



LOWNDES COUNTY BOARD OF COMMISSIONERS
PROPOSED AGENDA
WORK SESSION, MONDAY, FEBRUARY 10, 2025, 8:30 A.M.
REGULAR SESSION, TUESDAY, FEBRUARY 11, 2025, 5:30 P.M.
327 N. Ashley Street - 2nd Floor

1. Call To Order

2. Invocation

3. Pledge Of Allegiance To The Flag

4. Minutes For Approval

- a. Work Session - January 27, 2025 & Regular Session - January 28, 2025

Recommended Action: Approve

Documents:

5. Public Hearing

- a. REZ-2025-01 Hurtado Property, Bethany Dr., ~6.4ac, R-A to R-1, County Water & Septic

Recommended Action: Board's Pleasure

Documents:

- b. REZ-2025-02 Hamilton Green Ph. 2, 4618 Bemiss Rd, 1.12ac, C-G to P-D, County Utilities

Recommended Action: Approve

Documents:

- c. REZ-2025-03 Thomas Linville, 4888 Break Thru Rd., ~16.3ac, R-1 to E-A, Well & Septic

Recommended Action: Approve

Documents:

- d. REZ-2025-04 River Run Farm, 6490 River Run, ~27ac., C-C to R-21, County Water & Septic

Recommended Action: Board's Pleasure

Documents:

6. For Consideration

- a. Resolution Authorizing the Lowndes County Tax Commissioner to Receive Checks and Money Orders in Payment of Taxes and Licenses

Recommended Action: Approve

Documents:

- b. A Resolution Electing Not to Require Mobile Home Decals

Recommended Action: Approve

Documents:

- c. Beer and Wine License - Manishkumar Patel of Kasumbal 2025 LLC, DBA Busy Food Mart, 6901 Bellville Road, Lake Park, GA

Recommended Action: Approve

Documents:

- d. New Endpoint Detection and Response (EDR) Software
Recommended Action: Approve
Documents:
- e. Whitewater Road Lift Station Pump
Recommended Action: Approve
Documents:
- f. Acceptance of Hazard Mitigation Grant for Generators
Recommended Action: Approve
Documents:
- g. The Crescent Place of Historic Interest Tax Exemption
Recommended Action: Option 1
Documents:
- h. Rules and Regulations for Claims for Refunds of Taxes
Recommended Action: Option 1
Documents:

7. Reports - County Manager

8. Citizens Wishing To Be Heard - Please State Your Name and Address

9. Adjournment

LOWNDES COUNTY BOARD OF COMMISSIONERS
COMMISSION AGENDA ITEM

SUBJECT: REZ-2025-01 Hurtado Property, Bethany Dr., ~6.4ac, R-A to R-1, County Water & Septic

DATE OF MEETING: February 11, 2025

Work
Session/Regular
Session

BUDGET IMPACT: N/A

FUNDING SOURCE:

- () Annual
- () Capital
- (X) N/A
- () SPLOST
- () TSPLOST

COUNTY ACTION REQUESTED ON: REZ-2025-01 Hurtado Property, Bethany Dr., ~6.4ac, R-A to R-1, County Water & Septic

HISTORY, FACTS AND ISSUES: This request represents a change in zoning on a portion of the subject property from R-A (Residential Agricultural) zoning to R-1 (Low Density Residential) zoning. The general motivation in this case is for the applicant to subdivide the property into conforming lots for individual residences. The subject property possesses road frontage on Bethany Drive and Val Del Road, both local and collector County maintained roads respectively, is within the Rural Service Area and Rural Residential Character Area, which recommend R-1 zoning.

The TRC analyzed the request, the standards governing the exercise of zoning power set forth in 10.01.05 of the ULDC, and factors most relevant to this application, including the neighboring land uses and lot sizes, the availability of County water, the viability of septic systems, and the unique shape of the property, and therefore recommends approval of the request for R-1 zoning as depicted on the submitted survey.

Zoning District	Minimum Lot Area (sq. ft.)		Minimum Lot width (feet)		Maximum Impervious surface Ratio (Percent)
	With Individual Well Water	With Central Water System	With Individual Well Water	With Central Water System	
R-A	108,900	108,900	150	100	20
R-1	43,560	43,560	120	100	30

Zoning district	Minimum Setbacks from Centerline of Street Front (feet)			Minimum Setbacks from Property lines (ft.)		Maximum Building Height (ft.)
	Arterial	Collector	Residential	Side	Rear	
R-A	80	70	60	20	40	35

R-1	80	70	60	20	40	35
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At the GLPC meeting, the applicant spoke in favor of the request, and a few citizens spoke in opposition, expressing concerns over stormwater and drainage concerns affecting their property, added traffic and speeding along Bethany and Val Del Road, and the current sale of 2.5+ acre lots on the western portion of Bethany Road near Bethany Drive. The Planning Commission questioned the timeline of the Val Del Road expansion, the availability of County Water and the minimum lot sizes for septic systems. The GLPC ultimately motioned to recommend denial, with a brief discussion about the TRC's recommendation, before voting on the motion, which passed (8-1).

- OPTIONS: 1) Approve
2) Approve with Conditions
3) Table
4) Deny

RECOMMENDED ACTION: Board's Pleasure

DEPARTMENT: Planning/Zoning

DEPARTMENT HEAD: JD Dillard

ADMINISTRATIVE COMMENTS AND RECOMMENDATIONS:

I am proposing to rezone a portion of property shown as a part of Land Parcel 0070 063 so that it can be divided to provide the highest and best use of the property. The property is located in a Rural Residential area according to the Greater Lowndes Comprehensive Plan. The proposed zoning meets the suburban characteristics of high to moderate building separation, low pedestrian orientation and a predominantly residential use and is consistent with zoning adjacent to the property. The proposed use also meets the objective as described in Goal 4 Policy 4.6 and Goal 5, Policy 5.8.

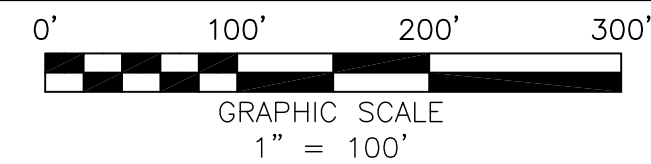
Lincy Hurtado

AS REQUIRED BY SUBSECTION (D) OF O.C.G.A. SECTION 15-6-67, THIS PLAT HAS BEEN PREPARED BY A LAND SURVEYOR AND APPROVED BY ALL APPLICABLE LOCAL JURISDICTIONS FOR RECORDING AS EVIDENCED BY APPROVAL CERTIFICATES, SIGNATURES, STAMPS, OR STATEMENTS HEREON. SUCH APPROVALS OR AFFIRMATIONS SHOULD BE CONFIRMED WITH THE APPROPRIATE GOVERNMENTAL BODIES BY ANY PURCHASER OR USER OF THIS PLAT AS TO INTENDED USE OF ANY PARCEL. FURTHERMORE, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAT COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.C.G.A. SECTION 15-6-67.

RODNEY GENE TENERY, JR., RLS/RF _____ DATE _____

THE SURVEYOR SHALL NOT BE HELD LIABLE FOR ANY DAMAGES FROM THE USE OF THIS PLAT IF THE APPROVAL SIGNATURES FROM THE APPLICABLE LOCAL GOVERNING AUTHORITIES ARE NOT PRESENT.

RESERVED FOR THE CLERK OF SUPERIOR COURT



- LEGEND
- I.P.F. = IRON PIN FOUND
 - I.P.P. = IRON PIN PLACED (5/8" REBAR) W/ CAP #3015
 - C.M.F. = CONCRETE MONUMENT FOUND
 - C.M.P. = CONCRETE MONUMENT PLACED
 - G.P.F. = GALVANIZED PIPE FOUND
 - G.P.P. = GALVANIZED PIPE PLACED
 - R.M.F. = RIGHT OF WAY MARKER FOUND
 - P.O.B. = POINT OF BEGINNING
 - P.O.R. = POINT OF REFERENCE
 - = BROKEN LINE NOT TO SCALE
 - P/L = PROPERTY LINE
 - C/L = CENTER LINE
 - R/W = RIGHT OF WAY
 - B.M. = BENCHMARK
 - N.M. = NON MONUMENTED POINT
 - R.R. = RAIL ROAD
 - N/F = NOW OR FORMERLY
 - ↘ = GROUND SLOPE

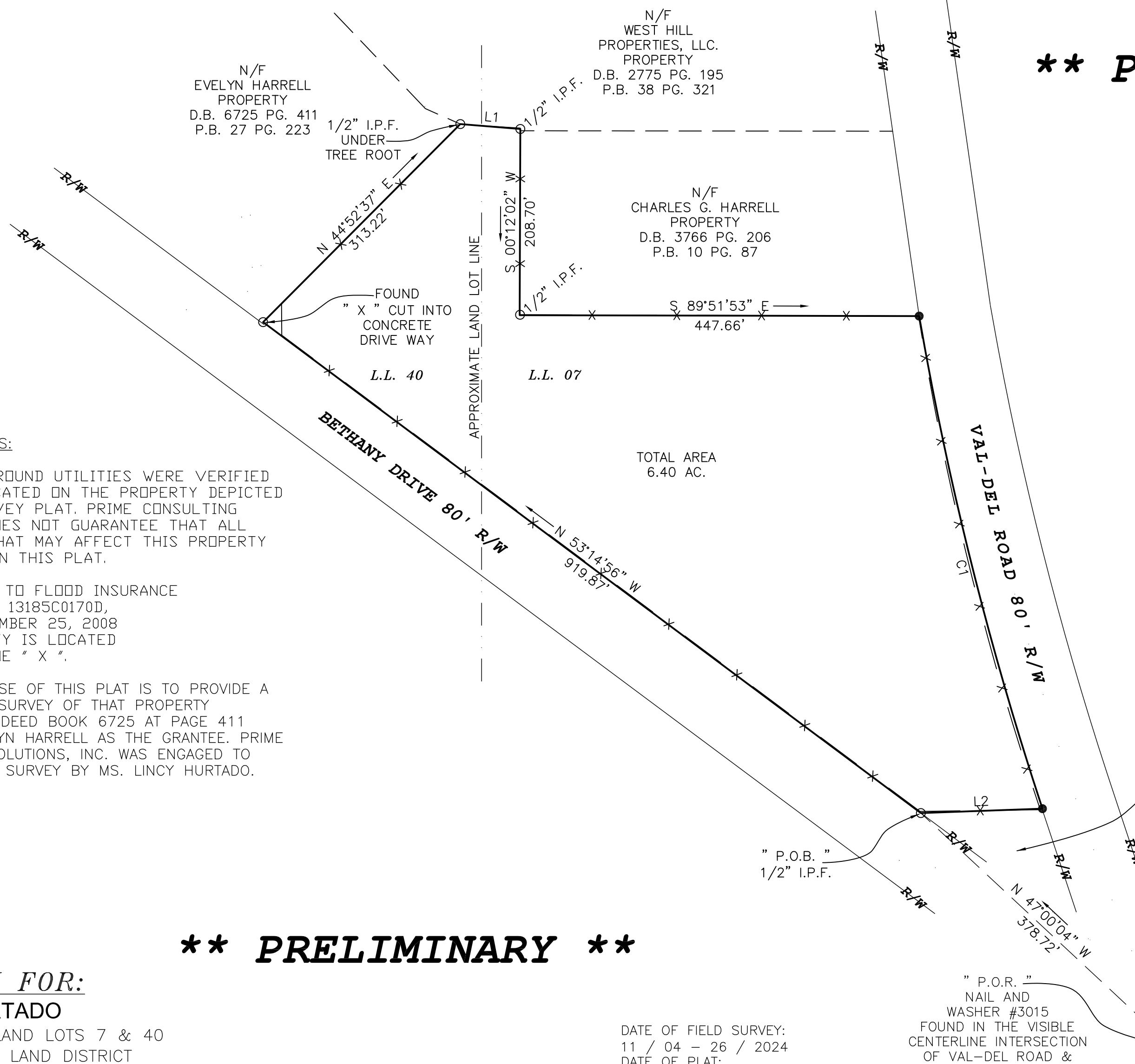
- SURVEY EQUIPMENT USED
- LEICA 1203 TOTAL STATION 3 SEC.
 - GEOMAX ZOOM 90 TOTAL 2" STATION
 - 3005W TOPCON TOTAL STATION 5 SEC.
 - 200' STEEL MESH TAPE
 - CST, AUTO LEVEL
 - TDS RANGER DATA COLLECTOR W/ SURVEY PRO SOFTWARE
 - CARLSON SURVEYOR II COLLECTOR W/ CARLSON CE 2 SOFTWARE
 - CHAMPION PRO GNSS RECEIVER
 - SCEPTER DATA COLLECTOR W/ CARLSON CE 2 SOFTWARE
- BEARINGS SHOWN HEREON HAVE BEEN CALCULATED FROM ANGLES TURNED AND ARE REFERENCED TO GEORGIA STATE PLANE GRID NORTH - WEST ZONE

RODNEY GENE TENERY, JR.
GA. L.S. NO. 3015
EROSION & SEDIMENT CONTROL
LEVEL II CERTIFIED DESIGN PROFESSIONAL
RODNEY GENE TENERY, JR. CERTIFICATION # 5256

I CERTIFY THAT ALL MEASUREMENTS ARE CORRECT AND WERE PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY DIRECT SUPERVISION. THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A RELATIVE POSITIONAL ACCURACY AS CALCULATED ACCORDING TO THE FEDERAL GEOGRAPHIC DATA COMMITTEE PART 3: NATIONAL STANDARD FOR SPATIAL DATA ACCURACY IS 0.01 FEET HORIZONTAL AND 0.02 FEET VERTICAL AT A 95% CONFIDENCE LEVEL. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND HAS BEEN FOUND TO HAVE A CLOSURE OF ONE FOOT IN 379,286.3 FEET. MONUMENTS AND PINS ARE AS SHOWN IN THE LEGEND OR ON THE PLAT FACE.
GA CERTIFICATE OF AUTHORIZATION NO. LSF 926
GA BUSINESS LICENSE NO. 2534

**** PRELIMINARY ****

GRID NORTH (NAD 83 GA. WEST ZONE)



LINE	BEARING	DISTANCE			
L1	S 85°18'51" E	67.47'			
L2	S 87°56'06" W	136.39'			
CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	3869.76'	569.70'	569.19'	S 14°02'53" E	8°26'06"

GENERAL NOTES:

- 1: NO UNDERGROUND UTILITIES WERE VERIFIED OR FIELD LOCATED ON THE PROPERTY DEPICTED ON THIS SURVEY PLAT. PRIME CONSULTING SOLUTIONS DOES NOT GUARANTEE THAT ALL EASEMENTS THAT MAY AFFECT THIS PROPERTY ARE SHOWN ON THIS PLAT.
- 2: ACCORDING TO FLOOD INSURANCE RATE MAP NO. 13185C0170D, DATED: SEPTEMBER 25, 2008 THIS PROPERTY IS LOCATED IN FLOOD ZONE " X ".
- 3: THE PURPOSE OF THIS PLAT IS TO PROVIDE A RETRACEMENT SURVEY OF THAT PROPERTY DESCRIBED IN DEED BOOK 6725 AT PAGE 411 SHOWING EVELYN HARRELL AS THE GRANTEE. PRIME CONSULTING SOLUTIONS, INC. WAS ENGAGED TO PERFORM THIS SURVEY BY MS. LINCY HURTADO.

GPS NOTES:

- 1: GPS WAS USED FOR THE CONTROL NETWORK FOR THIS SURVEY.
- 2: THE TYPE OF GPS EQUIPMENT USED: CHAMPION TKO RECEIVER DUAL FREQUENCY, RECEIVING CORRECTIONS FROM THE eGPS VRS NETWORK.
- 3: THE TYPE OF GPS SURVEY PERFORMED WAS A RTK SURVEY USING THE eGPS VRS NETWORK FOR THE GPS CONTROL.
- 4: THE RELATIVE POSITIONAL ACCURACY AS CALCULATED ACCORDING TO THE FEDERAL GEOGRAPHIC DATA COMMITTEE PART 3: NATIONAL STANDARD FOR SPATIAL DATA ACCURACY IS 0.01 FEET HORIZONTAL AND 0.02 FEET VERTICAL AT A 95% CONFIDENCE LEVEL.

THIS IS A SURVEY OF LAND PARCEL 0070 ON TAX MAP 063

**** PRELIMINARY ****

SURVEY FOR:

LINCY HURTADO
LOCATED IN LAND LOTS 7 & 40 OF THE 12TH LAND DISTRICT OF LOWNDES COUNTY, GEORGIA.

DATE OF FIELD SURVEY:
11 / 04 - 26 / 2024
DATE OF PLAT:
?? / ?? / 2024

" P.O.R. "
NAIL AND WASHER #3015 FOUND IN THE VISIBLE CENTERLINE INTERSECTION OF VAL-DEL ROAD & BETHANY DRIVE



Prime Consulting Solutions

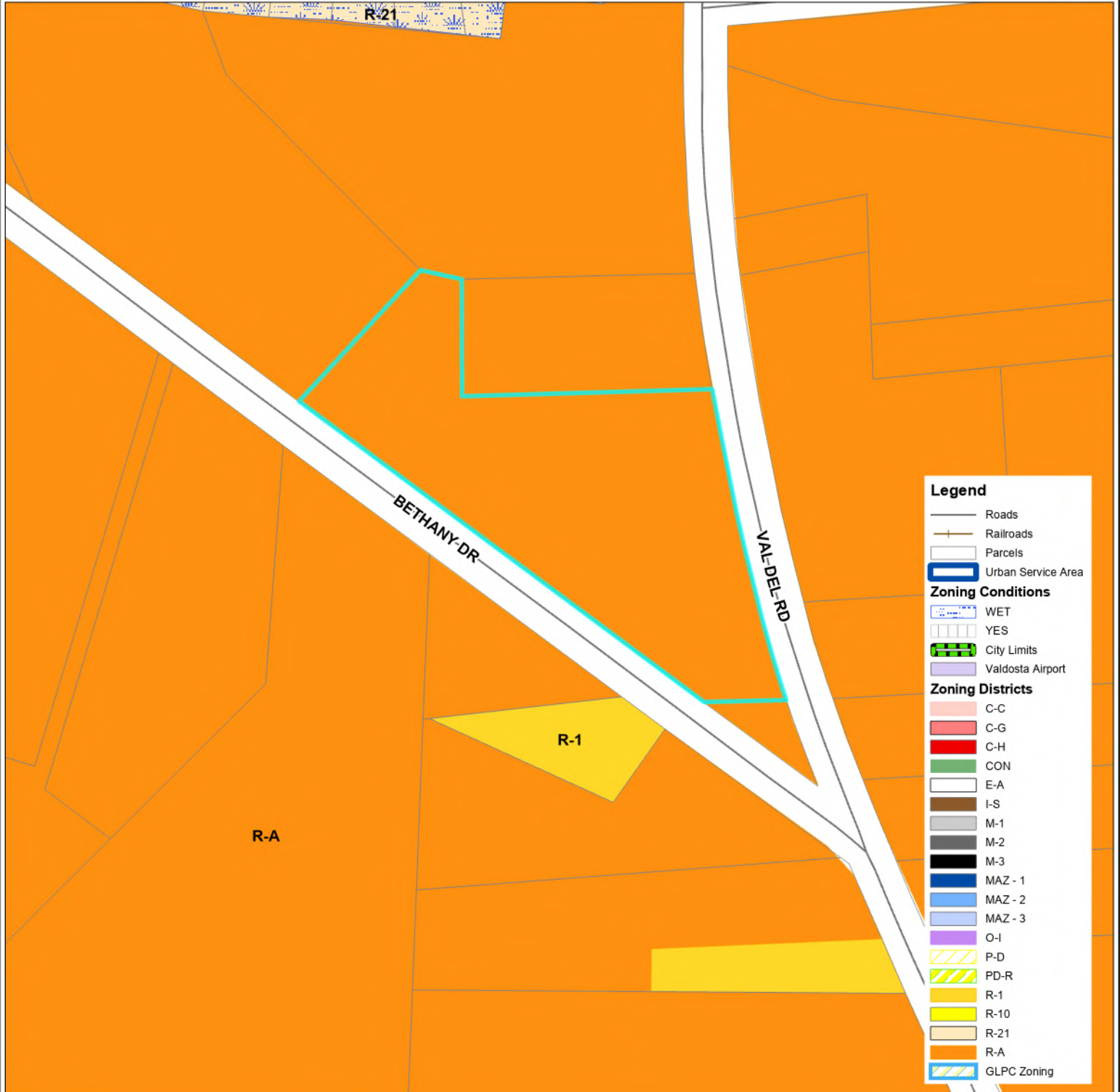
Land Surveying, Land Planning,
Mapping & Consulting Forestry Solutions
2621 U.S. HIGHWAY 84 EAST
VALDOSTA, GA 31606
PH. 229-244-9735
FAX 229-244-9781
E.MAIL harri613@bellsouth.net

REZ-2025-01

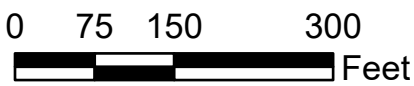
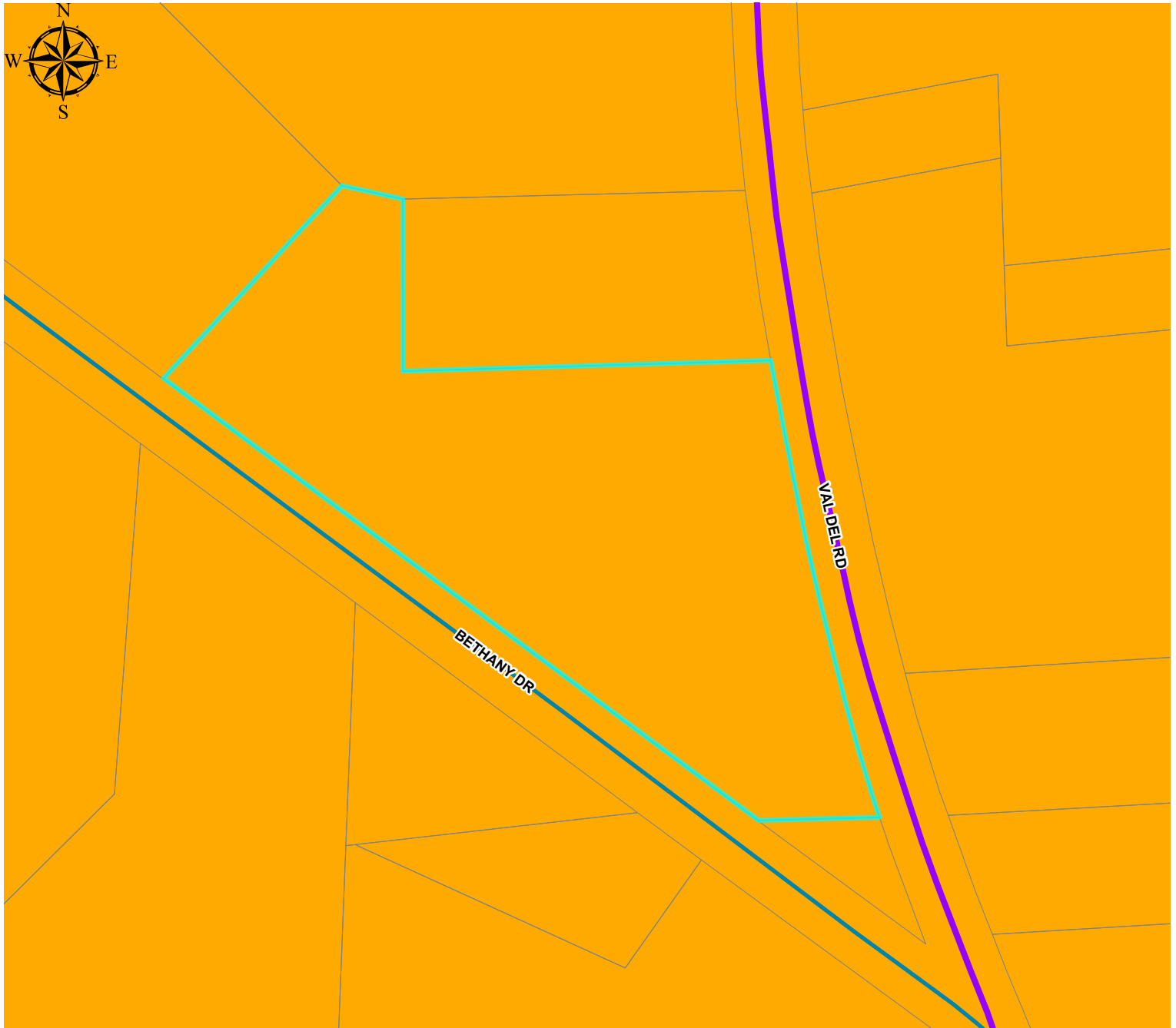
Zoning Location Map

Hurtado Property
Rezoning Request

CURRENT ZONING: R-A
PROPOSED ZONING: R-1



Hurtado Property Rezoning Request



Roads

Functional Classification

- 1, INTERSTATE
- 3, OTHER PRINCIPAL ARTERIAL
- 4, MINOR ARTERIAL
- 5, MAJOR COLLECTOR
- 6, MINOR COLLECTOR
- 7, LOCAL
- Railroads

Character Areas

- Agriculture / Forestry
- Community Activity Center
- Downtown
- Established Residential
- Industrial Activity Center
- Industrial Area

Legend

- Institutional Activity Center
- Linear Greenspace/Trails
- Mill Town
- Moody Activity Zone
- Neighborhood Activity Center
- Park/Recreation/Conservation
- Public / Institutional
- Regional Activity Center
- Remerton Neighborhood Village
- Rural Activity Center
- Rural Residential
- Suburban Area
- Transitional Neighborhood
- Transportation/Communication/Utilities

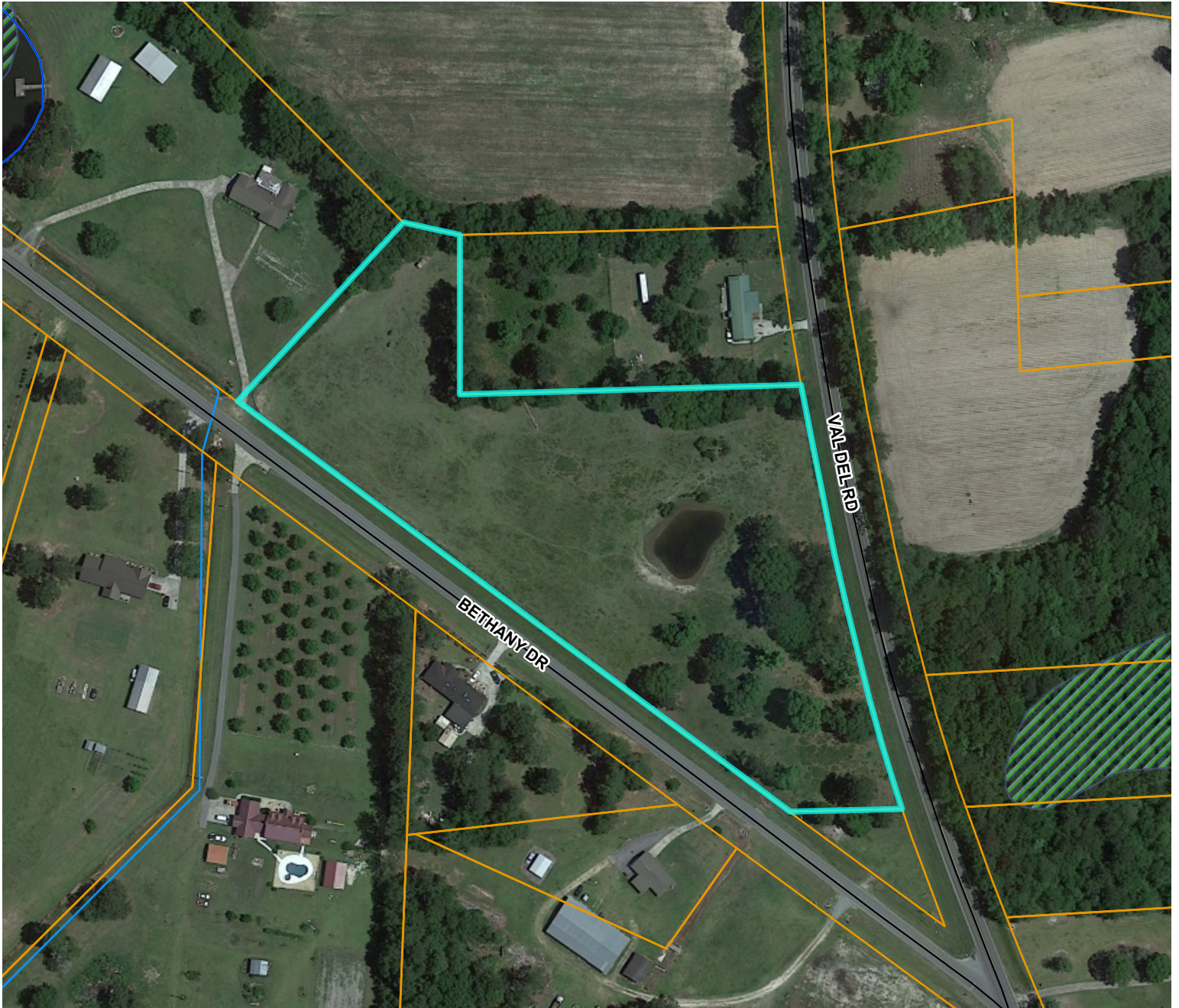
REZ-2025-01

WRPDO Site Map

Hurtado Property Rezoning Request

Legend

- | | | |
|--------------------|------------------|---------|
| — Roads | Open Water | Parcels |
| — Railroads | Valdosta Airport | |
| Park | Wetlands | |
| City Limits | 100 Yr Flood | |
| Crashzone | Hydrology | |
| Crashzone West | Drastic | |
| Urban Service Area | Recharge Areas | |



Years ago the same thing tried to happen on Thompson Road when a number of acres were tried to be rezoned to half acre lots. The county commissioners voted for the 2.5 acre lots which is in line with the rural nature of the Bethany Community. Since then every home that has been built on Thompson and down 41 meets those criteria. New lots recently went for sale on the same block as this rezoning request and all are over 2.5 acres and are selling very well because of the size. We are not against development as long as it is in line with the rural nature of our community and built on a minimum of 2.5 acre lots. People have invested a lot of their life savings in a home here because they love the space and rural character. We did it because we thought we were protected by the GREATER LOWNDES COMPREHENSIVE PLAN which is presently still in effect. Much of the justification of this was based on Bethany Hills which would not have met the GLCP had it not been built before 2016. Why spend all the money for the GLCP if the zoning commission doesn't follow it especially if the neighborhood doesn't want it. Besides this you need to stop the march of small lots down ValDel. I beg you please vote against this destruction of the rural character of the Bethany Community and what's left on the 41 and ValDel corridors. Our argument during the Thompson hearings and later

hearings on the other side of Bethany Hills was that what happened there sets the stage for the rest of the land out here so please vote at least to keep a minimum of 2.5 acre lots. Nothing has changed with that assessment since then. Please ride up here and look at what is happening on lower ValDel and then ride around our community and visualize how life will change here if the march of urbanization is not limited and our dreams are not protected by our county commissioners and the planning director. Please help us and vote against rezoning requested by La Catalina Properties on the corner of Bethany Drive and Val Del.

