22nd day of July 2014.

LEE COUNTY, GEORGIA

By: ________________________________
   Chairman
   Lee County Board of County Commissioners

ATTEST:

______________________________
Clerk
Lee County Board of County Commissioners
IN THE SUPERIOR COURT OF LEE COUNTY
STATE OF GEORGIA

STATE OF GEORGIA,

Plaintiff,

vs.

LEE COUNTY SCHOOL DISTRICT,

Defendant.

Civil Action No. 14CV21755

BOND VALIDATION

VALIDATION ORDER

The above entitled case having come on for a hearing pursuant to the Order To Show Cause of this Court heretofore entered, and it appearing from an examination and inspection of the proceedings concerning the issuance of the LEE COUNTY SCHOOL DISTRICT GENERAL OBLIGATION BONDS (the "Bonds"), in the aggregate principal amount of $11,500,000, that said proceedings are regular and in due form, and after inspecting the record and hearing the evidence on all matters bearing upon the Bonds and the right of the Lee County School District (the "School District") to issue the Bonds,

IT IS DETERMINED, DECLARED, ORDERED AND ADJUDGED, as a matter of fact and as a matter of law as follows:

I. The School District is the proper party, has been properly served, has filed its sworn Answer and is subject to the jurisdiction of this Court.

II. The School District is a duly organized and existing body politic and political subdivision, which is deemed to be a public corporation organized and existing under the Constitution and laws of the State of Georgia (the "State").

III. The School District has been legally organized and is now functioning as provided by law, and the School District was and is legally authorized to and has taken all proper and
necessary steps required at this time to issue the Bonds in one or more series in the aggregate principal amount shown above for the purposes set forth in its resolution of February 24, 2014 (the "Referendum Resolution"), a certified copy of which forms a part of said Petition and Complaint, and to execute and deliver such other documents and certificates as the School District deems necessary or advisable in connection with the issuance of the Bonds.

IV. The School District has taken all proper and necessary steps to issue the Bonds including, without limitation, the passage of a referendum election held for that purpose in all of the election districts of Lee County on May 20, 2014, at which election a majority of the electors voting voted in favor of the issuance of the Bonds.

V. The Bonds are secured by, and shall be payable from, a direct annual ad valorem tax, unlimited as to rate or amount, on all property within the School District subject to taxation for bond purposes.

VI. The purposes for which the Bonds are being issued, as described in the Referendum Resolution, are in furtherance of the public purposes for which the School District was established.

VII. The use of the proceeds of the sale of the Bonds for the lawful and legitimate purposes stated in the Referendum Resolution and all of the acts and doings of the School District set forth in the pleadings are hereby ratified and confirmed.

VIII. The Bonds in the aggregate principal amount of $11,500,000, which may be issued in one or more series, and when issued, will not exceed the 10% constitutional debt limit on bonded indebtedness of the School District.
IX. The Bonds be, and the same are hereby in each and every respect validated and confirmed, and the School District is authorized and empowered to issue the Bonds in conformity with the law in such cases made and provided for the purposes set forth in the Petition and Complaint of the District Attorney and the Answer of the School District; and prior to the issuance of the Bonds, the School District is authorized to take and will recommend to the Lee County Board of County Commissioners that Lee County assess and collect a continuing direct annual ad valorem tax, unlimited as to rate or amount, on all of the taxable property located within the boundaries of the School District sufficient in an amount to pay the principal of and interest on the Bonds as the same shall mature and become due; and prior to the issuance of the Bonds, the Lee County Board of County Commissioners is authorized to take and will take all necessary action to collect said tax; and when so issued, the Bonds shall be valid and legally binding general obligations of the School District in accordance with the terms and provisions thereof, all of which terms and provisions are hereby in each and every respect validated and confirmed.

X. The School District has the right, power and authority by virtue of the Constitution and laws of the State to adopt a Bond Resolution authorizing the issuance of the Bonds and the execution, delivery and performance of the documents referred to therein.

XI. The parties to this proceeding have duly and lawfully waived the requirement that separate findings of fact and conclusions of law be entered pursuant to Section 9-11-52 of the Official Code of Georgia Annotated.

XII. The Clerk of the Superior Court of Lee County is authorized to execute the Certificate of Validation upon each of the Bonds, the Clerk’s Certificate regarding these proceedings, and the Clerk’s Certificate regarding the Clerk’s execution of the Bonds.

VALIDATION ORDER
XIII. The School District shall pay the cost of this proceeding from proceeds of the sale of the Bonds.

SO ORDERED AT LEESBURG, GEORGIA on June 26, 2014.

[Signature]
JUDGE, SUPERIOR COURT OF LEE COUNTY

Prepared and presented by:

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