Bill Allen
5052 Bethany Drive
Hahira GA 31632
[229-507-9906](tel:229-507-9906)

LOWNDES COUNTY BOARD OF COMMISSIONERS
COMMISSION AGENDA ITEM

SUBJECT: REZ-2025-02 Hamilton Green Ph. 2, 4618 Bemiss Rd,
1.12ac, C-G to P-D, County Utilities

DATE OF MEETING: February 11, 2025

Work
Session/Regular
Session

BUDGET IMPACT: N/A

FUNDING SOURCE:

- Annual
- Capital
- N/A
- SPLOST
- TSPLOST

COUNTY ACTION REQUESTED ON: REZ-2025-02 Hamilton Green Ph. 2, 4618 Bemiss Rd,
1.12ac, C-G to P-D, County Utilities

HISTORY, FACTS AND ISSUES: This request represents a change in zoning on the subject properties from C-G (General Commercial) and P-D (Planned Development) zoning to P-D zoning. The general motivation in this case is for the applicant to develop an additional 12-units of townhomes and amenities for the Hamilton Green neighborhood. The subject property possesses road frontage on Bemiss Road, a State Highway, is within the Urban Service Area, Bemiss Corridor Overlay, and Neighborhood Activity Center Character Area, which recommend P-D zoning.

The TRC analyzed the request, the standards governing the exercise of zoning power set forth in 10.01.05 of the ULDC, and factors most relevant to this application, including the neighboring land use, lot sizes, and zoning pattern, the availability of County utilities, the existing approved site plan and therefore recommends approval of the request for P-D zoning as depicted on the proposed site plan.

At the GLPC meeting, the applicant's engineer spoke in favor of the request, while no one spoke in opposition. Therefore, the GLPC voted unanimously (9-0) to recommend approval.

- OPTIONS: 1) Approve
2) Approve with Conditions
3) Table
4) Deny

RECOMMENDED ACTION: Approve

DEPARTMENT: Planning/Zoning

DEPARTMENT HEAD: JD Dillard

ADMINISTRATIVE COMMENTS AND RECOMMENDATIONS:

December 19, 2024

Electronic Mail to: jdillard@lowndescounty.com

Lowndes County, Planning and Zoning Director
Attn: JD Dillard
327 N. Ashley St
2nd Floor
Valdosta, Georgia 31601

RE: LETTER OF INTENT in relation to Hamilton Green Phase II Application for Rezoning from C-G (General Commercial) to P-D (Planned Development) for the property located at 4618 Bemiss Road, Valdosta, Lowndes County, Georgia

I, Jerry Stoker (“Applicant”) in connection with its application for rezoning approval (the “Application”). This Letter of Intent is intended to supplement the Application and be incorporated therein.

The Applicant is seeking Lowndes County approval to rezone the property commonly known as parcel 0145D 007A located on Bemiss Rd, in Valdosta, Lowndes County, Georgia, from C-G (General Commercial) to P-D (Planned Development).

Subject Property – General Information

The total acreage for parcel # 0145D 007A is 1.12 acres. The subject property total to be rezoned for is 1.12 acres for residential development. Upon rezoning approval, a new plat will be submitted for review and approval.

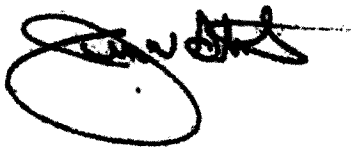
The Parcel is currently zoned C-G (General Commercial). It is located off Bemiss Road., is vacant/undeveloped and is owned by Jerry Stoker.

Proposed Use

If approved for rezoning, Applicant will construct 12 multi-family residential townhomes for parcel 0145D 007A.

I look forward to working the Community Development team, the Planning Commission, and the City Council, and are happy to answer any questions or address any concerns.

Sincerely,

A handwritten signature in black ink, appearing to read "Jerry Stoker", with a large, loopy flourish underneath.

Jerry Stoker

COR OVERLAY DISTRICT REQUIREMENTS:

- LOT WIDTH:
REQUIRED LOT WIDTH FRONTING DESIGNATED CORRIDOR ROAD = 250 LF
PROVIDED PROPERTY FRONTAGE = ±735 LF
- TRAFFIC CIRCULATION AND ACCESS:
ENTRANCE DRIVE/ACCESS TO PROPERTY IS LOCATED AT A MEDIAN CUT ALONG THE BEMISS ROAD OVERLAY CORRIDOR.
- INTERCONNECTIVITY:
REQUIRED CONNECTIVITY (ROAD FRONTAGE BETWEEN 500 FT AND 1,000 FT AT LEAST 1 ADJOINING PROPERTY AND ALL ADJOINING LOTS WITH LESS THAN 500 FT ROAD FRONTAGE PROVIDED CONNECTIVITY TO TWO ADJOINING PROPERTIES
- ALL SIGNS WITHIN THE CORRIDOR ROAD OVERLAY DISTRICT SHALL CONFORM TO THE PROVISIONS ESTABLISHED IN SECTION 5.04.00 AND SHALL ALSO INCLUDE THE STANDARDS SET FORTH IN SECTION 4.02.01.C.5.

HATCH LEGEND:

- ASPHALT PAVEMENT
- GDOT ASPHALT PAVEMENT
- HEAVY DUTY CONCRETE PAVEMENT
- CONCRETE SIDEWALK

KEY NOTES:

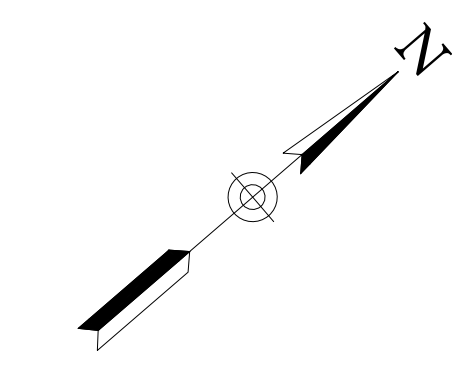
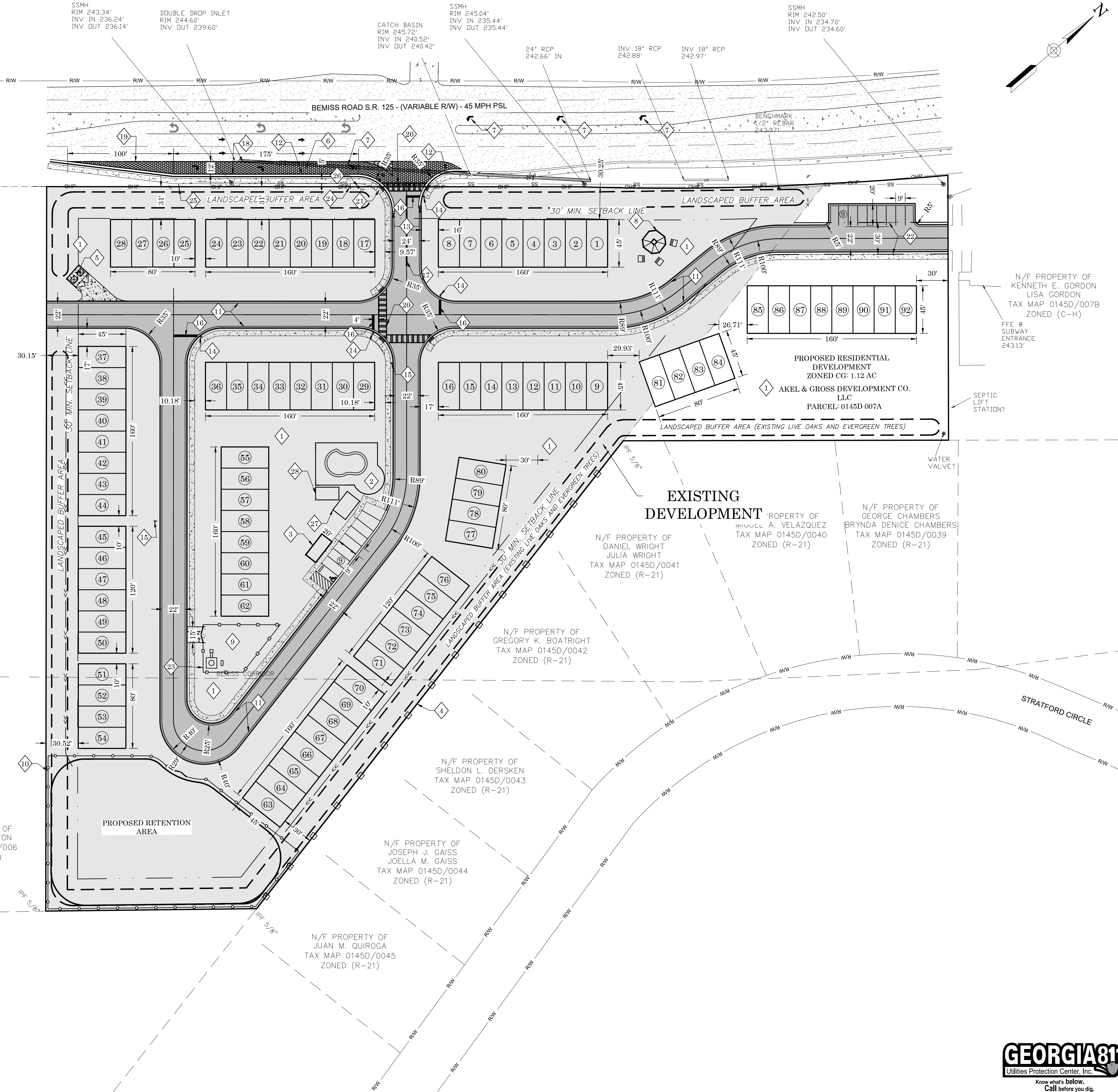
- COMMON AREA
- ±2,600 SF POOL AREA (65' X 40')
- 300 SF MAIL KIOSK
- EXISTING OPAQUE FENCE
- 12' X 18' DUMPSTER ENCLOSURE
- PROPOSED DECELERATION LANE
- TP 2 PAVEMENT MARKING ARROW (TYP.)
- GAZEBO AND PICNIC AREA
- SANITARY SEWER LIFT STATION
- 6' CHAIN-LINK FENCE W/ GATE
- 24" CONCRETE CURB AND GUTTER ("MIAMI" TYPE)
- 30" GDOT CONCRETE CURB AND GUTTER
- CONCRETE CURB TRANSITION
- STOP SIGN - 36"X36" (R1-1)
- 25 MPH SPEED LIMIT SIGN (R2-1) AND SLOW CHILDREN AT PLAY SIGN ON SAME POST
- 24" WIDE THERMOPLASTIC WHITE STOP BAR STRIPING
- 5" WIDE SOLID DOUBLE YELLOW STRIPING (± 67 LF)
- 5" WIDE SOLID WHITE STRIPING
- 5" WIDE WHITE MINI SKIP STRIPING (2' STRIPE, 6" GAP)
- 8" WIDE SOLID WHITE GDOT CROSSWALK (GDOT DETAIL T-11A)
- RADIAL SIDEWALK CURB RAMP (TYPICAL)
- TEN (10) FOOT UTILITY EASEMENT
- 6" OPAQUE FENCE W/ GATE
- RELOCATED "DO NOT ENTER" SIGN
- RELOCATED "WRONG WAY" SIGN
- RELOCATED POWER POLE
- 330 SF OFFICE / RESTROOM (22' X 15')
- 264 SF GRILL AREA (22' X 12')

N/F PROPERTY OF JOHN W. CAMERON MARY BETH M. CAMERON TAX MAP 0145D/0109 ZONED (R-A)

- IMPERVIOUS QUANTITIES (TOWNHOMES ONLY - 7.32 ac):
- ASPHALT/CONCRETE PAVEMENT - 49,360 SF
 - 24" CURB AND GUTTER "MIAMI" TYPE - 3,505 LF = 7,010 SF
 - 30" CURB AND GUTTER GDOT - 408 LF = 1,020 SF
 - 4" CONCRETE SIDEWALK - 7,555 SF
 - BUILDINGS - 72,650 SF

IMPERVIOUS AREA: 137,595 SF = 3.16 AC

- SSMH RIM 243.34' INV IN 236.24' INV OUT 236.14'
- DOUBLE DROP INLET RIM 244.60' INV OUT 239.60'
- CATCH BASIN RIM 245.72' INV IN 240.52' INV OUT 240.42'
- SSMH RIM 245.04' INV IN 235.44' INV OUT 235.44'
- SSMH RIM 242.50' INV IN 234.70' INV OUT 234.60'



SITE INFORMATION	
PROJECT ADDRESS	LAND LOT 131, 11TH LAND DISTRICT, VALDOSTA, GEORGIA
PARCEL NUMBER	0145D 006A (7.32 AC) & 0145D 007A (1.12 AC)
PARCEL ZONING	CG
PROJECT AREA	8.44 ACRES
APPROXIMATE IMPERVIOUS AREA	± 155,142 SF = 3.56 AC (42%)
APPROXIMATE OPEN/Common AREA	± 163,350 SF = 3.75 AC (44%)
APPROXIMATE LIFT STATION AREA	± 4,101 SF = 0.09 AC (<1%)
APPROXIMATE RECREATION AREA	± 45,199 SF = 1.04 AC (14%)
BUILDING DATA - 92 TOWNHOMES	BUILDING SQ. FOOTAGE
(8) 8 UNITS =	64 TOWNHOMES ±7,200 SF (GROUND FLOOR) - 57,600
(2) 6 UNITS =	12 TOWNHOMES ±5,400 SF (GROUND FLOOR) - 10,800
(4) 4 UNITS =	16 TOWNHOMES ±3,600 SF (GROUND FLOOR) - 14,400 SF TOTAL
BUILDING SETBACK	LANDSCAPE SETBACK
FRONT	20' FRONT 0'
SIDE	5' SIDE 0'
REAR	30' REAR 0'

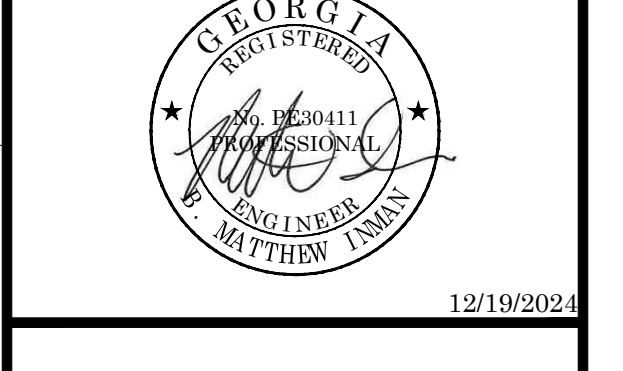
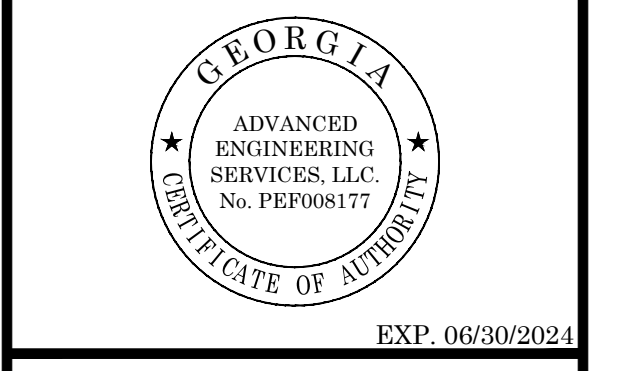
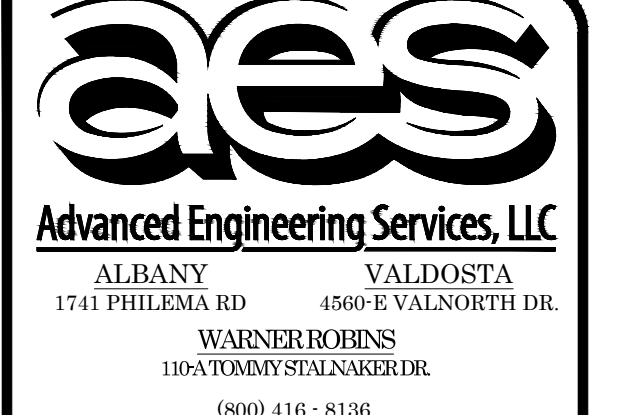
PARKING CALCULATIONS:

REQUIRED MINIMUM PARKING STALLS (MULTI-FAMILY DWELLING):
2 SPACES PER DWELLING UNIT
92 DWELLING UNITS * 2 SPACES = 184 SPACES REQUIRED
REQUIRED MINIMUM PARKING STALLS (PUBLIC PARK/RECREATION FACILITY):
1 SPACE PER 1,000 SF OF ACTIVE USE AREA
±9,000 SF OF ACTIVE USE AREA / 1,000 SF = 9 SPACES REQUIRED
TOTAL REQUIRED: 193 SPACES TOTAL

PROVIDED PARKING STALLS (MULTI-FAMILY DWELLING):
1 SPACE IN GARAGE + 1 SPACE IN DRIVEWAY = 2 SPACES PER DWELLING UNIT
92 DWELLING UNITS * 2 SPACES = 184 SPACES PROVIDED
PROVIDED PARKING STALLS (PUBLIC PARK/RECREATION FACILITY):
17 STANDARD SPACES + 1 HANDICAPPED SPACE = 18 SPACES PROVIDED
TOTAL PROVIDED: 202 SPACES TOTAL

GENERAL SITE NOTES:

- ANY SUCH DEPICTED MINIMUM BUILDING SETBACKS ARE SUBJECT TO CHANGE PURSUANT TO THE LOWNDES COUNTY UNIFIED LAND DEVELOPMENT CODE (ULDC), AND THERE MAY BE SEPARATION REQUIREMENTS BETWEEN BUILDINGS AND ANY PLATTED EASEMENTS.
- ALL FINISHED FLOOR ELEVATIONS SHALL BE A MINIMUM OF 6" HIGHER THAN THE HIGHEST POINT OF THE CURB BETWEEN PROPERTY LINES.
- TOTAL WIDTH OF STREETS (± 6 FEET - TWO 11' LANES), INCLUDES LANE WIDTH PLUS CURB AND GUTTER (BACK OF CURB TO BACK OF CURB). ALL STREETS TO USE 24" CONCRETE CURB AND GUTTER ("MIAMI" TYPE).
- HANDICAPPED PARKING AND ACCESSIBLE ROUTES SHALL MEET THE AMERICANS WITH DISABILITIES ACTS STANDARDS FOR ACCESSIBLE DESIGN - LATEST EDITION. SIDEWALKS SHALL NOT EXCEED 5% MAXIMUM LONGITUDINAL SLOPE AND 2% MAXIMUM CROSS SLOPE. ACCESSIBLE PARKING STALLS SHALL NOT EXCEED 2% MAXIMUM SLOPE IN ALL DIRECTIONS. ACCESSIBLE RAMPS SHALL NOT EXCEED 12%:1V GRADE.
- ALL SIGNS AND STRIPING SHALL CONFIRM TO THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MUTCD) - LATEST EDITION AND/OR DEPARTMENT OF TRANSPORTATION STANDARDS AND SPECIFICATIONS.
- ALL DIMENSIONS ARE MEASURED TO THE FACE OF CURB (WHEN PRESENT), EDGE OF ASPHALT AND/OR EDGE OF BUILDING.
- HORIZONTAL DATA SHOWN HEREON IS BASED ON NAD83 (GA WEST ZONE). VERTICAL DATA SHOWN HEREON IS BASED ON NAVD 88(12D).
- STORMWATER MANAGEMENT WILL BE DIRECTED TO ON-SITE RETENTION FACILITY.
- TOWNHOMES WILL BE SERVED BY LOWNDES COUNTY WATER AND SEWER.
- THE PROPOSED USE FOR THE PROPERTY IS THE DEVELOPMENT OF AN 80 UNIT/TOWNHOME MULTI-FAMILY DWELLING COMMUNITY.
- HAMILTON GREEN TOWNHOME HOA WILL RETAIN OWNERSHIP, MANAGEMENT, MAINTENANCE, AND OPERATION OF INTERNAL DRIVEWAYS, OPEN/Common AREAS, STORMWATER MANAGEMENT AREAS, LIFT STATION, AND RECREATIONAL AREAS.
- AT LEAST TWENTY-FIVE (25) PERCENT OF THE REQUIRED TREES INSTALLED IN THE LANDSCAPED BUFFER AND TO MEET TREE PLANTING REQUIREMENTS SHALL BE CANOPY TREES. EXISTING TREES, WHICH ARE FOUR (4) INCHES DBH OR LARGER, AND SHRUBS MAY BE COUNTED TOWARD MEETING THE REQUIREMENTS FOR LANDSCAPED BUFFERS AND TREE RETENTION.
- AT LEAST TEN (10) PERCENT OF THE TOTAL GROSS LAND AREA OF THE DEVELOPMENT SITE SHALL BE LANDSCAPED. AT LEAST FOUR (4) SHADE TREES PER ACRE SHALL BE PROVIDED, WHICH MAY INCLUDE EXISTING TREES AND TREES REQUIRED FOR BUFFERS.
- THE LANDSCAPE BUFFER AREA SHALL CONSIST OF A MINIMUM OF FOUR (4) SHADE TREES AND TWENTY-FIVE (25) SHRUBS PER 100 LINEAR FEET. SHRUBS SHALL BE AT LEAST EIGHTEEN (18) INCHES IN HEIGHT AT THE TIME OF INSTALLATION.
- EXISTING TREES AND SHRUBS TO BE RETAINED ALONG THE EAST LANDSCAPE BUFFER. CONTRACTOR TO COORDINATE WITH LOCAL COUNTY OFFICIALS TO INSTALL ADDITIONAL LANDSCAPING IN PARKING AREAS, COMMON AREAS, AND STORMWATER MANAGEMENT AREAS TO MEET LANDSCAPE REQUIREMENTS.
- THE DEVELOPER SHALL SELL TOWNHOMES AS A BUILDING RATHER THAN INDIVIDUAL LOTS.

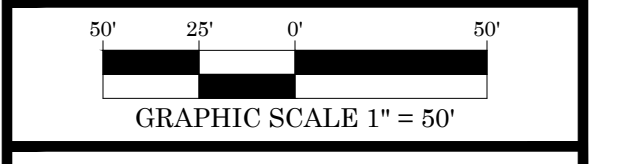


AES PROJECT NUMBER		
62098		
DATE OF PLANS		
12/19/2024		
REVISIONS		
NO.	DATE	DESCRIPTION

NO.	DATE	DESCRIPTION
1	-	-
2	-	-
3	-	-
4	-	-
5	-	-
6	-	-
7	-	-
8	-	-
9	-	-
10	-	-

HAMILTON GREEN TOWNHOMES PHASE II
 STOKER UTILITIES
 SITE PLAN

VALDOSTA, LOWNDES COUNTY, GEORGIA



SHEET
1 OF 1

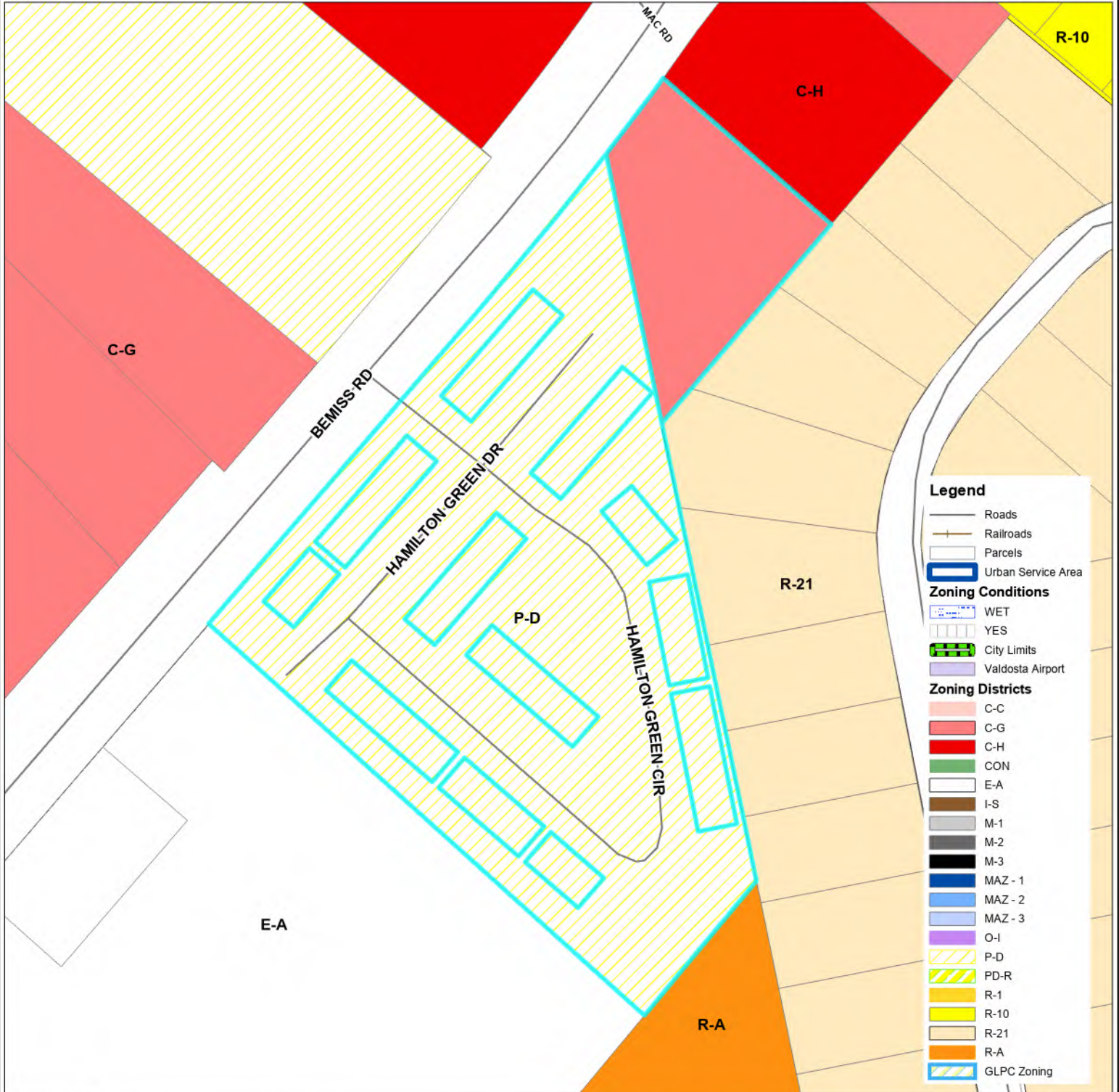


REZ-2025-02

Zoning Location Map

Hamilton Green Phase 2
Rezoning Request

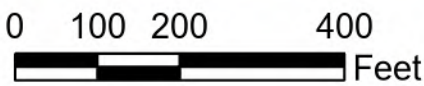
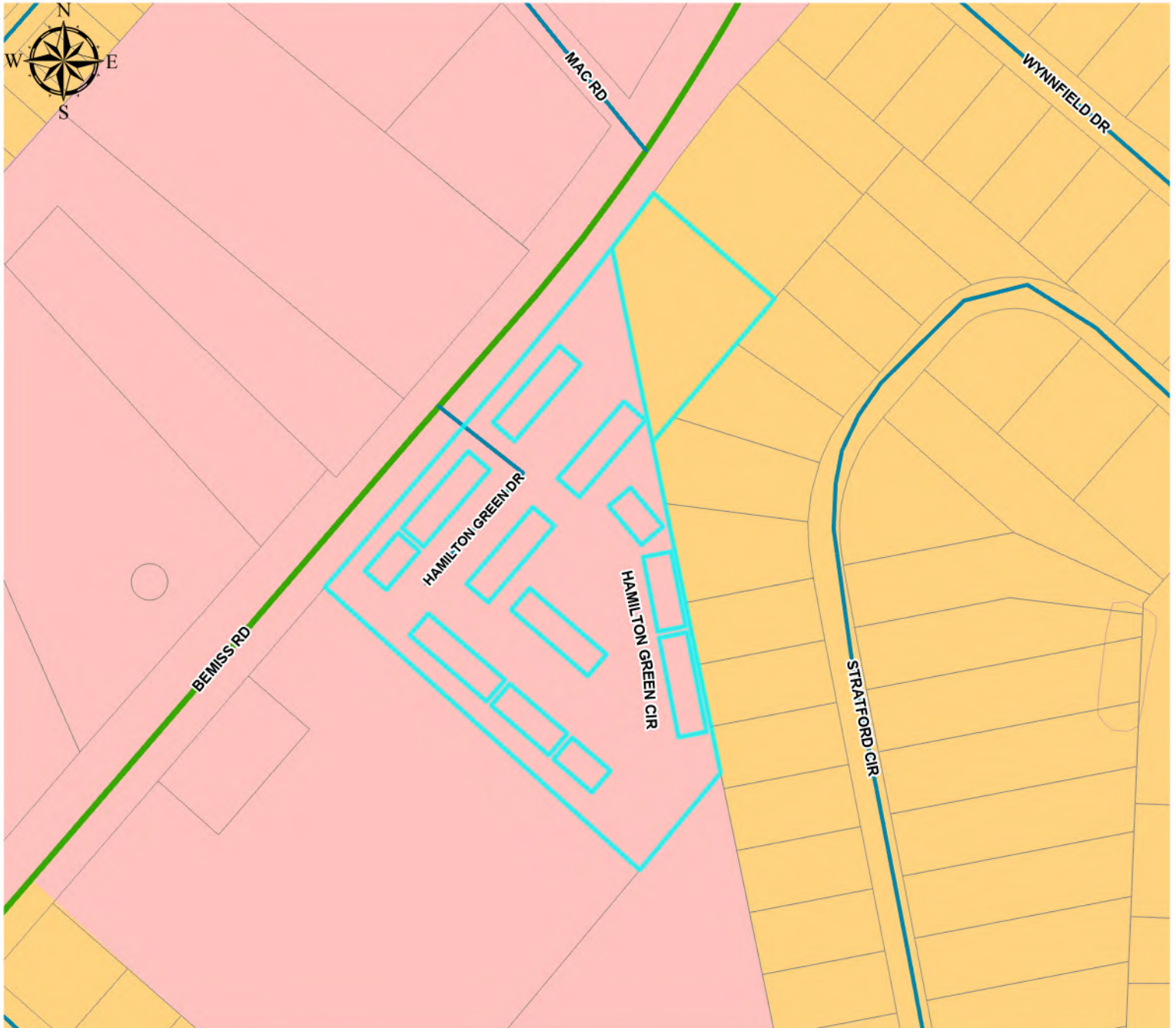
CURRENT ZONING: C-G
PROPOSED ZONING: P-D



REZ-2025-02

Future Development Map

Hamilton Green Phase 2 Rezoning Request



sgirc SOUTHERN GEORGIA
REGIONAL COMMISSION

Roads

Functional Classification

- 1, INTERSTATE
- 3, OTHER PRINCIPAL ARTERIAL
- 4, MINOR ARTERIAL
- 5, MAJOR COLLECTOR
- 6, MINOR COLLECTOR
- 7, LOCAL
- Railroads

Character Areas

- Agriculture / Forestry
- Community Activity Center
- Downtown
- Established Residential
- Industrial Activity Center
- Industrial Area

Legend

- Institutional Activity Center
- Linear Greenspace/Trails
- Mill Town
- Moody Activity Zone
- Neighborhood Activity Center
- Park/Recreation/Conservation
- Public / Institutional
- Regional Activity Center
- Remerton Neighborhood Village
- Rural Activity Center
- Rural Residential
- Suburban Area
- Transitional Neighborhood
- Transportation/Communication/Utilities

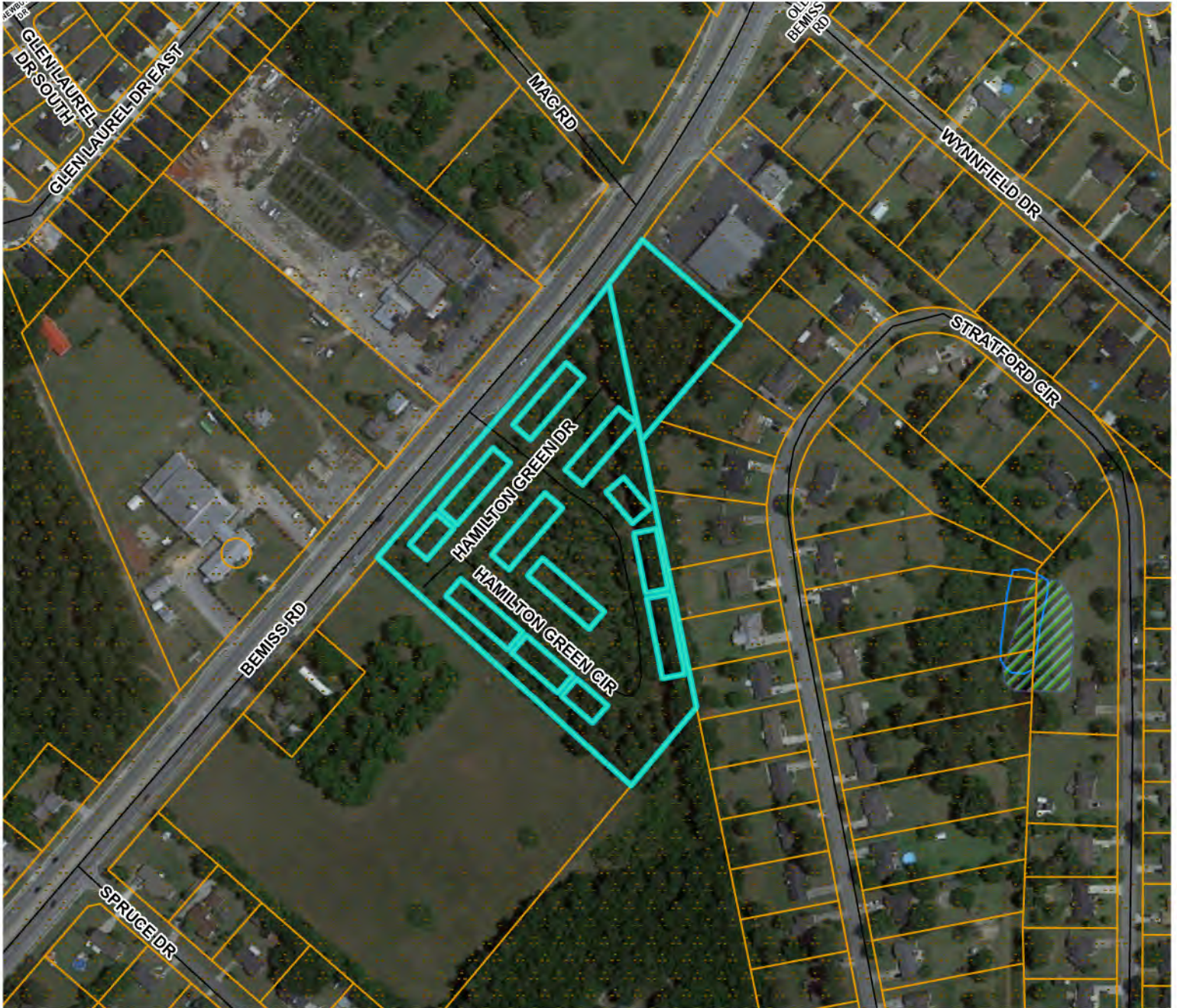
REZ-2025-02

WRPDO Site Map

Hamilton Green Phase 2 Rezoning Request

Legend

- | | | |
|----------------------|--------------------|-----------|
| — Roads | □ Open Water | □ Parcels |
| — Railroads | □ Valdosta Airport | |
| ■ Park | ■ Wetlands | |
| ■ City Limits | ■ 100 Yr Flood | |
| ■ Crashzone | — Hydrology | |
| ■ Crashzone West | ■ Drastic | |
| ■ Urban Service Area | ■ Recharge Areas | |



LOWNDES COUNTY BOARD OF COMMISSIONERS
COMMISSION AGENDA ITEM

SUBJECT: REZ-2025-03 Thomas Linville, 4888 Break Thru Rd., ~16.3ac,
R-1 to E-A, Well & Septic

DATE OF MEETING: February 11, 2025

Work
Session/Regular
Session

BUDGET IMPACT: N/A

FUNDING SOURCE:

- () Annual
- () Capital
- (X) N/A
- () SPLOST
- () TSPLOST

COUNTY ACTION REQUESTED ON: REZ-2025-03 Thomas Linville, 4888 Break Thru Rd.,
~16.3ac, R-1 to E-A, Well & Septic

HISTORY, FACTS AND ISSUES: This request represents a change in zoning on the subject property from R-1 (Low Density Residential) zoning to E-A (Estate Agricultural) zoning. The general motivation in this case is for the applicant to combine the properties into a single conforming lot for use agriculturally. The subject property possesses road frontage on Break Thru Road and Johnston Road, both locally maintained County roads, is within the Rural Service Area and Agricultural/Forestry Character Area, which recommend E-A zoning.

The TRC analyzed the request, the standards governing the exercise of zoning power set forth in 10.01.05 of the ULDC, and factors most relevant to this application, including the neighboring land uses and lot sizes, the lack of availability of County Utilities, the viability of well and septic systems, and the unique shape of the property, and therefore recommends approval of the request for E-A zoning as depicted on the submitted survey.

At the GLPC meeting, two neighbors spoke out regarding concerns of items being stored on the property in relation to the applicant's business, and the potential traffic concerns on Break Thru Road, but were otherwise supportive of the applicant's right to use their property as they see fit. The Planning Commissioners questioned some of the allowed uses in E-A, if there was any means of recourse should a problem arise, and being satisfied with Staff's response, voted unanimously (9-0) to recommend approval.

- OPTIONS: 1) Approve
2) Approve with Conditions
3) Table
4) Deny

RECOMMENDED ACTION: Approve

DEPARTMENT: Planning/Zoning

DEPARTMENT HEAD: JD Dillard

ADMINISTRATIVE COMMENTS AND RECOMMENDATIONS:

Dear Planning and Zoning Broad,

December 31, 2024

I Thomas Linville and My wife Chantel Linville would like to rezone some of our property. Addresses are as follows:

4888 Break-Thru Road Valdosta Ga. 31606

4733 Johnston Road Valdosta Ga. 31606

4719 Johnston Road Valdosta Ga. 31606

4741 Johnston Road Valdosta Ga. 31606

Some of the property is now zoned Agriculture and some is now zoned R-1, Most of the property is planted in 15 year old Loblolly Pines, and we would like for all the property to be zoned Agriculture. We have tractors and excavators with implements that we would like to be able to put into a steel framed building for security and protection from the weather. We might decide to build a house on the property in the future but for now we are just wanting the trees to mature and have a place for all our farm equipment. Our address and phone numbers are added below for reference. Thank you for your time. Tommy And Chantel Linville

Thomas and Chantel Linville 414 4H Club Road Lake Park Ga. 31636 Tel:636-384-9030

NOTES

- 1) I CERTIFY THAT ALL MEASUREMENTS ARE CORRECT AND WERE PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY DIRECT SUPERVISION. THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS AN AVERAGE RELATIVE POSITIONAL ACCURACY OF .03 FEET WITHIN THE 95% CONFIDENCE LEVEL. THE FIELD DATA WAS COLLECTED USING A TRIMBLE S6 ROBOTIC TOTAL STATION WITH A TRIMBLE TSC7 DATA COLLECTOR (TDS) AND A CARLSON BRX7 BASE AND ROVER SYSTEM WITH A CARLSON RT4 DATA COLLECTOR (SurvPC). THIS PLAT HAS AN ERROR OF CLOSURE OF 1 FOOT IN 208,093 FEET.
- 2) THE BASIS OF BEARINGS IS GA WEST NAD83.
- 3) THE ZONING FOR THESE PROPERTIES IS A COMBINATION OF "E-A" & "R-1" ACCORDING TO LOWNDES COUNTY GIS MAPS.
- 4) ACCORDING TO A REVIEW OF THE FEMA FLOOD INSURANCE RATE MAP FOR LOWNDES COUNTY, MAP NUMBER 13185C0245E, DATED SEPTEMBER 26, 2008 THE SUBJECT PROPERTY IS IN ZONE "X" WHICH IS AN AREA OUTSIDE OF THE 0.2% FLOOD PLAIN AREA.
- 5) A CURRENT TITLE SEARCH OR ABSTRACT OF MATTERS AFFECTING TITLE TO THE SUBJECT PROPERTY HAS NOT BEEN PROVIDED TO THE SURVEYOR. EASEMENTS OR OTHER ENCUMBRANCES MAY EXIST BUT ARE NOT SHOWN.
- 6) THE PURPOSE OF THIS SURVEY IS TO COMBINE MAP 218 PARCELS 20B, 20C, 21, & 21A INTO ONE TRACT AS SHOWN ON THIS PLAT OF SURVEY, AND TO COMBINE ALL TRACTS SHOWN HEREON INTO ONE ZONING DESIGNATION.
- 7) THE SUBJECT PROPERTY IS INTENDED TO BE SERVED BY PRIVATE WELL AND SEPTIC SYSTEMS AND HAS NOT BEEN EVALUATED BY THE LOWNDES COUNTY HEALTH DEPARTMENT TO DETERMINE THE SOIL SUITABILITY FOR SEPTIC SYSTEMS. IF FURTHER DEVELOPMENT IS TO BE DONE, THE OWNER MUST CONTACT THE LOWNDES COUNTY HEALTH DEPARTMENT FOR INDIVIDUAL SITE EVALUATIONS.
- 8) TO THE BEST OF MY KNOWLEDGE, THERE ARE NO DWELLINGS, ACCESSORY BUILDINGS, SEPTIC SYSTEMS, WELLS, SIGNS, OR SWIMMING POOLS LOCATED WITHIN 30 FEET OR THE APPLICABLE ZONING SETBACK LINE, WHICHEVER IS GREATER, FROM ANY PROPERTY LINE ON THE SITE (10.02.01(A)(4)).
- 9) THIS PLAT OF SUBDIVISION IS APPROVED PURSUANT TO ULDC SECTION 4.01.01(C) AND MAY BE RECORDED IN THE OFFICE OF THE CLERK OF THE SUPERIOR COURT SOLELY FOR THE PURPOSE OF TRANSFERRING THE ILLUSTRATED PARCEL OR TRACT OF LAND THAT DOES NOT MEET THE REQUIREMENTS OF THE ULDC FOR A LOT TO THE OWNER OF THE IDENTIFIED ABUTTING LOT AND NOT FOR DEVELOPMENT OR OTHER SUCH USE OF SUCH ILLUSTRATED PARCEL OR TRACT OF LAND AS A SEPARATE LOT.

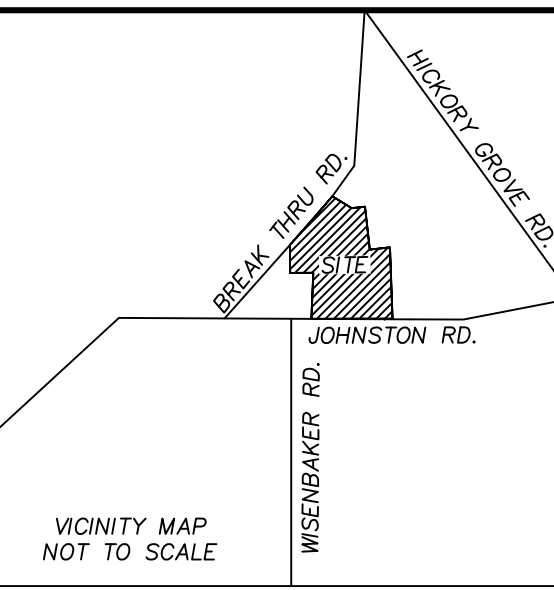
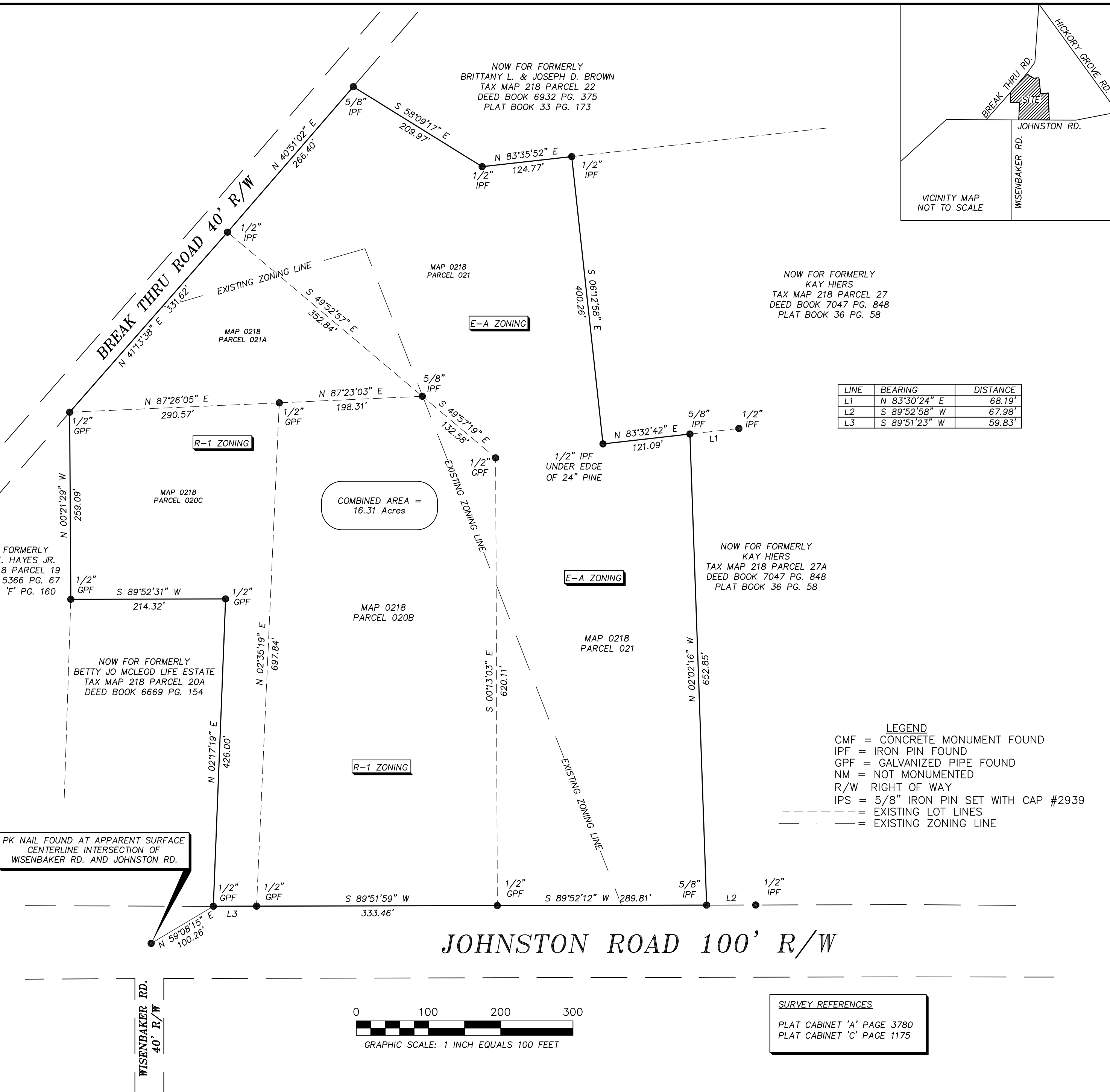
AS REQUIRED BY SUBSECTION (D) OF O.C.G.A. SECTION 15-6-67, THIS PLAT HAS BEEN PREPARED BY A LAND SURVEYOR AND APPROVED BY ALL APPLICABLE LOCAL JURISDICTIONS FOR RECORDING AS EVIDENCED BY APPROVAL CERTIFICATES, SIGNATURES, STAMPS, OR STATEMENTS HEREON. SUCH APPROVALS OR AFFIRMATIONS SHOULD BE CONFIRMED WITH THE APPROPRIATE GOVERNMENTAL BODIES BY ANY PURCHASER OR USER OF THIS PLAT AS TO INTENDED USE OF ANY PARCEL. FURTHERMORE, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAT COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.C.G.A. SECTION 15-6-67

LOWNDES COUNTY DIRECTOR OF ENGINEERING _____ DATE _____

LOWNDES COUNTY UNIFIED LAND DEVELOPMENT CODE CHAIRMAN, TECHNICAL REVIEW COMMITTEE _____ DATE _____

Phillip Roberts 12-30-2024
 PHILLIP ROBERTS GA LS #2939 DATE

THE SURVEYOR SHALL NOT BE HELD LIABLE FOR ANY DAMAGES ARISING FROM THE USE OF THIS PLAT IF THE APPROVAL SIGNATURES FROM THE APPLICABLE LOCAL GOVERNING AUTHORITIES ARE NOT PRESENT.



LINE	BEARING	DISTANCE
L1	N 83°30'24" E	68.19'
L2	S 89°52'58" W	67.98'
L3	S 89°51'23" W	59.83'

- LEGEND**
- CMF = CONCRETE MONUMENT FOUND
 - IPF = IRON PIN FOUND
 - GPF = GALVANIZED PIPE FOUND
 - NM = NOT MONUMENTED
 - R/W = RIGHT OF WAY
 - IPS = 5/8" IRON PIN SET WITH CAP #2939
 - - - - - = EXISTING LOT LINES
 - - - - - = EXISTING ZONING LINE

SURVEY REFERENCES

PLAT CABINET 'A' PAGE 3780
 PLAT CABINET 'C' PAGE 1175



ROBERTS SURVEYING, INC.

1725 E PARK AVE. SUITE A VALDOSTA GA 31602
 PH (229) 671-9989 FAX (229) 671-9973
 EMAIL: ROBERTSLANDSURVEYING@GMAIL.COM
 GEORGIA REGISTERED LAND SURVEYOR No. 2939
 GA CERTIFICATE OF AUTHORIZATION No. 1215

JOB NO.	00503
SURVEY DATE	12-20-2024
PLAT DATE	12-30-2024
SCALE	1" = 100'
DWG NAME	00503A.DWG
CRD. FILE	00503.CRD
DRAWN BY	NJS

PROJECT: **COMBINATION & REZONING SURVEY OF 16.31 ACRES LOCATED IN LAND LOT 251 OF THE 11TH LAND DISTRICT LOWNDES COUNTY, GEORGIA**

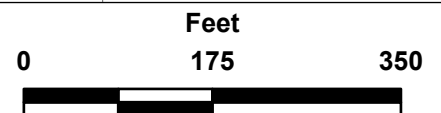
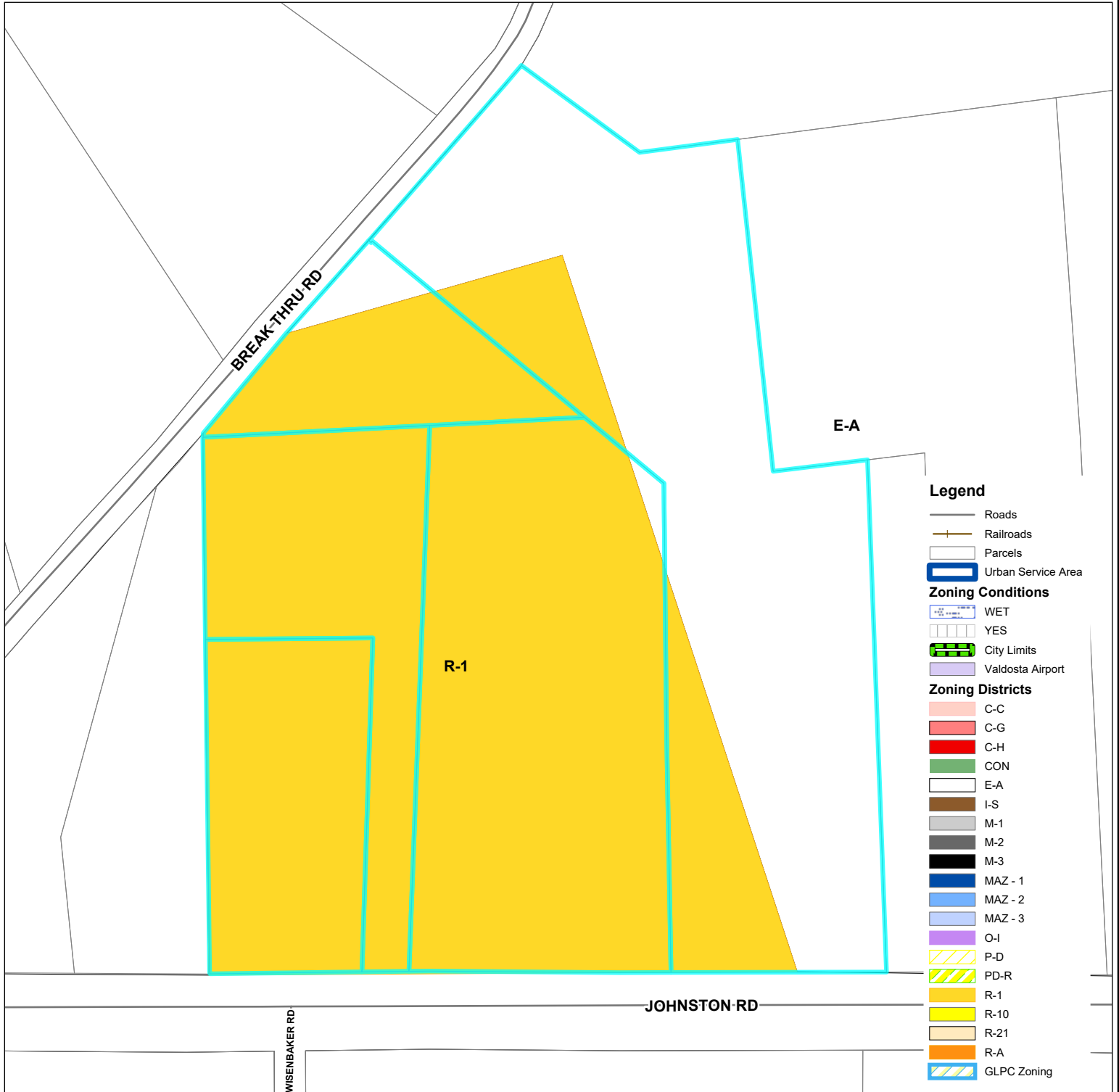
CLIENT: **THOMAS LINVILLE & CHANTEL LINVILLE**

REZ-2025-03

Zoning Location Map

Thomas Linville
Rezoning Request

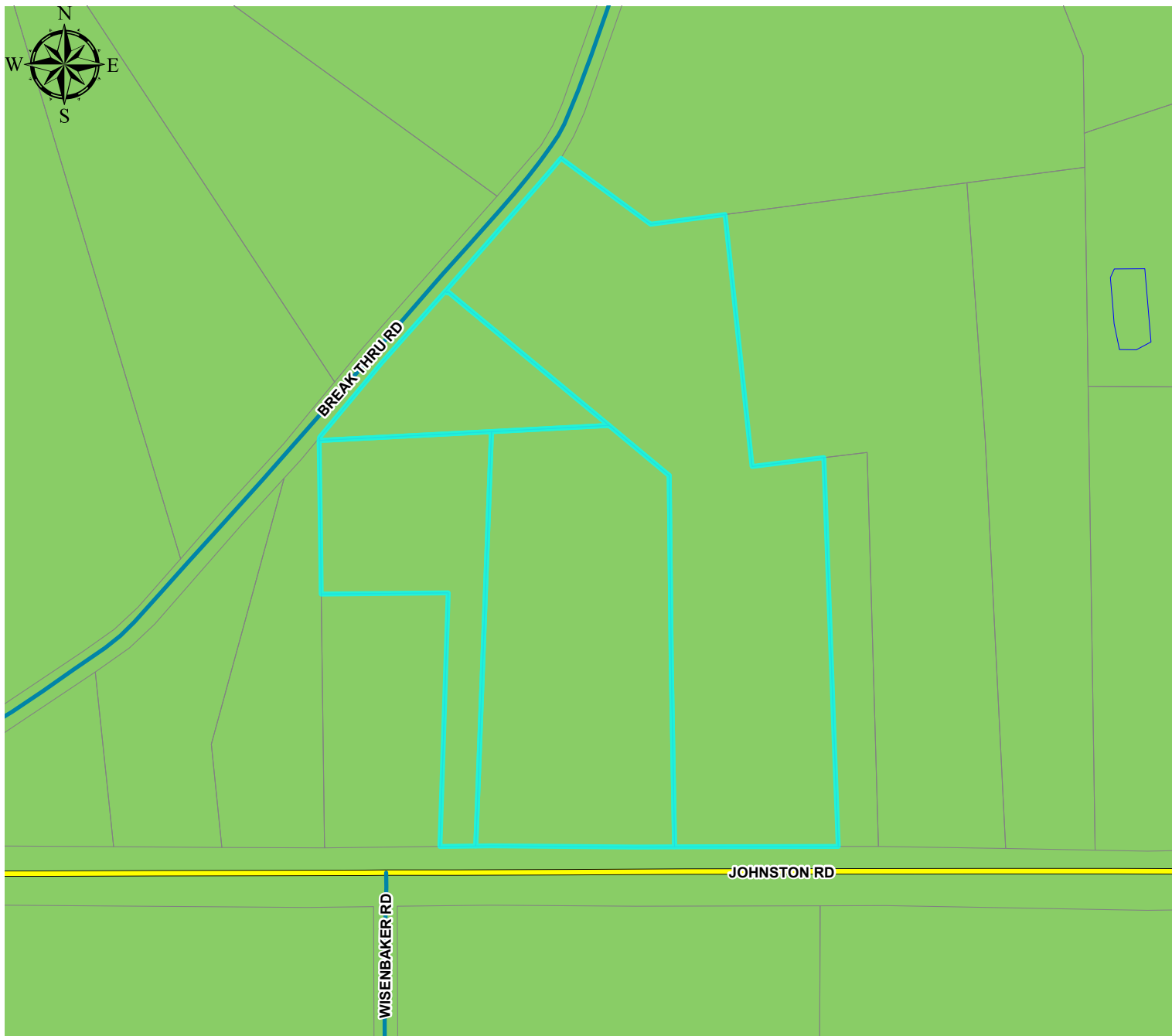
CURRENT ZONING: R-1
PROPOSED ZONING: E-A



REZ-2025-03

Future Development Map

Thomas Linville Rezoning Request



0 75 150 300
Feet



sgirc SOUTHERN GEORGIA
REGIONAL COMMISSION

Roads

Functional Classification

- 1, INTERSTATE
- 3, OTHER PRINCIPAL ARTERIAL
- 4, MINOR ARTERIAL
- 5, MAJOR COLLECTOR
- 6, MINOR COLLECTOR
- 7, LOCAL
- Railroads

Character Areas

- Agriculture / Forestry
- Community Activity Center
- Downtown
- Established Residential
- Industrial Activity Center
- Industrial Area

Legend

- Institutional Activity Center
- Linear Greenspace/Trails
- Mill Town
- Moody Activity Zone
- Neighborhood Activity Center
- Park/Recreation/Conservation
- Public / Institutional
- Regional Activity Center
- Remerton Neighborhood Village
- Rural Activity Center
- Rural Residential
- Suburban Area
- Transitional Neighborhood
- Transportation/Communication/Utilities

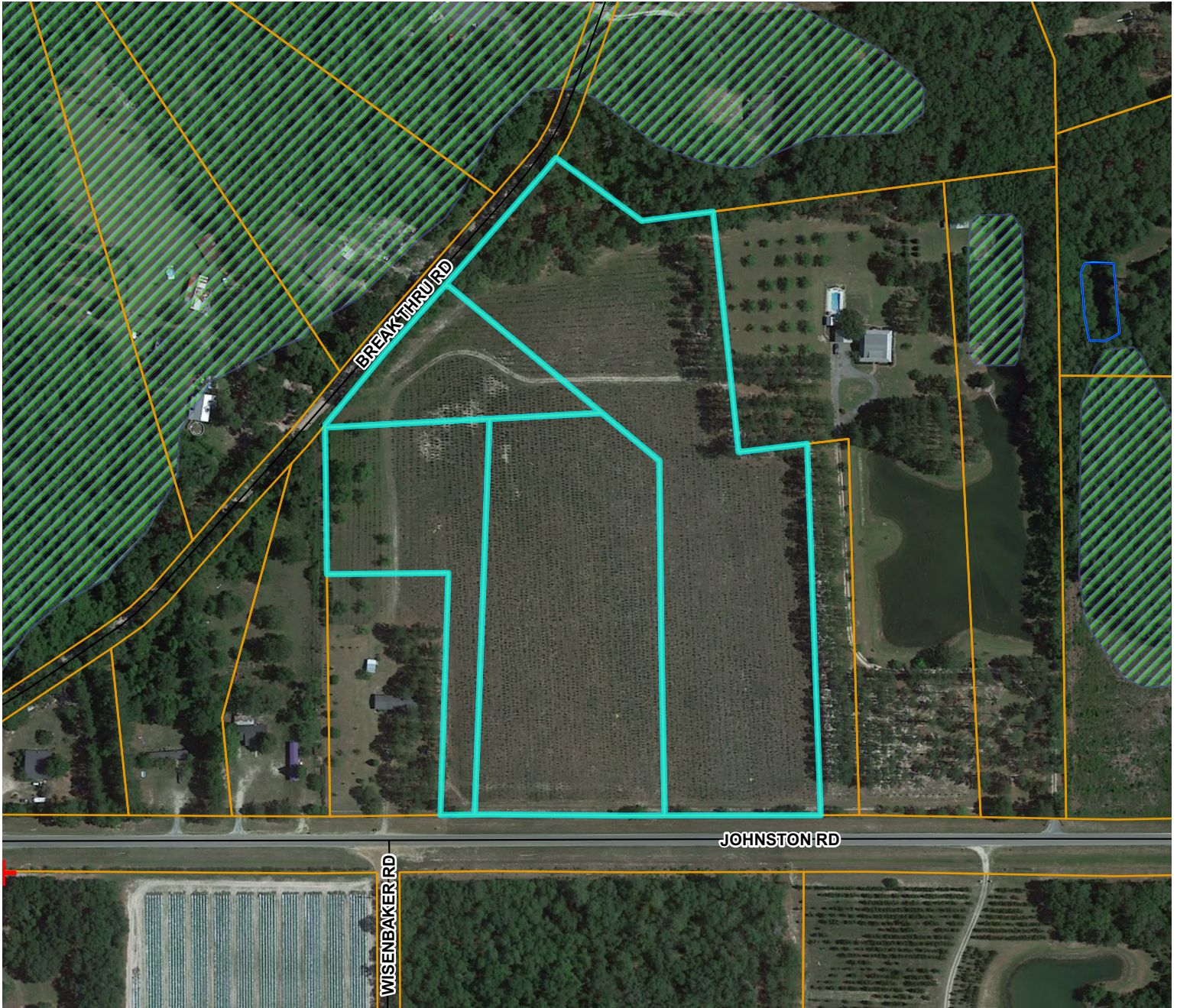
REZ-2025-03

WRPDO Site Map

Thomas Linville Rezoning Request

Legend

- | | | |
|--------------------|------------------|---------|
| — Roads | Open Water | Parcels |
| — Railroads | Valdosta Airport | |
| Park | Wetlands | |
| City Limits | 100 Yr Flood | |
| Crashzone | Hydrology | |
| Crashzone West | Drastic | |
| Urban Service Area | Recharge Areas | |



LOWNDES COUNTY BOARD OF COMMISSIONERS
COMMISSION AGENDA ITEM

SUBJECT: REZ-2025-04 River Run Farm, 6490 River Run, ~27ac., C-C to R-21, County Water & Septic

DATE OF MEETING: February 11, 2025

Work
Session/Regular
Session

BUDGET IMPACT: N/A

FUNDING SOURCE:

- Annual
- Capital
- N/A
- SPLOST
- TSPLOST

COUNTY ACTION REQUESTED ON: REZ-2025-04 River Run Farm, 6490 River Run, ~27ac., C-C & CON to R-21 & CON, County Water & Septic

HISTORY, FACTS AND ISSUES: This request represents a change in zoning on a portion of the subject property from C-C (Crossroads Commercial) zoning to R-21 (Medium Density Residential) zoning. The portion of the property zoned CON (Conservation) is proposed to remain zoned CON. The general motivation in this case is for the applicant to develop the property residentially. The subject property possesses road frontage on Lake Alapaha Blvd, a locally maintained County Road, is within the Urban Service Area and Suburban Character Area, which recommend R-21 zoning.

Historically, the property has been split zoned C-N (Neighborhood Commercial), R-15 (Medium Density Residential), and F-H (Flood Hazard) since its conception in the late-eighties.

The TRC analyzed the request, the standards governing the exercise of zoning power set forth in 10.01.05 of the ULDC, and factors most relevant to this application, including the neighboring land uses and lot sizes, the availability of County water, the viability of septic systems, the location of the wetlands and flood plains, and the unique shape of the property, and therefore recommends approval of the request for R-21 zoning as depicted on the submitted survey.

During the Planning Commission meeting, the applicant spoke in support of the request, broadly outlining his initial and long term plans to develop lots above the minimum standards and potentially join the existing Lake Alapaha HOA. Several neighbors spoke in opposition to the request, citing concerns about the stormwater drainage along Lake Alapaha Boulevard, the ability of the existing water system to support new growth, and the hydrant flow rates, citing Georgia EPD and County reports on the water in the area. The Planning Commission then motioned to approve the request for R-21, with the condition that no more than nine (9) lots be developed. The motion carried (6-3).

- OPTIONS: 1) Approve
2) Approve with Conditions
3) Table
4) Deny

RECOMMENDED ACTION: Board's Pleasure

DEPARTMENT: Planning/Zoning

DEPARTMENT HEAD: JD Dillard

ADMINISTRATIVE COMMENTS AND RECOMMENDATIONS:

LETTER OF INTENT

JD Dillard

327 N. Ashley St. – 2nd Floor

Valdosta, GA 31601

RE: Rezoning for H. Larry Sanders

Mr. Dillard,

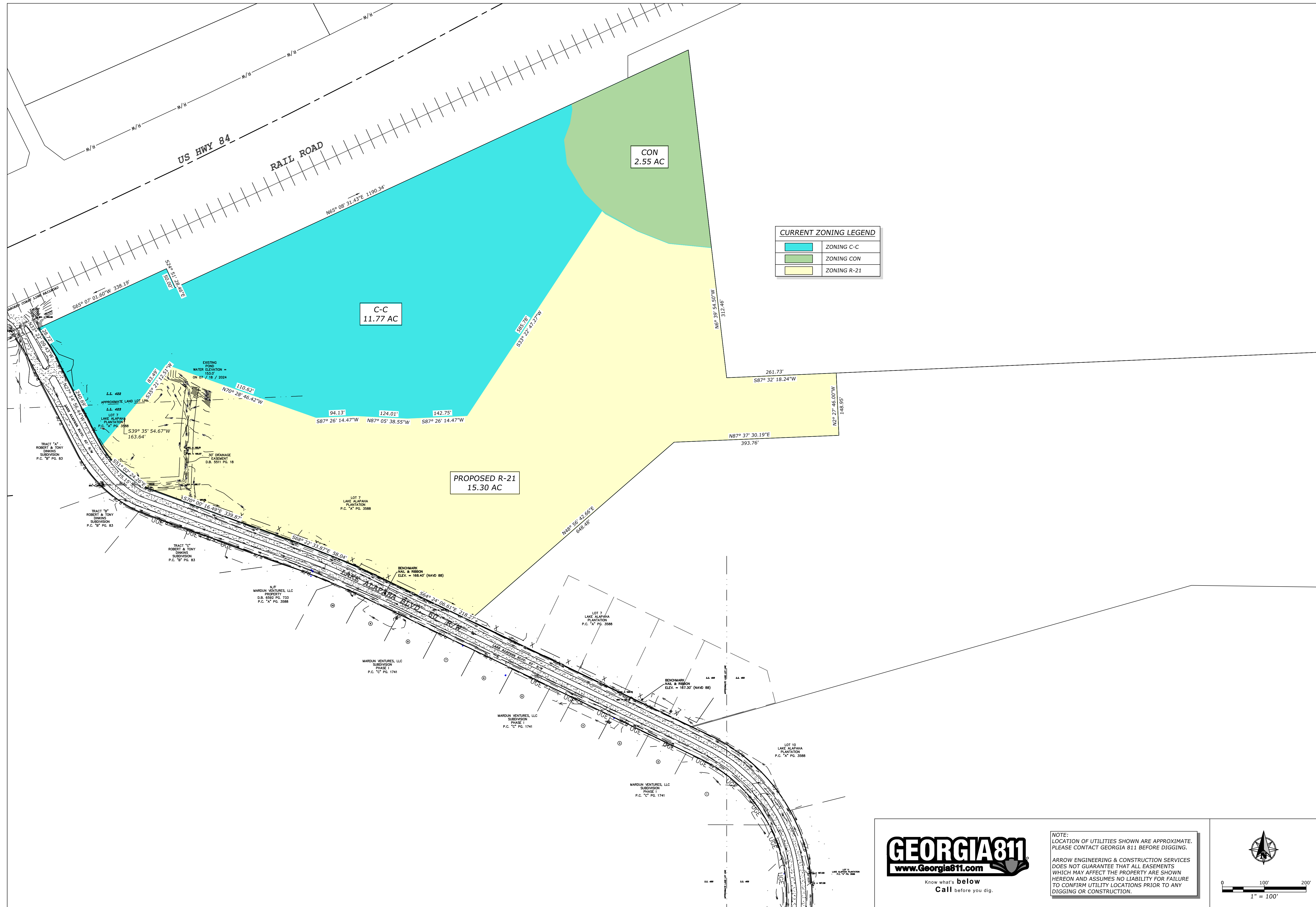
On behalf of Mr. H. Larry Sanders, Arrow Engineering & Construction Services, LLC submits this letter of intent to subdivide and rezone a 27.07-acre tract of land on Lake Alapaha Blvd. C-C to R-21.




We are currently proposing to subdivide the property for the placement of 9± multiple single-family residences. According to the Greater Lowndes Comprehensive Plan and VALOR GIS information, the property is in a suburban area. The proposed zoning meets the suburban characteristics of high to moderate building separation, low pedestrian orientation, and predominantly residential use.

Thank you for your consideration of this matter.

A handwritten signature in black ink, appearing to read 'H. Sanders', written in a cursive style.

H. Larry Sanders P.E.



CURRENT ZONING LEGEND	
	ZONING C-C
	ZONING CON
	ZONING R-21

DATE	BY	DESCRIPTION

REZONING PLAN FOR:
RIVER RUN DEVELOPMENT
H. LARRY SANDERS
 LOCATED IN LL 423 OF THE 11TH L.D.
 LOWNDES COUNTY-NAYLOR, GA

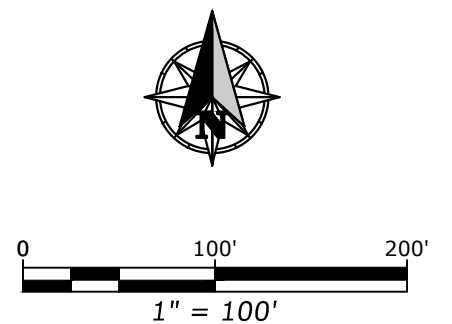
ARROW ENGINEERING & CONSTRUCTION SERVICES
 2621 HWY 84 EAST
 VALDOSTA, GA 31606
 (229) 255-2120
 LAND@ARROWENGINEERINGGROUP.COM



LEVEL II CERT. #28713
 PROJECT: 24011
 SHEET
C2.0

GEORGIA811
 www.Georgia811.com
 Know what's below
 Call before you dig.

NOTE:
 LOCATION OF UTILITIES SHOWN ARE APPROXIMATE.
 PLEASE CONTACT GEORGIA 811 BEFORE DIGGING.
 ARROW ENGINEERING & CONSTRUCTION SERVICES
 DOES NOT GUARANTEE THAT ALL EASEMENTS
 WHICH MAY AFFECT THE PROPERTY ARE SHOWN
 HEREON AND ASSUMES NO LIABILITY FOR FAILURE
 TO CONFIRM UTILITY LOCATIONS PRIOR TO ANY
 DIGGING OR CONSTRUCTION.

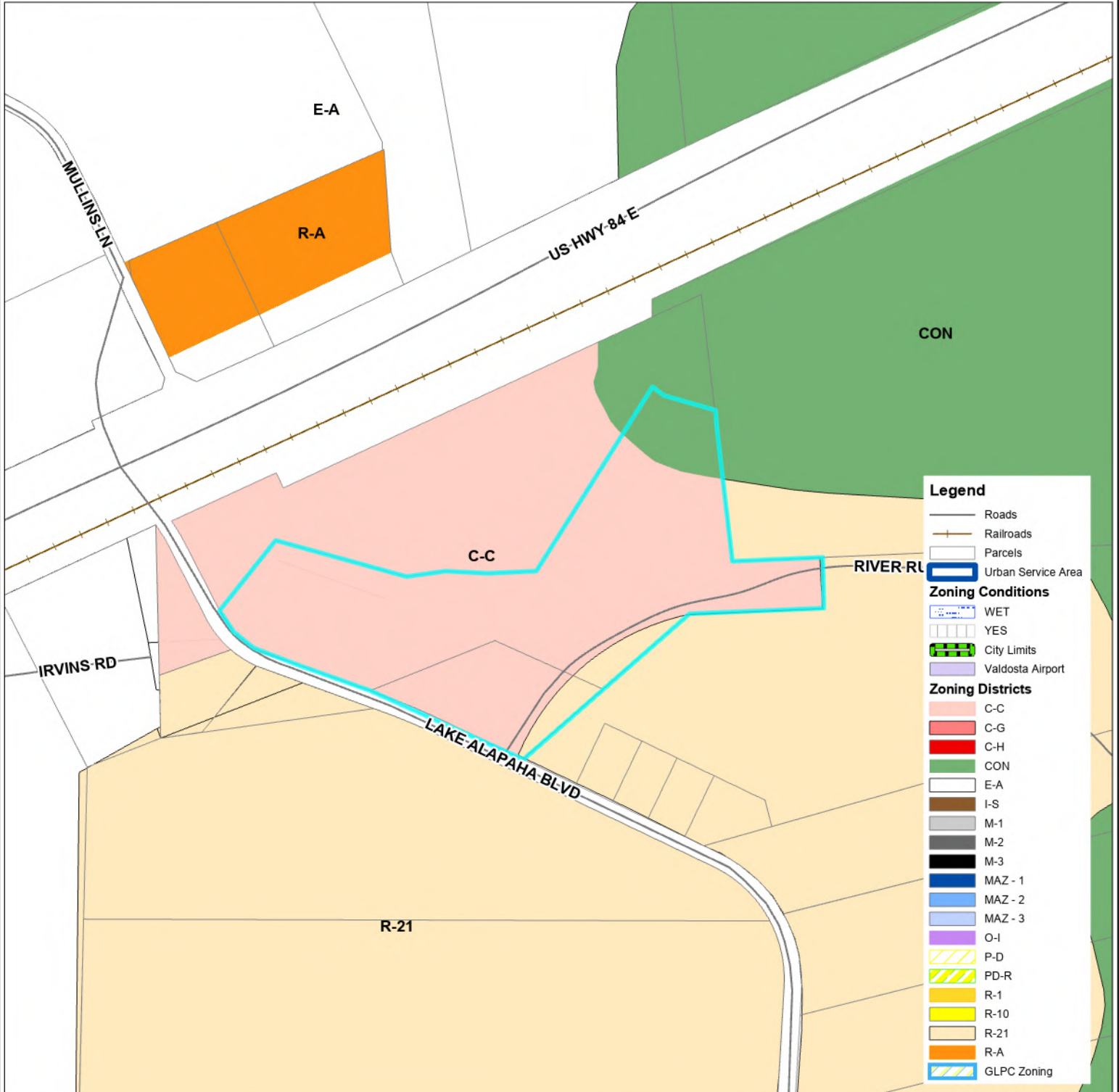


REZ-2025-04

Zoning Location Map

River Run Farm
Rezoning Request

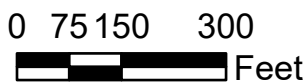
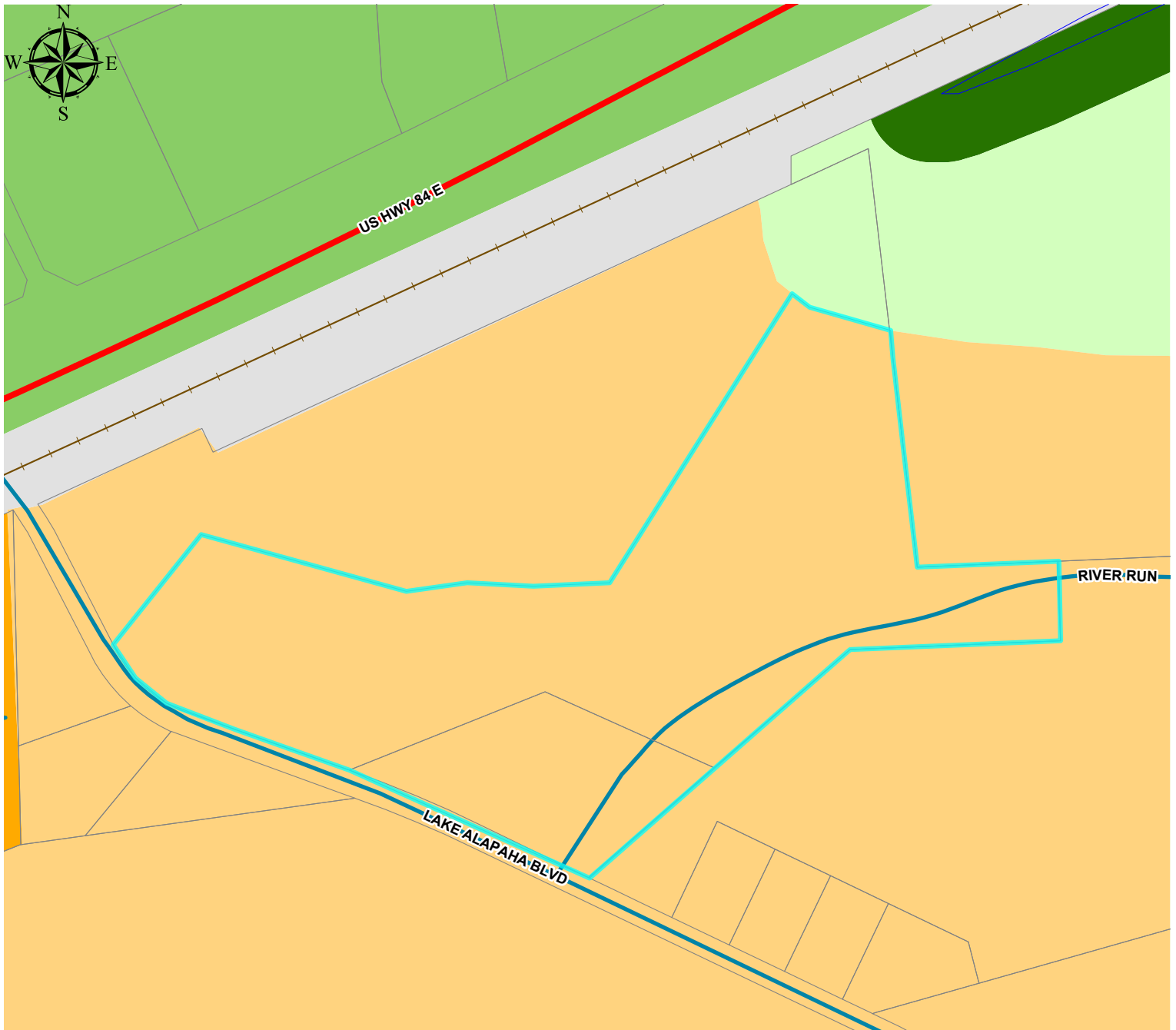
CURRENT ZONING: C-C & CON
PROPOSED ZONING: R-21 & CON



- Legend**
- Roads
 - Railroads
 - Parcels
 - Urban Service Area
 - Zoning Conditions**
 - WET
 - YES
 - City Limits
 - Valdosta Airport
 - Zoning Districts**
 - C-C
 - C-G
 - C-H
 - CON
 - E-A
 - I-S
 - M-1
 - M-2
 - M-3
 - MAZ - 1
 - MAZ - 2
 - MAZ - 3
 - O-I
 - P-D
 - PD-R
 - R-1
 - R-10
 - R-21
 - R-A
 - GLPC Zoning



River Run Farm Rezoning Request



Roads

Functional Classification

- 1, INTERSTATE
- 3, OTHER PRINCIPAL ARTERIAL
- 4, MINOR ARTERIAL
- 5, MAJOR COLLECTOR
- 6, MINOR COLLECTOR
- 7, LOCAL
- Railroads

Character Areas

- Agriculture / Forestry
- Community Activity Center
- Downtown
- Established Residential
- Industrial Activity Center
- Industrial Area

Legend

- Institutional Activity Center
- Linear Greenspace/Trails
- Mill Town
- Moody Activity Zone
- Neighborhood Activity Center
- Park/Recreation/Conservation
- Public / Institutional
- Regional Activity Center
- Remerton Neighborhood Village
- Rural Activity Center
- Rural Residential
- Suburban Area
- Transitional Neighborhood
- Transportation/Communication/Utilities

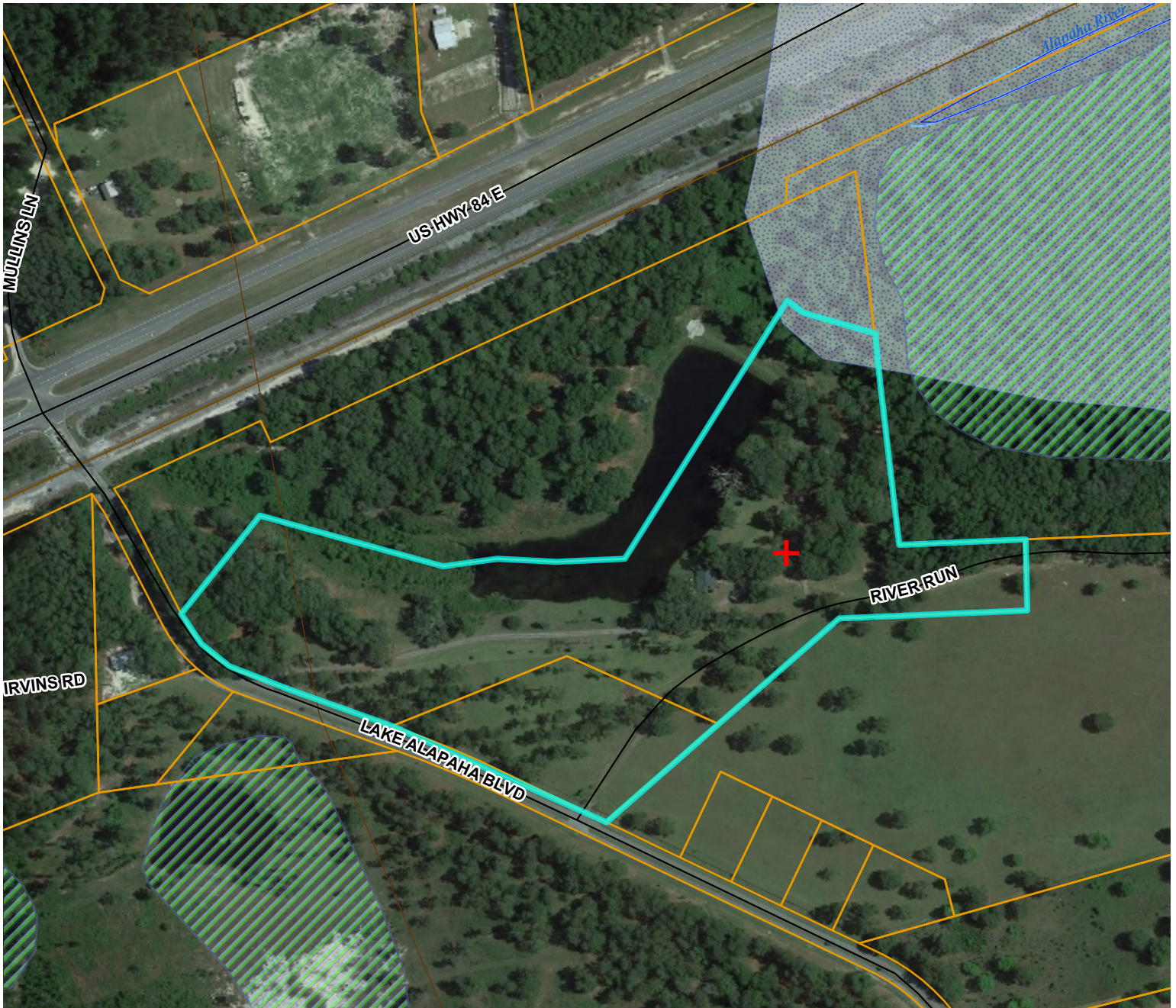
REZ-2025-04

WRPDO Site Map

River Run Farm Rezoning Request

Legend

- | | | |
|--------------------|------------------|---------|
| — Roads | Open Water | Parcels |
| — Railroads | Valdosta Airport | |
| Park | Wetlands | |
| City Limits | 100 Yr Flood | |
| Crashzone | Hydrology | |
| Crashzone West | Drastic | |
| Urban Service Area | Recharge Areas | |



LOWNDES COUNTY BOARD OF COMMISSIONERS
COMMISSION AGENDA ITEM

SUBJECT: Resolution Authorizing the Lowndes County Tax
Commissioner to Receive Checks and Money Orders in Payment of
Taxes and Licenses

DATE OF MEETING: February 11, 2025

Work
Session/Regular
Session

BUDGET IMPACT: -0-

FUNDING SOURCE:

- Annual
- Capital
- N/A
- SPLOST
- TSPLOST

COUNTY ACTION REQUESTED ON: Resolution Authorizing the Lowndes County Tax
Commissioner to Receive Checks and Money Orders in Payment of Taxes and Licenses

HISTORY, FACTS AND ISSUES: At the request of the Tax Commissioner, the attached Resolution is being
presented for consideration. It is authorized by Georgia statute. It tracks an identical Resolution approved
following the prior Tax Commissioner taking office.

OPTIONS: 1. Approve Resolution
2. Redirect

RECOMMENDED ACTION: Approve

DEPARTMENT: County Manager

DEPARTMENT HEAD: Paige Dukes

ADMINISTRATIVE COMMENTS AND RECOMMENDATIONS:

A RESOLUTION

AUTHORIZING THE LOWNDES COUNTY TAX COMMISSIONER TO RECEIVE CHECKS AND MONEY ORDERS IN PAYMENT OF TAXES AND LICENSE FEES

WHEREAS, pursuant to OCGA § 48-5-146, the county governing authority may authorize the county tax commissioner to receive personal, company, certified, treasurer's, or cashier's checks, or bank, postal, or express money orders in payment of taxes and license fees;

NOW THEREFORE, BE IT RESOLVED, that the Lowndes County Board of Commissioners hereby authorizes the Lowndes County Tax Commissioner to receive personal, company, certified, treasurer's, cashier's checks, or bank, postal, or express money orders in payments of taxes and license fees.

This Resolution shall become effective when adopted and shall repeal and supersede all previous County ordinances and resolutions concerning this subject.

This Resolution shall remain in full force and effect unless and until it is repealed or superseded by the Board of Commissioners.

SO RESOLVED this 11th day of February, 2025

BOARD OF COMMISSIONERS OF LOWNDES COUNTY

By: _____
Bill Slaughter, Chairman

Attest: _____
Belinda Lovern, County Clerk

LOWNDES COUNTY BOARD OF COMMISSIONERS
COMMISSION AGENDA ITEM

SUBJECT: A Resolution Electing Not to Require Mobile Home Decals

DATE OF MEETING: February 11, 2025

Work
Session/Regular
Session

BUDGET IMPACT: -0-

FUNDING SOURCE:

- Annual
- Capital
- N/A
- SPLOST
- TSPLOST

COUNTY ACTION REQUESTED ON: Resolution Electing Not to Require Mobile Home Decals

HISTORY, FACTS AND ISSUES: At the request of the Tax Commissioner, the attached Resolution is being presented for consideration. It is authorized by Georgia statute. Issuing mobile home decals creates an expense that does not assist the Tax Commissioner in identifying mobile homes for which the Tax Commissioner has not issued a mobile home location permit.

OPTIONS: 1. Approve Resolution
2. Redirect

RECOMMENDED ACTION: Approve

DEPARTMENT: County Manager

DEPARTMENT HEAD: Paige Dukes

ADMINISTRATIVE COMMENTS AND RECOMMENDATIONS:

A RESOLUTION
ELECTING NOT TO REQUIRE MOBILE HOME DECALS

WHEREAS, OCGA § 48-5-492 provides the issuance of mobile home location permits required by said Code section shall, if required by the governing authority of the county in which the mobile home is located, be evidenced by the issuance of a decal which shall reflect the county of issuance and the calendar year for which the permit is issued; and

WHEREAS, OCGA § 48-5-493 provides it shall be unlawful (a) to fail to attach and display on a mobile home the decal as may be required by OCGA § 48-5-492 and (b) for any person to move or transport any mobile home which is required to and which does not have attached and displayed thereon the decal as may be required by OCGA § 48-5-492; and

WHEREAS, OCGA § 48-5-263(b)(11) provides each member of the county property appraisal staff shall, in counties that elect to require decals pursuant to OCGA § 48-5-492, inspect mobile homes located in the county to determine if the proper decal is attached to and displayed on the mobile home by the owner as provided by law, notify the residents of those mobile homes to which a decal is not attached of the provisions of OCGA §§ 48-5-492 and 48-5-493, and furnish to the tax collector or tax commissioner a periodic list of those mobile homes to which a decal is not attached; and

WHEREAS, the Tax Commissioner of Lowndes County has advised and the Board of Commissioners of Lowndes County has concluded issuing mobile home decals creates an expense that does not assist the Tax Commissioner in identifying mobile homes for which the Tax Commissioner has not issued a mobile home location permit;

NOW THEREFORE, as authorized by OCGA § 48-5-492, the Board of Commissioners of Lowndes County hereby elects not to require the issuance of mobile home permits to be evidenced by the issuance of a decal, such that (a) Tax Commissioner of Lowndes County is not required to issue decals pursuant to OCGA § 48-5-492, and (b) OCGA § 48-5-493 and OCGA § 48-5-263(b)(11) are inapplicable in Lowndes County.

This Resolution shall become effective when adopted and shall repeal and supersede all previous County ordinances and resolutions concerning this subject.

This Resolution shall remain in full force and effect unless and until it is repealed or superseded by the Board of Commissioners.

SO RESOLVED this 11th day of February 2025

BOARD OF COMMISSIONERS OF LOWNDES COUNTY

By: _____
Bill Slaughter, Chairman

Attest: _____
Belinda Lovern, County Clerk

LOWNDES COUNTY BOARD OF COMMISSIONERS
COMMISSION AGENDA ITEM

SUBJECT: Beer and Wine License - Manishkumar Patel of Kasumbal
2025 LLC, DBA Busy Food Mart, 6901 Bellville Road, Lake Park, GA

DATE OF MEETING: February 11, 2025

Work
Session/Regular
Session

BUDGET IMPACT:

FUNDING SOURCE:

- Annual
- Capital
- N/A
- SPLOST
- TSPLOST

COUNTY ACTION REQUESTED ON: Beer and Wine License - Manishkumar Patel of
Kasumbal 2025 LLC, DBA Busy Food Mart, 6901 Bellville Rd., Lake Park, GA

HISTORY, FACTS AND ISSUES: Manishkumar Patel of Kasumbal 2025 LLC, DBA Busy Food Mart, located at 6901 Bellville Road, Lake Park, is requesting a license for the sale of beer and wine for consumption off premises. This is due to a change in ownership. The ordinance and guidelines for approval of the license have been met and upon approval by the Board, the license shall be granted.

OPTIONS: 1. Approval of the Beer and Wine License
2. Board's Pleasure

RECOMMENDED ACTION: Approve

DEPARTMENT: Finance

DEPARTMENT HEAD: Stephanie Black

ADMINISTRATIVE COMMENTS AND RECOMMENDATIONS:

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Alcoholic Beverage License Application
Lowndes County Board of Commissioners
Finance Department – Licensing Division

Before completing this application, you must verify that the proposed location of your establishment is located in unincorporated Lowndes County.

1. TYPE OF LICENSE(S) APPLIED FOR (check all that apply):

- Retail Dealer – Off Premises Consumption (Malt Beverages)
- Retail Dealer – Off Premises Consumption (Wine)
- Retail Dealer – Off Premises Consumption (Distilled Spirits)
- Retail Dealer – Off Premises Consumption (Sunday Sales)
- Retail Consumption Dealer – Consumption on Premises (Malt Beverages)
- Retail Consumption Dealer – Consumption on Premises (Wine)
- Retail Consumption Dealer – Consumption on Premises (Distilled Spirits)
- Retail Consumption Dealer – Consumption on Premises (Sunday Sales)
- Wholesaler – Malt Beverages with warehousing in Lowndes County
- Wholesaler – Malt Beverages without warehousing in Lowndes County
- Wholesaler – Wine with warehousing in Lowndes County
- Wholesaler – Wine without warehousing in Lowndes County
- Wholesaler – Distilled Spirits with warehousing in Lowndes County
- Wholesaler – Distilled Spirits without warehousing in Lowndes County
- Alcoholic Beverage Catering License

No retail dealer licensee shall hold any retail consumption dealer license for the same location, and vice versa; and no wholesale dealer licensee shall hold any retail dealer license or retail consumption dealer license for the same location.

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JAN 13 2025

2. Official Legal Name of Entity or Person seeking the License(s) (the "Applicant"):

KASUMBAL 2025 LLC

3. Applicant's Business or Trade Name (if different than official legal name):

BUSY FOOD MART

4. List any aliases, tradenames, or other names under which the Applicant is known or conducting business, or has been known or conducted business during the past three years:

Nisha Food mart

5. If Applicant is an Entity, Full Name of the Individual Making this Application for the Applicant:

MANISHKUMAR PATEL

6. Street Address of establishment for which license is sought:

6901 BELLVILLE RD LAKE PARK GA 31636

7. Street Address of Applicant's Primary Place of Business, if different from question #6 above:

8. Describe the type of establishment to be operated pursuant to the license applied for and the category(ies) of alcoholic beverage related functions and activities to be conducted at such establishment. [Attach additional pages if more space is needed]

CONVENIENCE STORE WITH GAS

9. Lowndes County's alcohol ordinance prohibits the distribution, sale or consumption of alcoholic beverages within 300 feet of any church building. The ordinance also prohibits the distribution, sale or consumption of wine or malt beverages within 100 yards, or of distilled spirits within 200 yards, of any school building, educational building, school grounds or college campus. Those distances are measured from the door of the licensed establishment to the nearest street, thence along said street to the nearest point of any church building, school building, educational building, school grounds or college campus. List below the name and street address of the nearest church and the nearest educational facilities to the proposed establishment including the address.

Church: _____

School, college or other educational facility or grounds: _____

10. Has the Applicant or the establishment to be licensed been denied or had revoked an alcohol license by Lowndes County within the preceding twelve (12) months? YES NO

If yes, please explain. [Attach additional pages if more space needed]

11. Has the Applicant, any person identified in question 12 below, or any employee of the establishment for which licensure is being sought ever been refused a license related to alcohol or had such license suspended or revoked (either by Lowndes County or another jurisdiction)? YES NO

If yes, state the month and year of such occurrence, the jurisdiction, and the circumstances. [Attach additional pages if more space needed]

12. Type of Legal Entity applying for license:
- Individual
 - Joint Venture
 - Firm
 - Limited Liability Company (LLC)
 - Other: _____
 - Partnership
 - Corporation
 - Association

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JAN 13 2025

If the Applicant is a partnership, joint venture or firm, list the names and addresses of all owners of the partnership, joint venture or firm. [Attach additional pages if more space is needed]

Name

Address

Name

Address

Name

Address

Name

Address

If the Applicant is a corporation or association, list the names and addresses of its principal officers, directors and the three stockholders owning the largest amounts of stock. [Attach additional pages if more space is needed]

President

Address

Vice President

Address

Secretary

Address

Treasurer

Address

Director

Address

Stockholder

Address

Stockholder

Address

Stockholder

Address

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JAN 13 2025

If the Applicant is a limited liability company, list the names and addresses of the three (3) members owning the largest amounts of ownership interest and the names and addresses of any managers or principal officers. [Attach additional pages if more space is needed]

MANISHKUMAR PATEL
Member Name

4742 FORREST OAK LN LAKE PARK GA 31636
Address

Member Name

Address

Member Name

Address

Manager Name

Address

Manager Name

Address

Officer Name

Address

Officer Name

Address

If the Applicant is any other type of entity or non-natural person, list the names and addresses of all the members of its governing body, officers and others having management, control or dominion over such application.

Name

Address

Name

Address

Name

Address

Name

Address

JAN 13 2025

13. Has the Applicant, any person listed in question 12 above, or any employee of the applicant's establishment ever been convicted of a felony? [] YES NO

14. Has the Applicant, any person listed in question 12 above, or any employee of the Applicant's establishment been convicted within the previous five (5) years of a misdemeanor or of any other violation involving gambling, the Georgia Controlled Substances Act (or similar laws of another jurisdiction), prostitution, sex offenses, adult entertainment laws, rules or regulations, alcohol control laws, rules or regulations, or offenses involving moral turpitude? [] YES NO

15. Has the Applicant, any person identified in question 12 above and each employee of Applicant's establishment attach a fully completed and executed consent statement for necessary investigation reports? (see attachment A) YES NO

16. If the establishment for which a license is sought is or was licensed under the Lowndes County Alcohol Ordinance (or any previous ordinances or resolutions pertaining to alcoholic beverages), present details of how the Applicant has or will acquire the establishment, including on what terms and conditions. Further, describe in detail any familial, business, investment, debtor/creditor, or other relationship the Applicant may have or have had during the past three (3) years with the current or former licensee or establishment owner, and in each case with any person identified in question 12 above. [Attach additional pages if more space is needed]

Himasubhai M J Vimal

17. Has the individual making this application attached a fully completed and executed affidavit (see attachment B) verifying his or her legal presence in the U.S., and also presented as his or her identification an original of one of the following current and valid "secure and verifiable documents" under O.C.G.A. § 50-36-1: driver's license issued by one of the states or territories of the U.S. or Canada; U.S. or foreign passport; picture I.D. issued by one of the states or territories of the U.S.; U.S. Certificate of Citizenship or Naturalization; or U.S. Permanent Resident Card or Alien Registration Receipt Card?

YES [] NO

18. Is there attached a fully completed and executed affidavit verifying compliance by the Applicant with the federal work authorization program? (see attachment C or D) YES [] NO

NOTE: The Applicant may be required to submit further information or documentation as requested by the County.

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JAN 13 2025

CERTIFICATION REGARDING APPLICATION

Personally, appeared before the undersigned officer duly authorized to administer oaths, the undersigned affiant, who after first being duly sworn, hereby affirms, says and certifies that he/she is the MEMBER of KASUMBAL 2025 LLC, is authorized to make and execute this application on behalf of the Applicant, and further hereby affirms, says and certifies as to each of the following:

I have read and understand the Lowndes County Alcoholic Beverage Ordinance and will ensure that all employees of the establishment for which licensure is sought will be familiar with the provisions and regulations of that Ordinance.

I will ensure that the establishment for which licensure is sought complies at all times with all applicable laws, rules and regulations of the United States, the State of Georgia and Lowndes County, now in force or which may hereafter be enacted as relates to the sale, distribution, or consumption of alcoholic beverages.

I understand that any license issued is valid for a period of one year, beginning January 1st and expiring December 31st, that no license shall be assignable or transferrable either to a new licensee or for another location, and that no portion of the license fee shall be refunded should the license be revoked during the license year or should the establishment close.

The information, documents and statements made or contained in this Application, or submitted as a part thereof or supplementary thereto is in each case accurate and complete. I further understand that making false or fraudulent statements and/or representations in or with respect to this Application may subject me to criminal and/or civil penalties including a fine and/or imprisonment.

Submitted herewith is the sum of \$ [must be a cashier's check, money order, other certified funds, or cash] which includes the license fee for the year, or partial year, plus the administration fee. I understand that, should the Application be denied, I will receive a refund for the license fee only and that the administration fee is non-refundable.

M.M. PAUL
Signature of Individual Making this Application

Sworn to and subscribed before me
this 13th day of January, 2025.

Date: 01-13-2025

[Signature]
Notary Public

My commission expires: 5/6/25



RECEIVED

JAN 13 2025

ATTACHMENT B

AFFIDAVIT OF COMPLIANCE WITH O.C.G.A. §50-36-1

By executing this affidavit under oath, as an Applicant for an alcoholic beverage license from the Lowndes County Board of Commissioners, the undersigned Applicant verifies one of the following with respect to my application:

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

The undersigned applicant also hereby verifies that he or she is 18 years of age or older and has provided at least one secure and verifiable document, as required by O.C.G.A. §50-36-1, with this affidavit. Form of secure and verifiable document: Permanent resident card.

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

Executed in Valdosta (city), Georgia (state).

M.m. Patel
Signature of Applicant

Manishkumar patel
Printed Name of Applicant

Sworn to and subscribed before me this 13th day of January, 2025.

[Signature]
Notary Public

My commission expires: 5/6/25.



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JAN 13 2025

ATTACHMENT D

AFFIDAVIT OF PRIVATE EMPLOYER OF COMPLIANCE PURSUANT TO O.C.G.A. §36-60-6

By executing this affidavit, the undersigned private employer verifies its compliance with O.C.G.A. §36-60-6, stating affirmatively that the individual, firm or corporation employs fewer than eleven employees and therefore, is not required to register with and/or utilize the federal work authorization program commonly known as E-Verify, or any subsequent replacement program, in accordance with the applicable provisions and deadlines established in O.C.G.A. §13-10-90.

M. M. PAEL
Signature of Exempt Private Employer

Busy Food mart
Printed Name of Exempt Private Employer

I hereby declare under penalty of perjury that the foregoing is true and correct.

Executed on 01.13, 2025 in ANDALUSSIA (city), GA (state).

M. M. PAEL
Signature of Authorized Officer or Agent

Mamish Kumar PAEL
Printed Name and Title of Authorized Officer or Agent

Sworn to and subscribed before me this 13th day of January, 2025.

[Signature]
Notary Public

My commission expires: 5/6/25.



APPENDIX A

FEES AND CHARGES

1. Alcoholic beverage licenses fees shall be as follows:

<u>License</u>	<u>Annual Fee</u>
(a) Retail Dealer – Off Premises Consumption (Malt Beverages)	\$500.00
(b) Retail Dealer – Off Premises Consumption (Wine)	\$500.00
(c) Retail Dealer – Off Premises Consumption (Distilled Spirits)	\$1,075.00
(d) Retail Dealer – Off Premises Consumption (Sunday Sales)	\$250.00
(e) Retail Consumption Dealer – Consumption on Premises (Malt Beverages)	\$675.00
(f) Retail Consumption Dealer – Consumption on Premises (Wine)	\$675.00
(g) Retail Consumption Dealer – Consumption on Premises (Distilled Spirits)	\$3,200.00
(h) Retail Consumption Dealer – Consumption on Premises (Sunday Sales)	\$250.00
(i) Wholesaler – Malt Beverages with warehousing in Lowndes County	\$300.00
(j) Wholesaler – Malt Beverage without warehousing in Lowndes County	\$100.00
(k) Wholesaler – Wine with warehousing in Lowndes County	\$300.00
(l) Wholesaler – Wine without warehousing in Lowndes County	\$100.00
(m) Wholesaler – Distilled Spirits with warehousing in Lowndes County	\$500.00
(n) Wholesaler – Distilled Spirits without warehousing in Lowndes County	\$100.00
(o) Alcoholic Beverage Catering License	\$250.00
2. Event Permit (issued to alcoholic beverage caterer licensed by the County)	\$50.00
3. Event Permit (issued to alcoholic beverage caterer licenses by a municipality or county in Georgia other than the County)	\$50.00
4. Administration Fee	\$150.00

6901 Bellville Rd
(6901 Lake Park Bellville Rd)



Request for Distance Check

From: _____ Dept: _____ Date: _____

Contact Info: _____ Deadline: _____ 5:00pm

Establishment: Kasumba LLC²⁰²⁵ Location: 6901 Bellville Road Lake Park Ga. 31636

Nearest School (Name) Lake Park Elementary

School Address: 604 W. Mason St. Lake Park Distance: over 1 mile

Nearest Church (Name) Hosannah MBC

Church Address: 7505 Zeigler Rd. Lake Park Distance: over 1 mile

Officer Assigned: C. Bailey Date: 8-24-25

Signature: X [Handwritten Signature]

Report Submitted Via: _____ Date: _____ Time: _____

Scan/ Email _____ Faxed _____ Inner Office _____ Pers. Deliver _____

Comments: _____

LOWNDES COUNTY BOARD OF COMMISSIONERS
COMMISSION AGENDA ITEM

SUBJECT: New Endpoint Detection and Response (EDR) Software

DATE OF MEETING: February 11, 2025

BUDGET IMPACT: \$44,800.00

Work
Session/Regular
Session

FUNDING SOURCE:

- Annual
- Capital
- N/A
- SPLOST
- TSPLOST

COUNTY ACTION REQUESTED ON: New EDR Software

HISTORY, FACTS AND ISSUES: Lowndes County's EDR software was acquired by another company, and we have been unable to obtain a renewal quote. As a result, our department initiated a search for alternative solutions, evaluating four different vendors based on features, pricing, and overall value.

A proof of concept was done with three selected vendors by installing their software on a sample set of computers for testing and results analysis. The vendors' names have been omitted for security reasons. It was determined that Vendor A, who was the lowest of the four quotes, best meets the county's needs. We received pricing from the below vendors:

Vendor A - \$44,800.00 per year with a three-year commitment.

Vendor B - \$89,306.00 for one year

Vendor C - \$53,044.50 for one year

Vendor D - \$89,488.02 for one year

OPTIONS: 1. Approve Vendor A.
2. Board's Peasure

RECOMMENDED ACTION: Approve

DEPARTMENT: ITS

DEPARTMENT HEAD: Aaron Kostyu

ADMINISTRATIVE COMMENTS AND RECOMMENDATIONS:

LOWNDES COUNTY BOARD OF COMMISSIONERS
COMMISSION AGENDA ITEM

SUBJECT: Whitewater Road Lift Station Pump

DATE OF MEETING: February 11, 2025

BUDGET IMPACT: \$46,446.52

FUNDING SOURCE:

- Annual
- Capital
- N/A
- SPLOST
- TSPLOST

Work
Session/Regular
Session

COUNTY ACTION REQUESTED ON: Whitewater Road Lift Station Pump

HISTORY, FACTS AND ISSUES: The Whitewater Road lift station is a triplex station on our trunk line leading to the LAS. One of the older pumps is out of service. The pump was sent to Xylem and the cost of repairs is over 75% of the cost of a new pump. The new pump comes with a N-impeller which is on the other pumps and significantly helps with clogging. Staff recommends purchasing a new pump for \$46,446.52 from Xylem, Inc.

OPTIONS: 1. Approve
2. Board's Pleasure

RECOMMENDED ACTION: Approve

DEPARTMENT: Utilities

DEPARTMENT HEAD: Steve Stalvey

ADMINISTRATIVE COMMENTS AND RECOMMENDATIONS:



**Xylem Water Solutions USA, Inc.
Flygt Products**

February 3, 2025

128 A Airport Park Drive
Garden City, GA 31408
Tel (912) 966-1577
Fax (912) 966-1579

LOWNDES CNTY UTILITES DEPT
PO BOX 1349
VALDOSTA GA 31603-1349

Quote # 2024-SAV-0512
Project Name: LOWNDES COUNTY
Job Name: Whitewater LS / Repl:3201.180-0840058

Xylem Water Solutions USA, Inc. is pleased to provide a quote for the following Flygt equipment.

Qty	Description
1	Flygt Model NP-3202.185 8" volute Submersible pump equipped with a 460 Volt / 3 phase / 60 Hz 45 HP 1150 RPM motor, 641 impeller, 1 x 50 Ft. length of SUBCAB 4G16+S(2x0,5) submersible cable, FLS leakage detector, volute is prepared for Flush Valve

(Like: 3202.185-0300 less FLS)

Price USD \$ 43,563.52

Total Price \$ 43,563.52

Freight Charge \$ 2,883.00

Total Price \$ 46,446.52

Terms & Conditions

This order is subject to the Standard Terms and Conditions of Sale – Xylem Americas effective on the date the order is accepted which terms are available at <http://www.xyleminc.com/en-us/Pages/terms-conditions-of-sale.aspx> and incorporated herein by reference and made a part of the agreement between the parties.

As of October 14, 2024, all orders must meet a minimum dollar value of \$1,200. Xylem reserves the right to refuse to process any order that does not meet the minimum order value requirement. Xylem will support order adjustments to meet the minimum order value threshold.

Purchase Orders: Please make purchase orders out to: Xylem Water Solutions USA, Inc.

Freight Terms: 3 DAP - Delivered At Place 08 - Jobsite (per IncoTerms 2020)

See Freight Payment (Delivery Terms) below.

Taxes: State, local and other applicable taxes are not included in this quotation.



- Back Charges:** Buyer shall not make purchases nor shall Buyer incur any labor that would result in a back charge to Seller without prior written consent of an authorized employee of Seller.
- Tariff Changes:** The prices quoted herein are based on the current tariff rates, duties, government charges, and trade regulations as of the date of this quote. If any new tariffs, duties, taxes, or similar charges are imposed, or any existing tariffs, duties, or charges are increased or modified by any government or regulatory authority (collectively, "Tariff Changes"), and such Tariff Changes result in an increase in the cost of goods, Xylem reserves the right to adjust the pricing of the affected goods to reflect the increased costs.
- Shortages:** Xylem will not be responsible for apparent shipment shortages or damages incurred in shipment that are not reported within two weeks from delivery to the jobsite. Damages should be noted on the receiving slip and the truck driver advised of the damages. Please contact our office as soon as possible to report damages or shortages so that replacement items can be shipped and the appropriate claims made.
- Validity:** This Quote is valid for thirty (30) days.

Terms of delivery: Freight PP/Line Item

Time of delivery: Approx. 12 –14 working weeks after release of order.

Terms of payment: 100% N60 after invoice date – upon acceptance of purchase order and credit review

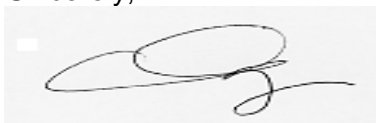
Please note: If this is an FM Factory certified product it must be serviced by an EX/FM Flygt manufacture trained technician through an approved Xylem Flygt repair shop to retain qualifying status of product to retain the "EX/FM" designation.

Our current delivery lead-times are forecasted estimates only due to the outbreak of the COVID-19 virus pandemic and its global effects on commerce, supply chain, and logistics. Xylem will, however, use all commercially reasonable efforts to minimize any delivery delay impacts.

Schedule: Please consult your local Flygt Branch Office to get fabrication and delivery lead times.

Thank you for the opportunity to provide this quotation. Please contact us if there are any questions.

Sincerely,



Kirsten Royals
Senior Customer Support Coordinator

Cell: 404-831-4726
kirsten.royals@xylem.com
Fax: 770-932-4321





Customer Acceptance

This order is subject to the Standard Terms and Conditions of Sale – Xylem Americas effective on the date the order is accepted which terms are available at <http://www.xyleminc.com/en-us/Pages/terms-conditions-of-sale.aspx> and incorporated herein by reference and made a part of the agreement between the parties.

A signed copy of this Quote is acceptable as a binding contract.

Purchase Orders: Please make purchase orders out to: Xylem Water Solutions USA, Inc.

Quote #: 2024-SAV-0512
Customer Name: LOWNDES CNTY UTILITES DEPT
Job Name: Whitewater LS / Repl:3201.180-0840058
Total Amount: \$ 43,563.52
(excluding freight)

Signature: _____ Name: _____
(PLEASE PRINT)

Company/Utility: _____ PO: _____

Address: _____ Date: _____

_____ Phone: _____

_____ Email: _____

_____ Fax: _____





**Xylem Water Solutions USA, Inc.
Flygt Products**

November 12, 2024

128 A Airport Park Drive
Garden City, GA 31408
Tel (912) 966-1577
Fax (912) 966-1579

LOWNDES CNTY UTILITES DEPT
PO BOX 1349
VALDOSTA GA 31603-1349

Quote # R2024-SAV-0307
Project Name: Lowndes Co 3201 no data plate repair-
Whitewater
Job Name: Lowndes Co 3201 White Water

Xylem Water Solutions USA, Inc. is pleased to provide a quote for the following Flygt equipment.

Block 1

Qty	Description	Unit Price	Extended Price
1	SCREW,ALLEN M16 X 60 SS	\$ 25.00	\$ 25.00
1	PLUG,M30 STEEL	\$ 48.00	\$ 48.00
1	GROMMET,NBR 32ID 52OD 27L	\$ 68.00	\$ 68.00
1	SCREW,HEX M20 X 60 SS	\$ 30.00	\$ 30.00
1	SCREW,HEX M20 X 110 SS	\$ 26.00	\$ 26.00
1	BRACKET,SLIDING 3" CI	\$ 2,777.00	\$ 2,777.00
1	STATOR,27-26-6A 230/460V	\$ 5,714.00	\$ 5,714.00
1	ROTOR UNIT	\$ 7,961.00	\$ 7,961.00
1	PIPE BEND	\$ 267.00	\$ 267.00
1	COVER,ENTRANCE CI	\$ 1,573.00	\$ 1,573.00
1	BAIL,LIFTING STEEL	\$ 972.00	\$ 972.00
1	IMPELLER,C MT CODE 639 CI	\$ 7,931.00	\$ 7,931.00
1	COVER,BEARING CI	\$ 1,709.00	\$ 1,709.00
1	KIT,REPAIR BASIC 3170/3201	\$ 9,091.00	\$ 9,091.00
1	FLANGE,ENTRANCE CI	\$ 304.00	\$ 304.00
9	LABOR,SVC FLYGT,NO TAX Z1-TP MODELS: 3000,7000,8000	\$ 165.00	\$ 1,485.00

Total Price \$ 39,981.00

Terms & Conditions

This order is subject to the Standard Terms and Conditions of Sale – Xylem Americas effective on the date the order is accepted which terms are available at <http://www.xyleminc.com/en-us/Pages/terms-conditions-of-sale.aspx> and incorporated herein by reference and made a part of the agreement between the parties.

As of October 14, 2024, all orders must meet a minimum dollar value of \$1,200. Xylem reserves the right to refuse to process any order that does not meet the minimum order value requirement. Xylem will support order adjustments to meet the minimum order value threshold.



Purchase Orders: Please make purchase orders out to: Xylem Water Solutions USA, Inc.
Freight Terms: 3 DAP - Delivered At Place 08 - Jobsite (per IncoTerms 2020)
See Freight Payment (Delivery Terms) below.
Taxes: State, local and other applicable taxes are not included in this quotation.
Back Charges: Buyer shall not make purchases nor shall Buyer incur any labor that would result in a back charge to Seller without prior written consent of an authorized employee of Seller.
Shortages: Xylem will not be responsible for apparent shipment shortages or damages incurred in shipment that are not reported within two weeks from delivery to the jobsite. Damages should be noted on the receiving slip and the truck driver advised of the damages. Please contact our office as soon as possible to report damages or shortages so that replacement items can be shipped and the appropriate claims made.
Terms of Delivery: Full Freight Allowed
Terms of Payment: 100% N30 after invoice date.
Xylem's payment shall not be dependent upon Purchaser being paid by any third party unless Owner denies payment due to reasons solely attributable to items related to the equipment being provided by FLYGT.

Schedule: Please consult your local Flygt Branch Office to get fabrication and delivery lead times.

Validity: This Quote is valid for thirty (30) days.
Please note that this pricing is valid for 30 days and contingent upon final approval of submittals and release to fabrication by (within 90 days of bid date).
This quotation is subject to change if any changes to the specifications or plans are made that alter the scope of supply.

We do not supply junction boxes, disconnects, surge protection, kellum grips, piping, valves, guide bars, pressure gauges, spare parts, labor or any other equipment or installation services not specifically indicated above.

We thank you for your interest in Flygt equipment from Xylem Water Solutions USA, Inc.. and look forward to being of service to you in the near future. Please feel free to call if you have any questions or if you require assistance.

Sincerely,



Scott Adams
Sales Representative



Will Tomberlin
Sales Representative



Phone: 912-966-1577
Cell: 912-271-4081
scott.adams@xylem.com
Fax: 912-966-1579

Phone: 912-966-1577
Cell: 912-665-4300
will.tomberlin@xylem.com
Fax: 912-966-1579





Customer Acceptance

This order is subject to the Standard Terms and Conditions of Sale – Xylem Americas effective on the date the order is accepted which terms are available at <http://www.xyleminc.com/en-us/Pages/terms-conditions-of-sale.aspx> and incorporated herein by reference and made a part of the agreement between the parties.

A signed copy of this Quote is acceptable as a binding contract.

Purchase Orders: Please make purchase orders out to: Xylem Water Solutions USA, Inc.

Quote #: R2024-SAV-0307
Customer Name: LOWNDES CNTY UTILITES DEPT
Job Name: Lowndes Co 3201 no data plate repair
Total Amount: \$ 39,981.00
(excluding freight)

Signature: _____ Name: _____
(PLEASE PRINT)

Company/Utility: _____ PO: _____

Address: _____ Date: _____

_____ Phone: _____

_____ Email: _____

_____ Fax: _____



LOWNDES COUNTY BOARD OF COMMISSIONERS
COMMISSION AGENDA ITEM

SUBJECT: Acceptance of Hazard Mitigation Grant for Generators

DATE OF MEETING: February 11, 2025

Work
Session/Regular
Session

BUDGET IMPACT: \$1,451,871 - Lowndes County will receive 100% reimbursement of all expenses.

FUNDING SOURCE:

- (X) FEMA - \$1,088,903
- (X) GEMA - \$145,187
- (X) Pruitt Health - \$217,781
- () SPLOST
- () TSPLOST

COUNTY ACTION REQUESTED ON: Acceptance of Hazard Mitigation Grants

HISTORY, FACTS AND ISSUES: In July 2019, the Lowndes County Board of Commissioners authorized staff to complete and submit applications for the Hazard Mitigation Grant Program (HMGP) to the Georgia Emergency Management Agency (GEMA). These applications were for generators to provide emergency backup power to each of the five Pruitt Health facilities in Lowndes County. The HMGP requires Lowndes County to be the applicant. However, Pruitt Health agreed to provide any cost share over and above the federal and state funding amounts. Lowndes County received an award letter via email on February 4, 2025, indicating that the applications had been selected for funding. To proceed, Lowndes County needs to execute the Subrecipient Agreement and return it to GEMA.

- OPTIONS: 1. Authorize the Chairman to sign the Subrecipient Agreement documents to accept the grant award.
2. Board's Pleasure

RECOMMENDED ACTION: Approve

DEPARTMENT: Emergency Management

DEPARTMENT HEAD: Ashley Tye

ADMINISTRATIVE COMMENTS AND RECOMMENDATIONS:

GEORGIA EMERGENCY MANAGEMENT AND HOMELAND SECURITY AGENCY

BRIAN P. KEMP
GOVERNOR



JAMES C. STALLINGS
DIRECTOR

January 14, 2025

Honorable Bill Slaughter
Chairman
Lowndes County Board of Commissioners
327 North Ashley Street
Valdosta, Georgia 31601

Dear Chairman Slaughter:

On behalf of Governor Brian P. Kemp, it is my pleasure to inform you that a Hazard Mitigation Grant Program (HMGP) award has been approved by the Federal Emergency Management Agency. This grant, which has been designated HMGP 4400-0033 will be used to purchase and install five (5) fixed generator for to ensure continuity of critical services to the community. The total approved cost is \$1,451,871 with a federal share of \$1,088,903, state share of \$145,187, and a local share of \$217,781.

These funds are subject to the execution of the enclosed Recipient-Subrecipient Agreement. Please sign and return the agreement and a fully executed copy will be returned to you later for your files.

Thank you for your commitment to protect Georgia citizens. I appreciate your efforts to ensure that Georgia continues to be a safer place for us to live and raise our families. By working together, we are continuing to reduce the impacts caused by natural hazards. Should you have any questions regarding this grant, please contact Stephen Clark, Hazard Mitigation Manager, at (404) 635-4573.

Sincerely,

Valarie Grooms for,
James C. Stallings

lt/rl

Enclosures

cc: Ashley Tye, Director

Lowndes County Emergency Management Agency

Frank Maneer, Area Coordinator

Georgia Emergency Management and Homeland Security Agency

HAZARD MITIGATION GRANT PROGRAM Recipient-Subrecipient Agreement

On October 14, 2018, the President declared that a major disaster exists in the State of Georgia. This declaration was based on damage resulting from COVID-19. This document is the Recipient-Subrecipient Hazard Mitigation Assistance Agreement for the major disaster, designated FEMA-4400-0033, under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, Public Law 93-288 as amended by Public Law 100-707, 42 USC 5121 et seq. ("The Act"), in accordance with 44 CFR 206 Subpart N, Hazard Mitigation Grant Program. Under this Agreement, the interests and responsibilities of the Recipient, herein after referred to as the State, will be executed by the Georgia Emergency Management and Homeland Security Agency (GEMA/HS). The individual designated to represent the State is the GEMA/HS Director, the Governor's Authorized Representative. The Subrecipient to this Agreement is The LOWNDES COUNTY. The interests and responsibilities of the Subrecipient will be executed by The LOWNDES COUNTY agent, the Subrecipient Authorized Representative.

1. The following Exhibits are attached and made a part of this agreement:
 - Exhibit "A": Assurances-Construction Programs, Standard Form 424 D
 - Exhibit "B": Project Administration Guidelines: Financial Assistance, Hazard Mitigation Grant Program
 - Exhibit "C": Certification regarding Drug-Free Workplace Requirements
 - Exhibit "D": Certification regarding Lobbying
 - Exhibit "E": Scope of Work
 - Exhibit "F": Progress Payment Request Form
 - Exhibit "G": Discrimination Complaints and Verification Form
 - Exhibit "H": Federal Funding Accountability and Transparency Act Certification
2. Pursuant to Section 404 of the Act, funds are hereby awarded to the Subrecipient on a 75 percent federal cost share and 10 percent state cost share basis for the hazard mitigation project(s) described in Exhibit "E". The Subrecipient shall be responsible for the remaining 15 percent share of any costs incurred under Section 404 of the Act and this Agreement. Allowable costs will be governed by 2 CFR Part 200.
3. If the Subrecipient violates any of the conditions of disaster relief assistance under the Act, this Agreement, or applicable federal and state regulations; the State shall notify the Subrecipient that additional financial assistance for the project in which the violation occurred will be withheld until such violation has been corrected to the satisfaction of the State. In addition, the State may also withhold all or any portion of financial assistance which has been or is to be made available to the Subrecipient for other disaster relief projects under the Act, this or other agreements, and applicable federal and state regulations until adequate corrective action is taken.
4. The Subrecipient agrees that federal or state officials and auditors, or their duly authorized representatives may conduct required audits and examinations. The Subrecipient further agrees that they shall have access to any books, documents, papers and records of any recipients of federal disaster assistance and of any persons or entities

which perform any activity which is reimbursed to any extent with federal or state disaster assistance funds distributed under the authority of the Act and this Agreement.

5. The Subrecipient will establish and maintain an active program of nondiscrimination in disaster assistance as outlined in implementing regulations. This program will encompass all Subrecipient actions pursuant to this Agreement.
6. The Subrecipient agrees that the mitigation project contained in this agreement will be completed by The LOWNDES COUNTY on or before MARCH 1, 2026. Completion dates may be extended upon justification by the Subrecipient and approval by FEMA and the Governor's Authorized Representative.
7. The written assurances provided by the LOWNDES COUNTY pertaining to FEMA's post award approval conditions apply to this Award Agreement and are incorporated by reference.
8. The Subrecipient shall follow Uniform Administrative Requirements for awards found in 2 CFR Part 200 and FEMA HMA (Hazard Mitigation Assistance) program guidance to implement this award.
9. There shall be no changes to this Agreement unless mutually agreed upon, in writing, by both parties to the Agreement.

Governor's Authorized
Representative

Subrecipient's Authorized
Representative

Date

Date

EXHIBIT "A"

**COVER PAGE FOR CURRENT
ASSURANCES- CONSTRUCTION PROGRAMS**

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0042), Washington, DC 20503.

PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

NOTE: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the Awarding Agency. Further, certain Federal assistance awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project costs) to ensure proper planning, management and completion of project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, the right to examine all records, books, papers, or documents related to the assistance; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will not dispose of, modify the use of, or change the terms of the real property title or other interest in the site and facilities without permission and instructions from the awarding agency. Will record the Federal awarding agency directives and will include a covenant in the title of real property acquired in whole or in part with Federal assistance funds to assure non-discrimination during the useful life of the project.
4. Will comply with the requirements of the assistance awarding agency with regard to the drafting, review and approval of construction plans and specifications.
5. Will provide and maintain competent and adequate engineering supervision at the construction site to ensure that the complete work conforms with the approved plans and specifications and will furnish progressive reports and such other information as may be required by the assistance awarding agency or State.
6. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
7. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
8. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards of merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
9. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
10. Will comply with all Federal statutes relating to non-discrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681 1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 dd-3 and 290 ee 3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.

11. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal and federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
12. Will comply with the provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
13. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-333) regarding labor standards for federally-assisted construction subagreements.
14. Will comply with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
15. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clean Air) implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).
16. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
17. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq).
18. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."
19. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.
20. Will comply with the requirements of Section 106(g) of the Trafficking Victims Protection Act (TVPA) of 2000, as amended (22 U.S.C. 7104) which prohibits grant award recipients or a sub-recipient from (1) Engaging in severe forms of trafficking in persons during the period of time that the award is in effect (2) Procuring a commercial sex act during the period of time that the award is in effect or (3) Using forced labor in the performance of the award or subawards under the award.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL	TITLE
APPLICANT ORGANIZATION	DATE SUBMITTED

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EXHIBIT “B”
GEORGIA EMERGENCY MANAGEMENT
and HOMELAND SECURITY AGENCY
Hazard Mitigation Grant Program
Project Administration Guidelines: Financial Assistance

This fact sheet provides a synopsis of information contained in the Recipient-Subrecipient Agreement and other applicable documents. Its purpose is to provide general guidelines for efficient and timely Hazard Mitigation Grant Program project administration.

1. Project Identification – The Federal Emergency Management Agency (FEMA) has assigned project number HMGP 4400-0033 to this project. Please reference this number in all correspondence, as doing so will greatly assist us in processing any actions for this project.
2. Documentation – You must keep full documentation to get maximum payment for project related expenditures. Documentation will be required as part of the approved Hazard Mitigation Grant Program project file. Documentation consists of:
 - A. Recipient-Subrecipient Agreement
 - B. Copies of checks, vouchers or ledger statements
 - C. Contracts awarded
 - D. Invoices or other billing documents
 - E. Progress reports
 - F. Record of advance or progress payments (where applicable)
3. Funding – Cost sharing has been established at 75% federal, 10% state and 15% applicant.
4. Debarred and Suspended Parties – You must not make any award or permit any award (subaward or contract) at any tier to any party which is debarred or suspended or is otherwise excluded from or ineligible for participation in Federal assistance programs under Executive Order 12549, “Debarment and Suspension”.
5. Procurement Standards – You may use your own procurement procedures, which reflect applicable State and local laws and regulations, provided that the procurements conform to applicable Federal laws and standards. Below is a summary of key procurement standards that a Subrecipient should incorporate as discussed in 2 CFR Sections 200.318 to 200.326.
 - A. Conflict of Interest Policy – The Subrecipient must maintain written standards of conduct covering conflicts of interest and governing the performance of its employees engaged in the selection, award, and administration of contracts as required in 2 CFR Section 200.318.

- B. Procurement – Perform procurement transactions in a manner providing full and open completion. Contracts and Procurements must be of reasonable cost, generally must be competitively bid, and must comply with Federal, State, and local procurement standards. FEMA finds five methods of procurement acceptable:
- 1) Micro-purchase procedures: an informal method for securing services or supplies that do not cost more than \$10,000. Micro-purchases may be awarded without soliciting competitive quotes if the Subrecipient considers the price to be reasonable.
 - 2) Small purchase procedures: an informal method for securing services or supplies that do not cost more than \$250,000 by obtaining several price quotes from different sources.
 - 3) Sealed bids: a formal method where bids are publicly advertised and solicited, and the contract is awarded to the responsive bidder whose proposal is the lowest in price.
 - 4) Competitive proposals: a method similar to sealed bid procurement in which contracts are awarded on the basis of contractor qualifications instead of on price.
 - 5) Non-competitive proposals: a method whereby a proposal is received from only one source, because the item is available only from a single source; there is an emergency requirement that will not permit delay.
- C. Maintain sufficient records to detail the significant history of procurement. These records will include, but are not necessarily limited to, the following: rationale for the method of procurement, selection of contract type, and contractor selection or rejection.
- D. Take affirmative steps to assure the use of small and minority firms, women’s business enterprises, and labor surplus area firms when possible.
- E. Include specific provisions in Subrecipient’s contracts to allow changes, remedies, changed conditions, access and records retention, suspension of work and other clauses approved by the Office of Federal Procurement Policy.
6. Payments
- A. Progress Payments
- 1) When progress payments are desired, you must submit a written request (on provided form at Exhibit “F”) and provide supporting documentation, such as an invoice and copies of check.
 - a. The first expenditure report is due by December 10, 2025, which is within 12 months of the FEMA award date. Subsequent expenditure reports are due annually or more

frequently as needed.

- 2) The Hazard Mitigation Risk Reduction Specialist reviews the request and supporting documentation. The Hazard Mitigation Manager reviews and approves or denies the request.
- 3) If the request is denied, the Hazard Mitigation Manager will inform you in writing that additional documentation is required to support the request.
- 4) If the request is approved, the Hazard Mitigation Manager will authorize payment of the requested amount.
- 5) Quarterly report submissions must be current in order to receive progress payments.

B. Advance Payments – Advance payments will be made on an exception basis only.

7. Subrecipient Performance – The scope of work (see Exhibit “E”) must be initiated within 90 days of this award notification.

- A. If documentation, inspections or other reviews reveal problems in performance of the scope of work, the Hazard Mitigation Manager will inform you in writing of the deficiencies.
- B. In addition, the State may also withhold all or any portion of financial assistance which has been made available under this agreement until adequate corrective action is taken.

8. Award Expiration Date

- A. The award expiration date runs through MARCH 1, 2026, and has been established based on project milestones established by the applicant in their application. The award expiration date is the time during which the Subrecipient is expected to complete the scope of work. You may not expend FEMA or state funds beyond this date. All costs must be submitted for reimbursement within 60 days of the end of the award expiration date.
- B. Requests for time extensions to the Award Expiration Date will be considered but will not be granted automatically. A written request must be submitted to the Hazard Mitigation Manager with an explanation of the reason or reasons for the delay. Without justification, extension requests will not be processed. Extensions will not be granted if the Subrecipient has any overdue quarterly progress reports. If an extension is requested, it must be received 90 days prior to the award expiration date. When fully justified, the State Hazard Mitigation Manager may extend the award expiration date.

9. Project Termination

- A. The Recipient, Subrecipient, or FEMA may terminate award agreements upon giving written notice to the other party at least seven (7) calendar days prior to the effective date of the termination. All notices are to be transmitted via registered or certified mail.
- B. The Subrecipient's authority to incur new costs will be terminated upon the date of receipt of the notice or the date set forth in the notice. Any costs incurred prior to the date of the receipt of the notice or the date of termination set forth in the notice will be negotiated for final payment. Close out of the award will commence and be processed as prescribed under final inspection procedures described in this Recipient-Subrecipient Agreement.

10. Environmental and Historic Preservation Conditions

- A. The following Environmental Project Conditions must be followed to ensure the project remains in compliance through implementation:
 - 1) Any change to the approved scope of work will require re-evaluation for compliance with NEPA and other Laws and Executive Orders. This review did not address all federal, state, and local requirements. Acceptance of federal funding requires Recipients to comply with all federal, state, and local laws. Failure to obtain all appropriate federal, state, and local environmental permits and clearances may jeopardize federal funding.
 - 2) If ground-disturbing activities occur during construction or demolition, Subrecipient will monitor ground disturbance and if any potential archeological resources are discovered, will immediately cease construction in that area and notify the State and FEMA.

11. Equipment/Supplies – The Subrecipient must comply with the regulations listed in 2 CFR 200.313 Equipment, 200.314 Supplies, and must be in compliance with state laws and procedures.

12. Award Modifications

- A. Any award modifications, including deviation from the approved scope of work or budget, must be submitted in writing for approval prior to implementation. Award Modifications include:
 - 1) Any revision which would result in the need for additional funding.
 - 2) Transfers between budget categories.

- B. The Subrecipient shall follow prior approval requirements for budget revisions found in 2 CFR 200.308. Transfer of funds between total direct cost categories in the approved budget shall receive the prior approval of FEMA when such cumulative transfers among those direct cost categories exceed ten percent of the total budget.
13. Appeals – You may submit an appeal on any item related to award assistance. Appeals must be submitted to the State Hazard Mitigation Manager within 90 days of the action which is being appealed.
14. Progress Reports
- A. Quarterly progress reports are required. The report will be supplied to you by GEMA/HS on a quarterly basis for your completion.
 - B. The initial progress report will cover the period through March 31, 2025. It must be submitted no later than April 15, 2025.
 - C. Subsequent reports must be filed by you within fifteen days after the end of each calendar quarter (March 31, June 30, September 30, and December 31).
15. Interim Inspections – Interim inspections may be conducted by GEMA/HS staff and/or FEMA staff.
16. Project Closeout
- A. When all work has been completed, you must notify your Hazard Mitigation Risk Reduction Specialist in writing to request project closeout.
 - B. A desk review will be conducted by your Hazard Mitigation Risk Reduction Specialist.
17. Audits – If you receive \$750,000 or more in federal assistance from all federal sources, not just this award, during your fiscal year, you are responsible for having an audit conducted as prescribed by the Single Audit Act and sending a copy to the Georgia Department of Audits and Accounts. Mail reports to:

Department of Audits and Accounts
Non-Profit and Local Government Audits
270 Washington Street, SW, Room 1-156
Atlanta, Georgia 30334-8400

If you need additional information or assistance, contact the GEMA/HS Hazard Mitigation Program at (404) 635-7522 or 1-800-TRY-GEMA.

EXHIBIT "C"
Certification Regarding Drug Free Workplace Requirements

This certification is required by the regulations implementing the Drug-Free Workplace Act of 1988, 2 CFR Part 3001. The regulations require certification by Subrecipients, prior to award, that they will maintain a drug-free workplace. The certification set out below is a material representation of fact upon which reliance will be placed when the agency determines to grant the award. False certification or violation of the certification shall be grounds for suspension of payments,

A. The Subrecipient certifies that it will or will continue to provide a drug-free workplace by:

(a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the Recipient and Subrecipient's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

(b) Establishing an ongoing drug-free awareness program to inform employees about--

- (1) The dangers of drug abuse in the workplace;
- (2) The Recipient's policy of maintaining a drug-free workplace;
- (3) Any available drug counseling, rehabilitation, and employee assistance programs; and
- (4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

(c) Making it a requirement that each employee to be engaged in the performance of the award be given a copy of the statement required by paragraph (a);

(d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the award, the employee will--

- (1) Abide by the terms of the statement; and
- (2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

(e) Notifying the agency in writing within ten calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position and title, to every award officer or other designee on whose award activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected award;

(f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted—

- (1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, 29 U.S.C. § 701 et seq.; or
- (2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

(g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e) and (f).

EXHIBIT "D"

**CERTIFICATION REGARDING LOBBYING
Certification For Contracts, Awards, Loans, and Cooperative Agreements**

This certification is required by the regulations implementing the New Restrictions on Lobbying, 44 CFR Part 18. The undersigned certifies, to the best of his or her knowledge and belief, that:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal award, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, award, loan, or cooperative agreement.
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, award, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
3. The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, sub awards, and contracts under awards, loans, and cooperative agreements) and that all Subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by 31 U.S.C. § 1352. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Subrecipient's Authorized Representative

_____ Date

EXHIBIT “E”**SCOPE OF WORK**

The LOWNDES COUNTY will purchase, install, and maintain five (5) fixed generators located at the Pruitt Health – Crestwood Nursing Facility, Pruitt Health – Parkwood Nursing Facility, Pruitt Health Lakehaven Nursing Facility, Pruitt Health – Valdosta Nursing Facility, Pruitt Health – Holly Hill Nursing Facility.

**HMGP 4400-0033 LOWNDES COUNTY
Generators Estimated Project Costs**

Location	Shipping and Installation	Generator	Fuel Tank	Concrete Pad for Generator	Initial Fuel for Testing	Elevation	Facility Transfer Switch and connections	Total Project Costs	FEMA Share	State Share	Local Share
Pruitt Health Crestwood	\$183,767	\$89,110	\$11,157	\$10,845	\$272	\$0	\$24,555	\$319,706	\$239,780	\$31,971	\$47,956
Pruitt Health Parkwood	\$290,152	\$89,110	\$11,157	\$10,845	\$272	\$0	\$35,955	\$437,491	\$328,118	\$43,749	\$65,624
Pruitt Health Lakehaven	\$117,364	\$52,057	\$7,970	\$6,988	\$164	\$0	\$8,962	\$193,505	\$145,129	\$19,351	\$29,026
Pruitt Health Valdosta	\$160,390	\$64,592	\$7,970	\$8,806	\$218	\$0	\$8,962	\$250,938	\$188,204	\$25,094	\$37,641
Pruitt Health Holly Hill	\$164,792	\$52,057	\$7,970	\$6,988	\$164	\$0	\$18,260	\$250,231	\$187,673	\$25,023	\$37,535
Total	\$916,465	\$346,926	\$46,224	\$44,472	\$1,090	\$0	\$96,694	\$1,451,871	\$1,088,903	\$145,187	\$217,781

Shown above is the funding level and scope of work for the Hazard Mitigation Grant Program project for the LOWNDES COUNTY. Any changes to this spreadsheet MUST RECEIVE PRIOR APPROVAL FROM GEMA/HS and will be maintained by GEMA/HS and shall supersede all previous versions.

Generator Size and Location Lat/Long:

1.) Pruitt Health – Crestwood Nursing Facility 415 Pendleton Place, Valdosta, GA 31602	250 KW	Fixed Generator	30.864462 ; -83.280889
2.) Pruitt Health – Parkwood Nursing Facility 1501 North Lee Street, Valdosta, GA 31602	250 KW	Fixed Generator	30.850300 ; -83.277777
3.) Pruitt Health - Lakehaven Nursing Facility 410 Northside Drive, Valdosta, GA 31602	150 KW	Fixed Generator	30.872403 ; -83.280957
4.) Pruitt Health – Valdosta Nursing Facility 2501 North Ashley Street, Valdosta, GA 31062	200 KW	Fixed Generator	30.86399 ; -83.281672
5.) Pruitt Health – Holly Hill Nursing Facility 413 Pendleton Place, Valdosta, GA 31062	150 KW	Fixed Generator	30.863361; -83.281672

The following conditions apply:

Any change to the approved scope of work will require re-evaluation for compliance with NEPA and other Laws and Executive Orders.

This review does not address all federal, state, and local requirements. Acceptance of federal funding requires recipient to comply with all federal, state, and local laws. Failure to obtain all appropriate federal, state, and local environmental permits and clearances may jeopardize federal funding.

If ground disturbing activities occur during construction, applicant will monitor ground disturbance and if any potential archeological resources are discovered, will immediately cease construction in that area and notify the State and FEMA.

EXHIBIT "F" Progress Payment Request Form

Date: _____

HMGP Progress Payment Request

Instructions: All requests for progress payments must be supported by documentation supporting actual expenditures. Itemize each expenditure below to the fullest detail possible, including a reference to specific sites or elements of work. Attach documentation that supports this progress payment request, such as copies of bills of sale, invoices, receipts, and checks evidencing payment. Do not send originals. Attach a continuation sheet if necessary.

Agreement Number: HMGP-4400-0033

FEMA Project Number: HMGP-4400-0033

Subrecipient Name: LOWNDES COUNTY

Site Reference or Element of Work	Approved Amount	Previous Payment	Current Request	Description of Documentation Attached in Support of this Payment Request
		(from continuation sheet attached)		
		SUBTOTAL		
		TOTAL		
		Less Subrecipients Share (15%)		
		NET AMOUNT REQUESTED		

Under penalty of perjury, I certify that to the best of my knowledge the data above is correct and that all outlays were made in accordance with the award conditions, comply with procurement regulations contained within the 2 CFR, Part 200, and that payment is due and has not been previously requested. I am familiar with Section 317 of Public Law 93-288, as amended by the Robert T. Stafford Disaster Relief and Emergency Assistance Act.

Signature of Subrecipient's Authorized Representative (and printed name)

EXHIBIT "G"

**DISCRIMINATION COMPLAINTS AND
VERIFICATION FORM**



THE GEORGIA EMERGENCY MANAGEMENT AND HOMELAND SECURITY AGENCY

Language Access Plan 2022

Purpose

The intent of this Language Access Plan (the Plan) is to ensure the Georgia Emergency Management and Homeland Security Agency (GEMA/HS) is prepared to address its responsibilities as a recipient of Federal Financial Assistance as they relate to the needs of individuals with limited English language skills. The Plan has been prepared in accordance with Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 200d, *et seq.*, and Executive Order 13166, to follow when providing services to, or interacting with, individuals who have limited English proficiency (LEP). Following these guidelines is essential to the success of our mission to protect life and property against man-made and natural disasters by directing the State's efforts in the areas of prevention, preparedness, mitigation, response, and recovery.

GEMA/HS is a recipient of federal funds for a portion of its programs and, thus, obligated to reduce language barriers that can preclude Meaningful Access by LEP persons to GEMA/HS programs and GEMA/HS' Subrecipients' programs. GEMA/HS has prepared this Language Access Plan, which defines the actions to be taken to ensure Meaningful Access to Agency services, programs, and activities on the part of persons who have LEP.

Authority

Title VI of the Civil Rights Act of 1964

Section 601 of Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d, provides that no person shall "on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal Financial Assistance."

Section 602 authorizes and directs federal agencies that are empowered to extend Federal Financial Assistance to any program or activity "to effectuate the provisions of [section 601] * * * by issuing rules, regulations, or orders of general applicability." 42 U.S.C. 2000d-1.

Executive Order 13166

Executive Order 13166, entitled "Improving Access to Services for Persons with Limited English Proficiency," authorizes the implementation of regulations afforded by Title VI of the Civil Rights Act of 1964. Executive Order 13166 ensures LEP persons have Meaningful Access to federally conducted and funded programs and activities. This protection requires that LEP persons be provided an equal opportunity to benefit from services that are normally provided in English. Executive Order 13166 requires that federal agencies create plans for ensuring that their own activities also provide Meaningful Access for persons who are LEP.

Definitions

Beneficiary: The ultimate consumer of federally funded programs who receives benefits from a federally funded recipient.

Bilingual: A person competent in two languages in equal aptitude in either oral or written form is considered bilingual.

Customer: Any individual or organization communicating with a GEMA/HS program.

GEMA/HS LAP Coordinator: GEMA/HS employees that collectively work together as the LAP Coordinator.

Federal Financial Assistance: Grants, loans, and advances of federal funds, the grant or donation of federal property and interests in property, or any other assistance as specified in 24 CFR Part I § 1.2(e).

Focus Languages: Languages, specifically Chinese, Korean, Spanish, and Vietnamese, identified through the Four-Factor Analysis as having a sufficient level of prevalence amongst LEP individuals in Georgia to warrant statewide efforts for written translations of vital documents.

Interpretation: The act of listening to a communication in one language (source language) and orally converting it to another language (target language) while retaining the same meaning.

Language Access Plan (LAP): A written implementation plan that addresses identified needs of the LEP persons served.

Language Assistance Services: Oral and written language services needed to assist LEP individuals to communicate effectively with staff, and to provide LEP individuals with Meaningful Access to, and an equal opportunity to participate fully in, the services, activities, or other programs administered by GEMA/HS.

Limited English Proficient (LEP) Individuals: Individuals who do not speak English as their primary language and who have a limited ability to read, write, speak, or understand English because of their national origin. For purposes of Title VI and the LEP Guidance, persons may be entitled to language assistance with respect to a particular service, benefit, or encounter. (HUD LEP Guidance). LEP individuals may be competent in English for certain types of communication (e.g., speaking or understanding), but still demonstrate LEP for other purposes (e.g., reading or writing).

Meaningful Access: LEP individuals' accurate, timely, and effective participation in, or benefit from, federally funded programs that is meaningfully equivalent to that of non-LEP individuals, at no cost to the LEP individual.

Multilingual staff or employee: A staff person or employee who has demonstrated fluency in English and reading, writing, speaking, or understanding at least one other language as authorized by his or her Division.

Primary Language: An individual's primary language is the language in which an individual most effectively communicates.

Recipient: Qualified applicants in compliance with 24 CFR §1.2(f) who are awarded Federal Financial Assistance. The Voluntary Compliance Agreement defines Recipient as "the meaning specified at 24 CFR §1.2(0)." 24 CFR §1.2(f) defines Recipient as "any State, political subdivision of any State, or instrumentality of any State or political subdivision, any public or private agency, institution, organization, or other entity, or any individual, in any State, to whom Federal Financial Assistance is extended, directly or through another recipient, for any program or activity, or who otherwise participates in carrying out such program or activity (such as a redeveloper in the Urban Renewal Program), including any successor, assign, or transferee thereof, but such term does not include any ultimate beneficiary under any such program or activity."

Subrecipient: Any public or private agency, institution, organization, or other entity to whom Federal Financial Assistance is extended, through GEMA/HS for any program or activity, or who otherwise participates in carrying out such program or activity, but such term does not include any Beneficiary under any such program.

Translation: The replacement of written text from one language (source language) into an equivalent written text in another language (target language).

Policy

GEMA/HS complies with all federal statutes and regulations in the administration of federally funded programs. Through the Plan, GEMA/HS will take timely and reasonable steps to provide LEP persons with Meaningful Access to programs and activities conducted by GEMA/HS and its Subrecipients. Access to GEMA/HS programs and services should not be impeded as a result of an individual's inability to speak, read, write, or understand English. GEMA/HS will review and update its LEP Four-Factor Analysis at least every five years.

The Plan requires communication of information contained in vital documents involving emergency services to all people in the state of Georgia. All interpreters, translators, and other aids needed to comply with the Plan shall be provided without cost to the person being served and will be informed of the availability of such assistance free of charge. Language assistance will be provided through the use of competent bilingual interpreters, contracts, or formal arrangements with local organizations providing interpretation or translation services, or technology and telephonic interpretation services. All GEMA/HS employees will be provided notice of the Plan, and GEMA/HS employees that may have direct contact with LEP individuals will be trained in effective communication techniques, including the effective use of an interpreter.

GEMA/HS will train staff, contractors, and Subrecipient administrators (program administrators who are expected to conduct a Four-Factor Analysis and other efforts described within this LAP), and local government officials on procedures to implement and continuously monitor and evaluate the implementation of LAPs in the state of Georgia.

Pursuant to the requirements of Title VI, Subrecipients of federal funds received through an administration grant/award made by GEMA/HS are also required to make reasonable efforts to provide timely, Meaningful Access for LEP persons to programs and activities. In order to do so, Subrecipients should first conduct an assessment to determine the need for language assistance within their service area. This is accomplished by conducting the Four-Factor Analysis, which is described in the Plan. After completion of the Four-Factor Analysis, the Subrecipients will understand the languages spoken by LEP persons in their service area and can determine how to provide needed language assistance.

Based upon the findings of the Four-Factor Analysis, and when deemed necessary, the Sub-Recipients should prepare a Language Access Plan addressing the Subrecipient's plan for ensuring Meaningful Access to programs and activities for LEP persons. A Subrecipient may conclude that different language assistance measures are sufficient for the different types of programs or activities in which it engages. For instance, a Subrecipient may determine that certain activities are more important and/or have greater impact on or contact with LEP persons, and thus such programs or activities require enhanced language assistance.

Subrecipients are also required to select an individual responsible for coordination of LEP compliance, train staff involved in programs and activities on LEP requirements, keep records of assistance provided and actions taken, and update the Four-Factor Analysis and LAP, as needed. GEMA/HS will monitor all Subrecipients to ensure LEP individuals receive Meaningful Access to GEMA/HS federally funded programs.

Four Factor Analysis

In developing the Plan, GEMA/HS used the Four Factor LEP analysis, which considers the following:

1. The number or proportion of LEP persons eligible to be served or likely to be encountered by GEMA/HS programs, activities, or services in the state of Georgia;
2. The frequency with which LEP individuals come in contact with GEMA/HS programs, activities or services;
3. The nature and importance of the program, activity or service provided to the LEP population; and
4. The resources available to GEMA/HS and the overall cost to provide assistance.

Factor 1: Number or proportion of LEP persons eligible to be served or likely to be encountered by GEMA/HS programs, activities, or services.

GEMA/HS used the U.S. Census Bureau’s American Community Survey (ACS), 2020: ACS 5-Year Estimates Data Profile of Georgia to determine the number of LEP persons throughout the State. Based on the data provided, GEMA/HS considers individuals who speak English less than “very well” as LEP persons. According to the ACS data, the state of Georgia has a total population of 9,864,494 persons five years old and older. Of the 9,864,494 persons, the ACS estimates that 536,491 persons or 5.44 percent of the State’s population are LEP.

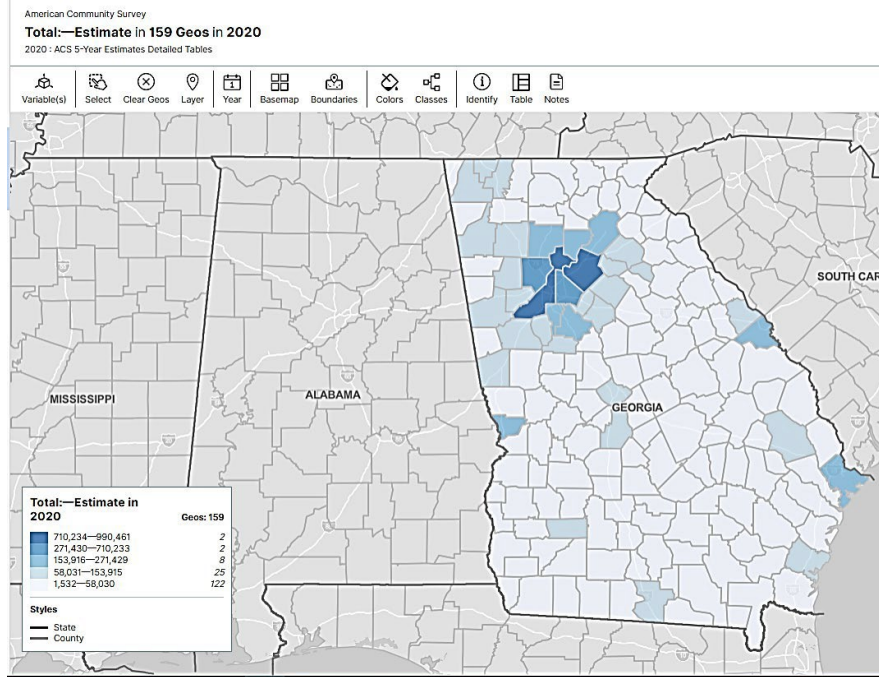
MOST COMMON LANGUAGES SPOKEN AT HOME

	Total Number of speakers	Number who speak English less than “very well”	Percent of total population who speak English less than “very well”
Total population 5 years and over	9,864,494	536,491	5.44%
Spanish	781,103	332,566	3.37%
Korean	47,879	24,252	0.25%
Vietnamese	52,832	32,588	0.33%
Chinese (incl. Mandarin, Cantonese)	51,251	25,814	0.26%
Arabic	20,010	6,025	0.06%
French, Haitian, or Cajun	53,999	11,186	0.11%
German or other West Germanic languages	27,898	3,488	.04%
Russian, Polish, or other Slavic languages	28,301	9,171	

Source: U.S. Census Bureau, 2020 American Community Survey (Table C16001 5 year estimate)

2020 ACS 5-Year Estimates Detailed Tables for 159 Counties in Georgia

Languages Spoken at Home for the Population 5 Years and Over



Source: [U.S. Census Bureau. 2020 American Community Survey \(Table C16001 5 year estimate\)](#)

COUNTIES WITH HIGHEST CONCENTRATION OF LEP PERSONS

	Total population (>age 5)	LEP population (number)	LEP population (percent)
Georgia	9,864,494	536,491	5.44%
Fulton County	990,461	49,465	5.00%
Gwinnett County	865,453	133,239	15.40%
DeKalb County	702,759	58,543	8.33%
Cobb County	710,233	49,527	6.97%
Muscogee County	181,372	4,258	2.35%
Chatham County	271,429	9,517	3.50%
Hall County	188,380	24,750	13.14%
Cherokee County	238,875	11,768	4.93%
Henry County	216,771	8,038	3.71%
Clayton County	265,889	24,413	9.18%
Richmond County	188,446	3,767	2.00%
Bartow County	99,540	3,219	3.23%
Forsyth County	222,422	13,626	6.13%
Floyd County	91,953	4,632	5.04%
Paulding County	153,915	2,823	1.83%

Coweta County	137,185	4,339	3.16%
Douglas County	136,211	6,480	4.76%
Troup County	65,591	1,186	1.81%
Rockdale County	84,942	4,714	5.55%
Walton County	87,651	1,694	1.93%
Jackson County	65,919	2,223	3.37%
Barrow County	75,774	4,407	5.82%
Clarke County	120,443	5,949	4.94%
Fayette County	108,463	3,994	3.68%
Spalding County	61,990	851	1.37%
Newton County	102,864	2,202	2.14%
Carroll County	111,220	3,567	3.21%
Lowndes County	108,509	2,127	1.96%
Dougherty County	82,900	1,076	1.30%
Glynn County	80,176	2,437	3.04%
Bulloch County	73,268	1,306	1.78%
Walker County	65,478	403	0.62%
Whitfield County	97,331	13,367	13.73%
Catoosa County	63,441	939	1.48%
Columbia County	144,458	4,931	3.41%
Bibb County	142,913	2,909	2.03%
Houston County	145,032	4,365	3.01%

Factor 2: Frequency with which LEP individuals come in contact with programs, activities, or services.

GEMA/HS is the lead agency when disasters strike, meaning that GEMA/HS employees are at the front line of responding to emergencies and coordinating preparedness and recovery efforts. GEMA/HS directs the recovery efforts by the State and helps connect locals to the nonprofit organizations that want to offer assistance. Many of these organizations provide emergency housing and shelter, access to transportation, food banks, childcare services, and public health programs, as well as long-term housing and support. Therefore, as the leaders of recovery efforts, our Agency is responsible for properly understanding the needs of the community and making sure the necessary resources are being deployed. To accomplish this function, GEMA/HS employees must have resources available to communicate with the population in need by having interpreter services readily available. Therefore, any information GEMA/HS posts regarding Federal Financial Assistance must be disseminated and accessible to diverse racial, ethnic, and LEP populations.

GEMA/HS encourages all Subrecipients, organizations, and community leaders to regularly engage with the communities they serve, especially those that are LEP. GEMA/HS' goal is to foster relationships with community-based organizations and local service offices, like legal aid,

which have a more established relationship with underserved communities, like LEP persons, to disseminate resources and information.

GEMA/HS anticipates increased contact with LEP persons as natural disasters become more prevalent, emergency situations more frequently arise, and the minority populations within the state of Georgia continues to grow. Given this likely outcome, GEMA/HS must make all necessary preparations to develop products that non-English speakers can read and understand.

Factor 3: The nature and importance of the program, activity or service provided to the LEP population.

In general, after a disaster the affected constituency relies heavily on GEMA/HS to lead them to resources, programs, and benefits. GEMA/HS must ensure LEP persons have equitable contact with these resources, programs, and benefits. Therefore, during post-disaster recovery GEMA/HS will work with the hired consultant to encourage affected counties to identify language services during the planning process so that LEP persons in concentrated areas of a county are not experiencing denial or delay of access to services.

Factor 4: The resources available to GEMA/HS and the overall cost to provide assistance.

GEMA/HS will take all reasonable steps to ensure Meaningful Access to LEP persons when preparing and planning for disaster events and after such events occur. Reasonable steps include working with local LEP community organizations, key stakeholders, and other government agencies to assist with language assistance. GEMA/HS will also leverage existing relationships with community organizations, including faith-based service groups, community associations, and service nonprofits in GA Voluntary Organizations Active in Disaster.

GEMA/HS will maintain LEP maps so that the Agency is consistently updating language materials that reflect the most prevalent languages spoken in areas affected by disasters. The Agency intends to research ethnic centers and venues diverse communities visit so that recovery and benefit information reaches LEP populations. GMA/HS will utilize its public platforms to post guidance and public service announcements in non-English languages.

Before, during, and after a disaster, GEMA/HS will coordinate with non-English media—in TV, print, and radio, as well as through online platforms and social media—to assist with sharing information to LEP populations.

Complaint Procedures

An employee, client, customer, program participant, or consumer of GEMA/HS or of a GEMA/HS Subrecipient may submit an LEP complaint concerning the implementation or administration of any GEMA/HS program, activity, or service. Any such individual has the right, and is encouraged, to file a written complaint with the Federal Emergency Management Agency’s (FEMA) Office of Equal Rights (OER), the DHS’s Office for Civil Rights and Civil Liberties (CRCL), or GEMA/HS.

1. If the complaint involves FEMA programs and activities, and programs and activities conducted by FEMA grant recipients, the complaint may be sent directly to FEMA OER by calling FEMA at 202-212-3535 and press 1 for Civil Rights, sending an email to FEMACivilRightsOffice@fema.dhs.gov, or by sending a written explanation to the FEMA OER.

The written explanation should be sent to:

FEMA's Office of Equal Rights
Civil Rights Section
500 C Street, SW
Room 4SW-0915
Washington, D.C. 20472

2. LEP complaints can also be sent to the DHS's Office for CRCL. There are three submission methods available. One method for submitting the complaint is via email: CRCLCompliance@hq.dhs.gov. A second available method is fax: 202-401-4708. The complaint may also be sent via mail to the following address:

U.S. Department of Homeland Security
Office for Civil Rights and Civil Liberties
Compliance Branch
245 Murray Lane, SW
Building 410, Mail Stop #0190
Washington, D.C. 20528

3. Additionally, LEP complaints can be sent directly to GEMA/HS. A complaint form can be downloaded from GEMA/HS' website and submitted by email to: language.access.coordinator@gema.ga.gov.

The completed form may also be sent to:

The Georgia Emergency Management and Homeland Security Agency
Language Access Coordinator
935 United Avenue SE
Atlanta, Georgia 30316

Language Assistance and Interpretation Services

GEMA/HS will improve its ability to identify LEP persons needing language assistance by:

1. Posting notice of the Plan and the availability of interpretation or translation services free of charge in languages LEP persons would understand at initial points of contact. GEMA/HS will display the language identification "I SPEAK" cards in all GEMA/HS offices and when traveling to any county or city when responding to an emergency or disaster.

2. All GEMA/HS field coordinators and front-facing staff will also be provided with “I Speak” cards to assist in identifying the language interpretation needed if the occasion arises.
3. All city staff will be informally surveyed periodically on their experience and frequency concerning any contacts with LEP persons during the previous year.

GEMA/HS will provide an opportunity for LEP persons to request an interpreter. Qualified foreign language interpreters will be provided by GEMA/HS, as needed. Whether or not an interpreter is used, there will always be information sheets available at headquarters, incident command centers, and at any point of contact GEMA/HS has with the community. These information sheets should always include questions and answers concerning the need for an interpreter. GEMA/HS will maintain a list of qualified interpreters or companies it contracts with to provide such interpreters. A qualified interpreter, which may include GEMA/HS personnel, means an interpreter who can interpret effectively, accurately, and impartially, using any specialized vocabulary.

Training

1. GEMA/HS will provide periodic training for all employees regarding:
 - a. Implementing the Plan’s procedures;
 - b. Understanding the requirements of Title VI of the Civil Rights Act, Executive Order 13166, and updates to federal guidance on LEP;
 - c. Locating and contacting language assistance services for GEMA/HS programs and Subrecipients’ programs, as needed;
 - d. Using “I Speak” cards and training Subrecipients to use them;
 - e. Preparing and testing communication strategies to ensure evacuation announcements and critical communications reach LEP populations;
 - f. Recording and responding to LEP complaints; and
 - g. Researching and updating population information so that GEMA/HS can best serve the current Georgia population.
2. GEMA/HS will facilitate LEP training for Subrecipients. Such training may be arranged:
 - a. In conjunction with grant management training;

- b. Online through the GEMA/HS website;
- c. At the request of the Subrecipient; or
- d. As a result of a grant program review.

Notification

GEMA/HS will post the Plan on the GEMA/HS website to notify all interested parties of the appropriate procedures for addressing complaints of discrimination concerning the implementation or administration of any program, activity, or service receiving Federal Financial Assistance from FEMA or DHS.

Complaint Procedures

GEMA/HS Procedures for Processing Complaint

1. A group of GEMA/HS employees will collectively act as the Language Access Coordinator for processing complaints made by individuals who believe they have been denied the benefits associated with this Plan.
2. If an employee, client, customer, program participant, or consumer of GEMA/HS or of a GEMA/HS Subrecipient contacts a GEMA/HS employee and wishes to file a complaint against GEMA/HS or a GEMA/HS Subrecipient concerning the implementation or administration of GEMA/HS any program, activity, or service involving the benefits of the Plan, the GEMA/HS employee shall instruct the complainant to file the complaint in writing, in accordance with the procedures above.
3. Any GEMA/HS employee receiving such a complaint submitted directly to GEMA/HS, and any GEMA/HS employee wishing to submit such a complaint directly to GEMA/HS, shall route it to the Language Access Coordinator. If the complaint is against an employee of GEMA/HS, the complaint shall be forwarded to the Language Access Coordinator.
4. For any complaint received by the Language Access Coordinator that is submitted directly to GEMA/HS, the Language Access Coordinator shall provide written acknowledgment of the complaint to the complainant.
5. The Language Access Coordinator shall refer the complaint to the appropriate entity, which may include the Georgia Office of the Attorney General, the OER, or the CRCL. If the Georgia Office of the Attorney General either is the agency about which the complaint is filed or has a conflict, the complaint shall be referred to the OER or CRCL, as appropriate.

6. Notwithstanding paragraph 5, for any LEP complaint concerning the implementation or administration of any program, activity, or service receiving Federal Financial Assistance from FEMA or DHS, GEMA/HS shall notify the OER or CRCL, as appropriate, in writing of the following:
 - a. Name of complainant;
 - b. Entity named in the complaint;
 - c. Description of the LEP complaint;
 - d. Steps being undertaken to investigate and resolve complaint; and
 - e. Interpretation resources to address the information or benefits the LEP person needed but did not receive.

In addition, GEMA/HS shall notify the complainant that they may file a complaint directly with the OER or CRCL, as appropriate, at the following address or using one of the electronic submission methods described above:

FEMA's Office of Equal Rights
Civil Rights Section
500 C Street, SW
Room 4SW-0915
Washington, D.C. 20472

U.S. Department of Homeland Security
Office for Civil Rights and Civil Liberties
Compliance Branch
245 Murray Lane, SW
Building 410, Mail Stop #0190
Washington, D.C. 20528

Monitoring Language Needs and Implementation

GEMA/HS will continuously monitor and track changes in LEP populations, including what regions might require new language training services and what non-English languages are increasing throughout the population of Georgia. As part of a grant program review, GEMA/HS staff will review the Subrecipients' procedures for adequately providing language assistance to LEP persons. If the procedures do not exist, or are found to need improvement, GEMA/HS staff will send those findings to Subrecipient. At a minimum, the Subrecipient's response procedures should include:

- a. Acknowledge complaint receipt to complainant in writing;
- b. Indicate which external agency the complaint is forwarded to for investigation;
- c. Comply with the appropriate timeframe by which to forward complaint;
- d. Notify GEMA/HS of complaint; and

- e. Notify complainant that a complaint of discrimination may be filed directly with the OER, CRCL, or GEMA/HS, and where to locate those procedures.

Additional Resources:

- **Georgia Department of Human Services (DHS)**
Contact the Limited English Proficiency / Sensory Impairment (LEP/SI) Program
Fax: (404) 657-1123
lepsi@dhs.ga.gov
2 Peachtree Street N.W.
Suite 29-103
Atlanta, GA 30303
- **Georgia Department of Community Affairs**
Attn: Christy Barnes, DCA LAP Coordinator
DCA 504 Coordinator
60 Executive Park South, N.E.
Atlanta, Georgia 30329-2231
fairhousing@dca.ga.gov
404-679-5291
https://www.dca.ga.gov/sites/default/files/dca_lap.pdf
- **iSpeak ATL**
<https://www.welcomingatlanta.com/ispeakatl/>
Mayor's Office of Immigrant Affairs
Suite 2400
55 Trinity Ave SE
Atlanta GA 303016
Email: ispeakATL@atlantaga.gov
- Interpreters Unlimited (In person only – 800-726-9891)
- Language Line Services (Telephonic or recording – 800-752-6096)
- LATN, Inc. (In-person or telephonic – 800-943-5286)
- Peach State Health Plan Interpreter & Translation Services
- Contractor Listing for Translation and Interpretation Services
- Contractor Listing for Linguistic Training and Education Services
- American Association of Language Specialists
- American Translators Association
- Federal LEP Website

Appendix 1: I Speak Card

I Speak...

Language Identification Guide

A

Amharic
እኔ አማርኛ ነው ምናገረው.

Arabic
أنا أتحدث اللغة العربية

Armenian
Ես խոսում եմ հայերեն

B

Bengali
আমি বাংলা কথা বলতে পারি

Bosnian
Ja govorim bosanski

Bulgarian
Az говоря български

Burmese
ကျွန်တော်/ကျွန်မ မြန်မာ ဝါ မြန်မာစကား ပြောတယ်

C

Cambodian
ខ្ញុំនិយាយភាសាខ្មែរ

Cantonese
我講廣東話 (Traditional)
我讲广东话 (Simplified)

Catalan
Parlo català

Croatian
Govorim hrvatski

Czech
Mluvím česky

D

Danish
Jeg taler dansk

Dari
من دری حرف می زنم

Dutch
Ik spreek het Nederlands

E

Estonian
Ma räägin eesti keelt

F

Finnish
Puhun suomea

French
Je parle français

G

German
Ich spreche Deutsch

Greek
Μιλώ τα ελληνικά

Gujarati
હું ગુજરાતી બોલુ છું

H

Haitian Creole
M pale kreyòl ayisyen

Hebrew
אני מדבר עברית

Hindi
मैं हिंदी बोलता हूँ।

Hmong
Kuv has lug Moob

Hungarian
Beszélök magyarul

Q

Qanjobal
Ayin ti chí wál q' anjob' al

Queche
In tinch'aw k'un ch'e quiche

R

Romanian
Vorbesc românește

Russian
Я говорю по-русски

S

Serbian
Ja govorim srpski

Sign Language

Slovak
Hovorím po slovensky

Slovenian
Govorim slovensko

Somali
Waxaan ku hadlaa af-Soomaali

Spanish
Yo hablo español

Swahili
Ninaongea Kiswahili

Swedish
Jag talar svenska

T

Tagalog
Mamunong akong mag-Tagalog

Tamil
நான் தமிழ் பேசுவேன்

Thai
พูดภาษาไทย

Turkish
Türkçe konuşurum

U

Ukrainian
Я розмовляю українською мовою

Urdu
میں اردو بولوں

V

Vietnamese
Tôi nói tiếng Việt

W

Welsh
Dwi'n siarad

X

Xhosa
Ndithetha isiXhosa

Y

Yiddish
איך רעד יידיש

Yoruba
Mo nso Yoruba

Z

Zulu
Ngiyasikhuluma isiZulu

Executive Order 13166 requires DHS to take reasonable steps to provide meaningful access to its programs and activities for persons with limited English proficiency and - as also required by Title VI of the Civil Rights Act of 1964 - to ensure that recipients of federal financial assistance do the same.

I Speak is provided by the Department of Homeland Security Office for Civil Rights and Civil Liberties (CRCL). Other resources at www.lep.gov

Contact the DHS Office for Civil Rights and Civil Liberties' CRCL Institute at CRCLTraining@dhs.gov for digital copies of this poster or a "I Speak" booklet.

Download copies of the DHS LEP plan and guidance to recipients of financial assistance at www.dhs.gov/crcl



Georgia Emergency Management and Homeland Security Agency

LIMITED ENGLISH PROFICIENCY COMPLAINT FORM

The purpose of this document is to help you file a Limited English Proficiency (LEP) complaint concerning the implementation or administration of any program, activity, or service receiving federal financial assistance, whether within the Georgia Emergency Management and Homeland Security Agency (GEMA/HS) or a sub- recipient. This document is not intended to be used for complaints about employment with GEMA/HS. You are not required to use this document to file a complaint; a letter with the same information is sufficient. However, if you file a complaint by letter, you should include the same information that is requested herein.

1. Information about the person who is filing the LEP complaint:

Name: _____
First and Middle (Given Name) Last (Family Name/Surname)

Phone #: Cell/Mobile: _____ Home: _____ Work: _____

Mailing Address: _____
P.O. Box or Street Address City State Zip Code

Email (Optional): _____

2. Information about the person(s) who failed to properly provide information to the LEP person:

Name: _____
First and Middle (Given Name) Last (Family Name/Surname)

Phone #: Cell/Mobile: _____ Home: _____ Work: _____

Mailing Address: _____
P.O. Box or Street Address City State Zip Code

3. Information about the agency or organization involved:

Name: _____

Phone #: _____

Mailing Address: _____
P.O. Box or Street Address City State Zip Code

- 4. Are there other individuals or organizations involved in this LEP complaint?**
 Yes
 No

If yes, please provide their name, telephone number, and address below:

Name: _____

Phone #: _____

Mailing Address: _____
P.O. Box or Street Address City State Zip Code

- 5. Describe the nature of the interaction and any suspected violations:**

- 6. Explain in detail what happened, when, and how the person(s) or entity denied meaningful access to a GEMA/HS or sub-recipient service, activity, program, or other benefit.**

- 7. What other information do you think might be helpful to an investigation?**

- 8. Please list below any persons (witnesses, people involved, or others) who have direct knowledge of the situation that might be able to provide information to support or clarify the complaint:**

Name: _____

Phone #: _____

Mailing Address: _____
P.O. Box or Street Address City State Zip Code

9. Have you or others filed a case or complaint regarding this allegation with any of the following?

- Office of Equal Rights, Federal Emergency Management Agency
- Office for Civil Rights and Civil Liberties, U.S. Department of Homeland Security
- U.S. Equal Employment Opportunity Commission
- Other Federal Agency
- Federal or State Court
- Other State of Georgia Agency, Authority, or Office
- Other: _____

10. Issues with:

- Spanish (Español)
- Chinese 中国人
- Korean 한국어
- Vietnamese Tiếng Việt
- French (Français)
- Arabic العربية
- Lack of signs informing the public of interpretation and translation
- Lack of forms/materials/notices in a language I can understand
- I was not offered an interpreter
- I asked for an interpreter and was denied
- Lack of bilingual personnel, so delay in services
- The interpreter's skills were not good
- I was unable to use the services, programs, or activities

11. Information about the person filing this complaint, if the complaint is being submitted on behalf of another:

Name: _____
First and Middle (Given Name) Last (Family Name/Surname)

Phone #: Cell/Mobile: _____ Home: _____ Work: _____

Mailing Address: _____
P.O. Box or Street Address City State Zip Code

Email (Optional): _____

Signature: _____ **Date:** _____

You may submit the form by email to language.access.coordinator@gema.ga.gov.

Or send via U.S. Mail to the following address:

Georgia Emergency Management and Homeland Security Agency
Attention: Language Access Coordinator
P.O. Box 18055
Atlanta, Georgia 30316



THE GEORGIA EMERGENCY MANAGEMENT AND HOMELAND SECURITY AGENCY

Responding to Discrimination Complaints Relating to Federal Grant Programs

2022

Purpose

The intent of this policy is to ensure that subrecipients which receive grant funds from the Georgia Emergency Management and Homeland Security Agency (GEMA/HS) do not discriminate against any client, customer, program participant, employee, or consumer based on race, color, religion, sex, national origin, age, English proficiency, or physical or mental disability. This policy establishes the procedures for GEMA/HS employees to follow when they receive or wish to make a complaint alleging discrimination concerning the implementation or administration of any program, activity, or service receiving federal financial assistance from the U.S. Department of Justice (DOJ) or the U.S. Department of Homeland Security (DHS), whether within GEMA/HS or a subrecipient.

Complying with Laws and Policies that Prohibit Discrimination

GEMA/HS shall comply with all applicable federal and state laws, rules, and regulations prohibiting discrimination. GEMA/HS shall appropriately address all complaints from any person who believes that a GEMA/HS subrecipient has discriminated against them in violation of federal and/or state law or regulation in the delivery of services or benefits.

Policy

All employees, job applicants, clients, customers, program participants, and consumers of GEMA/HS and its subrecipients shall be treated equally regardless of race, color, religion, national origin, age, English proficiency, or physical or mental disability, sexual orientation, or gender identity.

Individuals have the right to participate in programs, activities, and services operated by GEMA/HS and its subrecipients without discrimination. Statutes and regulations that apply include, but are not limited to, the following:

- Title VI of the Civil Rights Act of 1964, which prohibits discrimination on the basis of race, color, or national origin in the delivery of services (42 U.S.C. § 200d), and the DOJ implementing regulations at 28 C.F.R. Part 42, Subpart C and D, and DHS implementing regulations at 6 C.F.R. Part 21 and 44 C.F.R. Part 7;
- Section 504 of the Rehabilitation Act of 1973, which prohibits discrimination on the basis of disability in the delivery of services and employment practices (29 U.S.C. § 794), and the DOJ implementing regulations at 28 C.F.R. Part 42, Subpart G;
- Titles I, II, and III of the Americans with Disabilities Act of 1990, which prohibit discrimination on the basis of disability in the delivery of services and employment practices (42 U.S.C. §12101-12213 and §12131-34), and the DOJ implementing regulations at 28 C.F.R. Part 35;
- Title IX of the Education Amendments of 1972, which prohibit discrimination on the basis of sex in educational programs (20 U.S.C. § 1681), the DOJ implementing regulations at 28 C.F.R. Part 42, Subpart D and 28 C.F.R. Part 54, and the DHS implementing regulations at 6 C.F.R. Part 17 and 44 C.F.R. Part 19;
- The Age Discrimination Act of 1975, which prohibits discrimination on the basis of age in the delivery of services (42 U.S.C. § 6102), and the DOJ implementing regulations at 28 C.F.R. Part 42, Subpart I;
- Title VIII of the Civil Rights Act of 1968, which prohibits recipients from discriminating in the sale, rental, financing, and advertising of dwellings, or in the provision of services

in connection therewith, on the basis of race, color, national origin, religion, disability, familial status, and sex (42 U.S.C. §3601);

- The Omnibus Crime Control and Safe Streets Act of 1968, which prohibits discrimination on the basis of race, color, national origin, religion, or sex in the delivery of services and employment practices (34 U.S.C. §10228(c), see also 34 U.S.C. §11182(b)), and the DOJ implementing regulations at 28 C.F.R. Part 42, Subpart D;
- The DOJ regulations on the Equal Treatment for Faith-Based Organizations, which prohibit discrimination on the basis of religion in the delivery of services and prohibit organizations from using DOJ funding on inherently religious activities (28 C.F.R. Part 38);
- The Victims of Crime Act (VOCA) of 1984, which prohibits discrimination based on race, color, religion, national origin, handicap, or sex (34 U.S.C. §20110(e));
- The Violence Against Women Act (VAWA) of 2013, which prohibits discrimination on the basis of actual or perceived race, color, religion, national origin, sex, gender identity, sexual orientation, or disability (34 U.S.C. §12291(b)(13));
- The DHS regulation, which prohibits discrimination based on religion in social service programs (6 C.F.R. Part 19);
- Executive Order 13166, “Improving Access To Services For Persons With Limited English Proficiency”, which requires Federal agencies to develop and implement a plan to provide services to those persons with limited English proficiency (LEP) to ensure meaningful access to programs and activities conducted by those agencies;
- Georgia’s Fair Employment Practices Act of 1978, found at O.C.G.A. § 45-19-29, et seq., which prohibits public employers with 15 or more employees from engaging in discrimination on account of an individual's race, color, religion, sex, age, national origin, or disability;
- Georgia’s Sex Discrimination in Employment Act of 1966, found at O.C.G.A. § 34-5-1, et seq., which mimics the Equal Pay Act of 1963, in that it prohibits discrimination between employees in the same establishment, on the basis of sex, in their compensation for comparable work;
- Georgia’s General Age Discrimination Law of 1971, found at O.C.G.A. § 34-1-2, which makes it a criminal misdemeanor to discriminate against any person between the ages of 40 and 70 years, solely upon the ground of age, when the reasonable demands of the position do not require such an age distinction. The individual must be qualified physically, mentally, and by training and experience to perform satisfactorily the labor assigned to him or her for which he or she applies;

- Georgia’s Equal Employment for Persons with Disabilities Code of 1981, found O.C.G.A. § 34-6A-1, et seq., which mimics the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990, as amended, in that it prohibits discrimination because of an individual's disability with respect to wages, rates of pay, hours, or other terms and conditions of employment because of such person's disability unless such disability restricts that individual's ability to engage in the particular job or occupation for which he or she is eligible. The Code has no administrative prerequisites to filing suit; and
- Atlanta Ordinance No. 2000-79, § 1, which applies to employers located within the City of Atlanta with ten or more employees. The Ordinance prohibits employment discrimination based on race, color, creed, religion, sex, domestic relationship status, parental status, familial status, sexual orientation, national origin, gender identity, age, or disability.

Definitions

Complaint Coordinator: A person or persons designated by GEMA/HS to ensure that received complaints are acted upon in a timely manner.

Discrimination: The treatment or consideration of, or making a distinction in favor of or against, a person based on the person’s legally recognized protected category (including race, color, national origin, gender, age, sexual orientation, gender identity, religion, English proficiency, or disability) to which that person belongs rather on individual merit. There are various federal and state laws and rules that further describe the specific types of discrimination.

Retaliation: The act of harassing, threatening, demoting, firing, or otherwise negatively targeting a complainant as a direct result of the complainant opposing unlawful discrimination.

Subrecipient: A non-Federal entity that receives a grant sub-award from GEMA/HS to carry out part of a Federal program. A subrecipient does not include an individual that is a beneficiary of such a program.

Complaint Procedures

An employee, client, customer, program participant, or consumer of GEMA/HS or of a GEMA/HS subrecipient may submit a complaint of discrimination concerning the implementation or administration of any program, activity, or service receiving federal financial assistance from the DOJ or DHS on behalf of him/herself or on behalf of another. Any such individual has the right, and is encouraged, to file a written complaint with the Office for Civil Rights in the DOJ (OCR), the DHS’s Office for Civil Rights and Civil Liberties (CRCL), or GEMA/HS.

1. If the relevant federal grant is funded by the DOJ, the complaint may be sent directly to the OCR using the *Complaint Verification Form* and *Identity Release Statement*, which are available at: <https://www.ojp.gov/program/civil-rights/filing-civil-rights-complaint>.

The completed forms should be sent to:

Office for Civil Rights
Office of Justice Programs
U.S. Department of Justice
810 Seventh Street NW
Washington, D.C. 20531

2. If the relevant federal grant is funded by the DHS, the complaint may be sent directly to the DHS's Office for CRCL. There are three submission methods available. One method for submitting the complaint is via email: CRCLCompliance@hq.dhs.gov. A second available method is fax: 202-401-4708. The complaint may also be sent via mail:

U.S. Department of Homeland Security
Office for Civil Rights and Civil Liberties
Compliance Branch
245 Murray Lane, SW
Building 410, Mail Stop #0190
Washington, D.C. 20528

3. For federal grants funded by either DOJ or DHS, the complaint may also be submitted directly to GEMA/HS. A complaint form can be downloaded from GEMA/HS' website and submitted by email to: grants.complaint.coordinator@gema.ga.gov. The completed form may also be sent to:

The Georgia Emergency Management and Homeland Security Agency
Grants Complaint Coordinator
935 United Avenue SE
Atlanta, Georgia 30316

Additional Agencies for Filing Discrimination Complaints

In addition to the option for filing a discrimination complaint with GEMA/HS, the OCR, or the CRCL, discrimination complaints may be filed directly with a court, as well as the following state and federal administrative agencies, whose function is to enforce state and federal laws that prohibit discrimination:

- Equal Employment Opportunity Commission (EEOC)
<http://www.eeoc.gov/employees/charge.cfm>
- Georgia Commission on Equal Opportunity (GCEO)
<https://gceo.georgia.gov/>

GEMA/HS Procedures for Processing Complaint

1. A group of GEMA/HS employees will collectively act as the Complaint Coordinator for processing complaints of discrimination associated with this policy.
2. If an employee, client, customer, program participant, or consumer of GEMA/HS or of a GEMA/HS subrecipient contacts a GEMA/HS employee and wishes to file a complaint against GEMA/HS or a GEMA/HS subrecipient concerning the implementation or administration of any program, activity, or service receiving federal financial assistance from the DOJ or DHS, the GEMA/HS employee shall instruct the complainant to file the complaint in writing, in accordance with the procedures above.
3. Any GEMA/HS employee receiving such a complaint submitted directly to GEMA/HS, and any GEMA/HS employee wishing to submit such a complaint directly to GEMA/HS, shall route it to the Complaint Coordinator. If the complaint is against an employee of GEMA/HS, the complaint shall be forwarded to the Complaint Coordinator and that GEMA/HS employee should follow the procedures set out in HR-14, GEMA/HS's Grievance Procedures Policy.
4. For any complaint received by the Complaint Coordinator that is submitted directly to GEMA/HS, the Complaint Coordinator shall provide written acknowledgment of the complaint to the complainant.
5. The Complaint Coordinator shall refer the complaint to the appropriate entity, which may include the Georgia Office of the Attorney General; the GCEO; the EEOC; the OCR; or the CRCL. If the Georgia Office of the Attorney General either is the agency about which the complaint is filed or has a conflict, the complaint shall be referred to the EEOC, OCR, or CRCL, as appropriate.
6. Notwithstanding paragraph 5, for any complaint of discrimination concerning the implementation or administration of any program, activity, or service receiving federal financial assistance from the DOJ or DHS, GEMA/HS shall notify the OCR or CRCL, as appropriate, in writing of the following:
 - a. Name of complainant
 - b. Entity named in the complaint
 - c. Description of the complaint of discrimination
 - d. Steps being undertaken to investigate and resolve complaint

In addition, GEMA/HS shall notify the complainant that they may file a complaint directly with the OCR or CRCL, as appropriate, at the following address or using one of the electronic submission methods described above:

Office for Civil Rights
Office of Justice Programs
U.S. Department of Justice
810 Seventh Street NW
Washington, D.C. 20531

U.S. Department of Homeland Security
Office for Civil Rights and Civil Liberties
Compliance Branch
245 Murray Lane, SW
Building 410, Mail Stop #0190
Washington, D.C. 20528

Notification

GEMA/HS will post this policy on the GEMA/HS website to notify all interested parties of the appropriate procedures for addressing complaints of discrimination concerning the implementation or administration of any program, activity, or service receiving federal financial assistance from the DOJ or DHS.

Monitoring Subrecipients' Response Procedures

As part of a grant program review, GEMA/HS staff will review the subrecipient's procedures for responding to discrimination complaints that employees, clients, customers, program participants, or consumers of the subrecipients have filed directly with the subrecipient. If the procedures do not exist, or are found to need improvement, the report to the subrecipient will note the findings. At a minimum, the subrecipient's response should:

- a. Acknowledge complaint receipt to complainant in writing;
- b. Indicate which external agency the complaint is forwarded to for investigation;
- c. Comply with the appropriate timeframe by which to forward complaint;
- d. Notify GEMA/HS of complaint; and
- e. Notify complainant that a complaint of discrimination may be filed directly with the OCR, CRCL, EEOC, GCEO, or GEMA/HS, and where to locate those procedures.

Training

1. GEMA/HS will provide periodic training for all employees regarding the discrimination complaint procedures.
2. GEMA/HS will facilitate civil rights requirements training for subrecipients. Such training may be arranged:

- a. In conjunction with grant management training;
- b. Online through the GEMA/HS website;
- c. At the request of the subrecipient; or
- d. As a result of a grant program review.



Georgia Emergency Management and Homeland Security Agency

DISCRIMINATION COMPLAINT FORM

The purpose of this document is to help you file a discrimination complaint concerning the implementation or administration of any program, activity, or service receiving federal financial assistance from the U.S. Department of Justice or the U.S. Department of Homeland Security, whether within the Georgia Emergency Management and Homeland Security Agency (GEMA/HS) or a sub-recipient. This document is not intended to be used for complaints about employment with GEMA/HS. You are not required to use this document to file a complaint; a letter with the same information is sufficient. However, if you file a complaint by letter, you should include the same information that is requested herein.

1. Information about the person who experienced the alleged discrimination:

Name: _____
First and Middle (Given Name) Last (Family Name/Surname)

Phone #: Cell/Mobile: _____ Home: _____ Work: _____

Mailing Address: _____
P.O. Box or Street Address City State Zip Code

Email (Optional): _____

2. Information about the person(s) who is alleged to have discriminated:

Name: _____
First and Middle (Given Name) Last (Family Name/Surname)

Phone #: Cell/Mobile: _____ Home: _____ Work: _____

Mailing Address: _____
P.O. Box or Street Address City State Zip Code

3. Information about the agency or organization involved:

Name: _____

Phone #: _____

Mailing Address: _____
P.O. Box or Street Address City State Zip Code

4. Are there other individuals or organizations involved in this discrimination complaint?

- Yes
- No

If yes, please provide their name, telephone number, and address below:

Name: _____

Phone #: _____

Mailing Address: _____
P.O. Box or Street Address City State Zip Code

5. Describe the nature of the alleged discrimination involved:

6. Explain in detail what happened, when, and how the alleged discrimination occurred. State who was involved and how other persons were treated differently.

7. What other information do you think might be helpful to an investigation?

8. Please list below any persons (witnesses, fellow employees, supervisors, or others) who have direct knowledge of the situation that might be able to provide information to support or clarify the complaint:

Name: _____

Phone #: _____

Mailing Address: _____
P.O. Box or Street Address City State Zip Code

9. Have you or others filed a case or complaint regarding this allegation with any of the following?

- Office for Civil Rights, U.S. Department of Justice
- Office for Civil Rights and Civil Liberties, U.S. Department of Homeland Security
- U.S. Equal Employment Opportunity Commission
- Other Federal Agency
- Federal or State Court
- Georgia Department of Labor
- Other: _____

10. If any of the above were selected, please provide the following information:

Name of Agency: _____

Date Filed: _____

Case or Docket #: _____

Date of Trial/Hearing: _____

Location of Agency/Court: _____

Investigator: _____

Status of Case: _____

11. Information about the person filing this complaint, if the complaint is being submitted on behalf of another:

Name: _____
First and Middle (Given Name) Last (Family Name/Surname)

Phone #: Cell/Mobile: _____ Home: _____ Work: _____

Mailing Address: _____
P.O. Box or Street Address City State Zip Code

Email (Optional): _____

Signature: _____ **Date:** _____

You may submit the form by email to grants.complaint.coordinator@gema.ga.gov.

Or send via U.S. Mail to the following address:

Georgia Emergency Management and Homeland Security Agency
Attention: Grants Complaint Coordinator
P.O. Box 18055
Atlanta, Georgia 30316

EXHIBIT "H"
Federal Funding Accountability and Transparency Act Certification

In order to remain in compliance with The Federal Funding Accountability and Transparency Act of 2006 (FFATA) reporting, complete Items 1-7 and Items 8-10 if necessary, and certify by an authorized agent.

Sub-award Number: **HMGP 4400-0033**

Federal Agency Name: **Federal Emergency Management Agency**

CFDA Program Number and Program Title: **97.039 Hazard Mitigation Grant Program (HMGP)**

Sub-award Project Description: **LOWNDES COUNTY Fixed Generators**

1. Sub-awardee DUNS Number _____
2. Sub-awardee Name _____
3. Sub-awardee DBA Name _____
4. Sub-awardee Address _____
5. If DBA, Sub-awardee Parent DUNS Number _____
6. Sub-award Principle Place of Project Performance _____
7. In the preceding fiscal year, did the sub-awardee receive 80% of its annual gross revenues from the Federal government?
Yes _____ No _____
If **Yes**, continue to question 8. If **No**, questionnaire is complete.
8. In the preceding fiscal year, were the sub-awardee's annual gross revenues from the Federal government more than \$25 million annual?
Yes _____ No _____
If **Yes**, continue to question 9. If **No**, questionnaire is complete.
9. Does the public have access to the names and total compensation of the sub-awardee's five most highly compensated officers through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. §§ 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986?
Yes _____ No _____
If **Yes**, continue to question 9. If **No**, questionnaire is complete.

10. Please list the names and compensation of the sub-awardee’s five most highly compensated officers.

- 1. _____ \$ _____
- 2. _____ \$ _____
- 3. _____ \$ _____
- 4. _____ \$ _____
- 5. _____ \$ _____

I certify that to the best of my knowledge all of the information on this form is complete and accurate.

Authorized Signature: _____ Date: _____

This section is for use by the Georgia Emergency Management and Homeland Security Agency Only.

Sub-award Obligation/Agency Name: _____

In accordance with The Federal Funding Accountability and Transparency Act of 2006 (FFATA), this document has been processed in the FFATA Sub-award Reporting System (FSRS) by the undersigned:

Signature _____ Date: _____

Sub-award Obligation/Action Date: _____

LOWNDES COUNTY BOARD OF COMMISSIONERS
COMMISSION AGENDA ITEM

SUBJECT: The Crescent Place of Historic Interest Tax Exemption

DATE OF MEETING: February 11, 2025

Work
Session/Regular
Session

BUDGET IMPACT: - 0 -

FUNDING SOURCE:

- Annual
- Capital
- N/A
- SPLOST
- TSPLOST

COUNTY ACTION REQUESTED ON: Proposed Resolution

HISTORY, FACTS AND ISSUES: Staff has become aware of the attached 1975 local constitutional amendment and 1978 Board of Commissioners Resolution regarding the exemption from ad valorem taxation for places of historic interest meeting specified criteria and has also become aware of indicia that prior to December 1979 the Board declared the property of the Garden Center, Inc. located at 904 North Patterson Street known as the Crescent exempt from ad valorem taxation as a place of historic interest.

The attached proposed Resolution recites that the Board continues to be satisfied that the subject property and the Garden Center, Inc. meet the criteria specified in the attached 1978 Resolution and affirms that the subject property continues to be a place of historic interest exempt from ad valorem taxation.

OPTIONS: 1. Adopt and authorize the Chairman to sign the attached proposed Resolution.
2. Redirect

RECOMMENDED ACTION: Option 1

DEPARTMENT: County Manager

DEPARTMENT HEAD: Paige Dukes

ADMINISTRATIVE COMMENTS AND RECOMMENDATIONS:

...LOWNDES COUNTY CERTAIN HISTORICAL PROPERTY EXEMPTED FROM TAXATION. Proposed Amendment to the Constitution. No. 25 (House Resolution No. 229-910). A Resolution. Proposing an amendment to the Constitution so as to exempt certain real property of historical interest, lying within the limits of Lowndes County, from ad valorem taxation other than State ad valorem taxes; to provide for submission of this amendment for ratification or rejection; and for other purposes. Be it resolved by the General Assembly of Georgia:

Section 1. Article VII, Section I, Paragraph IV of the Constitution is hereby amended by adding a new paragraph at the end thereof to read as follows: The governing authority of Lowndes County is hereby authorized to establish reasonable criteria by which real property of historical interest and importance lying within said county may be designated and identified as such. Any real property meeting such criteria for designation and identification as real property of historical interest and importance, when such property is owned by a bona fide nonprofit civic, community, educational, literary or charitable organization, shall be exempt from ad valorem taxation other than ad valorem taxes levied by the State. Section 2. The above proposed amendment to the Constitution shall be published and submitted as provided in Article XIII, Section I, Paragraph I of the Constitution of Georgia of 1945, as amended. The ballot submitting the above proposed amendment shall have written or printed thereon the following: YES NO Shall the Constitution be amended so as exempt real property of historical interest and importance, lying within Lowndes County, from ad valorem taxes when such property is owned by nonprofit civic, community, educational, literary or charitable organizations? All persons desiring to vote in favor of ratifying the proposed amendment shall vote Yes. All persons desiring to vote against ratifying the proposed amendment shall vote No. If such amendment shall be ratified as provided in said Paragraph of the Constitution, it shall become a part of the Constitution of this State.

RESOLUTION

BE IT RESOLVED by the Board of Commissioners of Lowndes County and it is hereby resolved by the authority of same that there shall be exempt from ad valorem taxation, other than ad valorem taxes levied by the State of Georgia, real property of historic interest and importance lying within Lowndes County which is owned by a bona fide non profit civic, community, educational, literary, or charitable organization.

In order to qualify for this exemption, said property must meet the following criteria:

A. The improvements located thereon must (1) have been in existence for not less than 75 years and (2) be the former residence or business house of a resident of Lowndes County who, during their lifetime, attained a position of public prominence through civic, political or governmental activities, and (3) be owned by a non profit civic, community, educational, literary or charitable organization, or

B. The improvements located thereon must (1) have been in existence for not less than 50 years and (2) have been constructed primarily for occupancy by a non profit civic, community, educational, literary, or charitable organization and (3) have been under continuous ownership of and occupied by that bona fide non profit civic, community, educational, literary or charitable organization since the erection of said improvements, or

C. Said property has qualified for and is listed on either the register of the Georgia Trust for Historic Preservation of the Georgia Department of Natural Resources or the register of the National Register of Historic Sites of the United States Department of Interior.

FURTHER RESOLVED that for the purposes of this resolution, a bona fide non profit civic, community, educational, literary or charitable organization shall be defined as follows: A club, a non profit corporation organized under the laws of the State of Georgia or voluntary association which

A. Is a non profit organization as defined by and which has qualified for tax exempt status under Section 26-501 (c) of the Internal Revenue Code of 1954;

B. Has as one of its stated purposes in its charter community service, community education, community charity or community literary activities;

C. Does not provide as a part of its principal function recreational activities exclusively for its membership and invited guests;

D. Is not a secret, ritualistic society or fraternal organization;

E. Is not a private club organized primarily for social purposes.

FURTHER RESOLVED that in order to qualify real property for this exemption any bona fide non profit civic, community, educational literary or charitable organization owning such property shall file its written petition with the Board of Commissioners of Lowndes County setting forth factual information, appropriately documented, as to the manner in which said property and organization meets the above stated criteria.

FURTHER RESOLVED that upon the Board of Commissioners of Lowndes County considering said petition with its supporting documents and being satisfied that the property and said organization meets the above stated criteria, the Commission may exempt said real property from all ad valorem taxation except ad valorem taxes levied by the State of Georgia.

SO RESOLVED this 4th day of October, 1978.

BOARD OF COMMISSIONERS OF LOWNDES COUNTY
S/ Fred DeLocah, Jr.

S/ G. Norman Bennett

S/ B. Q. Chitty, Jr.

A Resolution
Exempting Property of Historic Interest from Ad Valorem Taxation

WHEREAS, in 1975, the Constitution of Georgia was amended to authorize the governing authority of Lowndes County to establish reasonable criteria by which real property of historical interest and importance lying within said county may be designated and identified as such and any real property meeting such criteria for designation and identification as real property of historical interest and importance, when such property is owned by a bona fide nonprofit civic, community, educational, literacy, or charitable organization, shall be exempt from ad valorem taxation other than ad valorem taxes levied by the State; and

WHEREAS, on October 4, 1978, the Board of Commissioners of Lowndes County adopted a Resolution providing that there shall be exempt from ad valorem taxation, other than ad valorem taxes levied by the State of Georgia, real property of historic interest and importance lying within Lowndes County which is owned by a bona fide nonprofit civic, community, educational, literacy, or charitable organization, provided such property and organization meet certain criteria specified therein; and

WHEREAS, the Garden Center, Inc. owns certain real property located at 904 North Patterson Street, Valdosta, Georgia, known as the Crescent, depicted on the attached aerial photograph, and currently designated by the Board of Tax Assessors of Lowndes County as tax parcel 0118A 035; and

WHEREAS, based on indicia, the Board of Commissioners of Lowndes County, prior to December 26, 1979, was satisfied that said property and organization met the criteria specified in said Resolution and declared said property exempt from ad valorem taxation except ad valorem taxes levied by the State of Georgia; and

WHEREAS, the Board of Commissioners of Lowndes County continues to be satisfied that said property and said organization meet the criteria in said Resolution;

NOW THEREFORE, pursuant to said constitutional amendment and said Resolution, the Board of Commissioners of Lowndes County does hereby resolve to affirm that said property continues to be a place of historic interest exempt from ad valorem taxation except ad valorem taxes levied by the State of Georgia.

This Resolution shall become effective when adopted and shall repeal and supersede all previous County ordinances and resolutions concerning this subject.

This Resolution shall remain in full force and effect unless and until it is repealed or superseded by the Board of Commissioners.

So Resolved this 11th day of February, 2025.

Board of Commissioners of Lowndes County

By: _____
Bill Slaughter
Chairman

Attest: _____
Belinda C. Lovern
Clerk



904 North Patterson Street
Valdosta, Georgia

LOWNDES COUNTY BOARD OF COMMISSIONERS
COMMISSION AGENDA ITEM

SUBJECT: Rules and Regulations for Claims for Refunds of Taxes

DATE OF MEETING: February 11, 2025

Work
Session/Regular
Session

BUDGET IMPACT: - 0 -
FUNDING SOURCE:

- Annual
- Capital
- N/A
- SPLOST
- TSPLOST

COUNTY ACTION REQUESTED ON: Resolution

HISTORY, FACTS AND ISSUES: In 2017, the Board adopted Rules and Regulations for the administration of claims for refunds of taxes and license fees.

Attached is an update of those Rules and Regulations revised to better align with state statute.

OPTIONS: 1. Approve Resolution
2. Redirect

RECOMMENDED ACTION: Option 1

DEPARTMENT: County Manager

DEPARTMENT HEAD: Paige Dukes

ADMINISTRATIVE COMMENTS AND RECOMMENDATIONS:

A RESOLUTION
ADOPTING RULES AND REGULATIONS
GOVERNING ADMINISTRATION OF OCGA § 48-5-380

WHEREAS, OCGA § 48-5-380(a) provides, in relevant part, each county and municipality shall refund to taxpayers any and all taxes and license fees which are determined to have been erroneously or illegally assessed and collected from the taxpayers under the laws of this state or under the resolutions or ordinances of the county;

WHEREAS, OCGA § 48-5-380(a) also provides, in relevant part, each county and municipality shall refund to taxpayers any and all taxes and license fees which are determined to have been voluntarily or involuntarily overpaid by the taxpayers;

WHEREAS, OCGA § 48-5-380(b) provides, in relevant part, any taxpayer from whom a tax or license fee was collected who alleges that such tax or license fee was collected illegally or erroneously may file a claim for a refund with the governing authority of the county or municipality at any time within one year or, in the case of taxes, three years after the date of the payment of the tax or license fee to the county or municipality;

WHEREAS, OCGA § 48-5-380(b) also provides, in relevant part, the claim for refund shall be in writing and shall be in the form and shall contain the information required by the appropriate governing authority;

WHEREAS, OCGA § 48-5-380(b) also provides, in relevant part, the claim shall include a summary statement of the grounds upon which the taxpayer relies;

WHEREAS, OCGA § 48-5-380(b) also provides, in relevant part, in the event the taxpayer desires a conference or hearing before the governing authority in connection with any claim for a refund, the taxpayer shall so specify in writing in the claim;

WHEREAS, OCGA § 48-5-380(b) also provides, in relevant part, if the claim conforms to the requirements of OCGA § 48-5-380, the governing authority shall grant a conference at a time specified by the governing authority;

WHEREAS, OCGA § 48-5-380(b) also provides, in relevant part, the governing authority shall consider information contained in the taxpayer's claim for a refund and such other information as is available;

WHEREAS, OCGA § 48-5-380(b) also provides, in relevant part, the governing authority shall approve or disapprove the taxpayers claim and shall notify the taxpayer of its action;

WHEREAS, OCGA § 48-5-380(b) also provides, in relevant part, in the event any claim for refund is approved, the governing authority shall proceed under OCGA § 48-5-380(a) to give effect to the terms of OCGA § 48-5-380(a);

WHEREAS, OCGA § 48-5-380(d) provides, in relevant part, any refunds approved or allowed under this OCGA § 48-5-380 shall be paid from funds of the county, the municipality, the county board of education, the state, or any other entity to which the taxes or license fees were originally paid;

WHEREAS, OCGA § 48-5-380(d) also provides, in relevant part, refunds shall be paid within 60 days of the approval of the taxpayer's claim;

WHEREAS, OCGA § 48-5-380(e) provides, in relevant part, the governing authority of any county, by resolution, shall adopt rules and regulations governing the administration of OCGA § 48-5-380;

WHEREAS, OCGA § 48-5-380(e) also provides, in relevant part, the governing authority of any county, by resolution, may delegate the administration of OCGA § 48-5-380 to an appropriate department in local government;

WHEREAS, OCGA § 48-5-380(e) also provides, in relevant part, the governing authority of any county, by resolution, may delegate the approval or disapproval of claims where the reason for the claim is based on an obvious clerical error to an appropriate department in local government;

WHEREAS, OCGA § 48-5-380(e) also provides, in relevant part, in disputed cases where there is no clerical error, the approval or disapproval of claims may not be delegated by the governing authority;

WHEREAS, OCGA § 48-5-380(f) provides, in relevant part, nothing contained in OCGA § 48-5-380(b) or (c) shall be deemed the exclusive remedy to seek a refund nor deprive taxpayers of the right to seek a refund by any other cause of action available at law or equity;

NOW THEREFORE, BE IT RESOLVED AND IT IS HEREBY RESOLVED by the Board of Commissioners of Lowndes County that the following rules and regulations governing the administration of OCGA § 48-5-380 are adopted.

Rules and Regulations Governing Administration of OCGA § 48-5-380

1. Any taxpayer from whom a tax or license fee was collected who alleges that such tax or license fee was collected illegally or erroneously may file a claim for a refund with the Board of Commissioners at any time within one year or, in the case of taxes, three years after the date of the payment of the tax or license fee to Lowndes County.
2. The claim for refund shall be in writing, shall identify the taxpayer, and shall include a summary statement of the grounds upon which the taxpayer relies.
3. The Board of Commissioners delegates the administration of OCGA § 48-5-380 to the Lowndes County Board of Tax Assessors as provided herein.
4. The Board of Commissioners also delegates to the Board of Tax Assessors the approval or disapproval of claims where the reason for the claim is based on an obvious clerical error.
5. The Board of Commissioners shall refer all claims for refund filed with the Board of Commissioners to the Board of Tax Assessors.
6. If the Board of Tax Assessors determines the claim is based on an obvious clerical error, the Board of Tax Assessors shall approve or disapprove the claim and shall report its decision approving or disapproving the claim to the Board of Commissioners.
7. If the Board of Tax Assessors determines the claim is not based on an obvious clerical error, the Board of Tax Assessors shall prepare a written report to the Board of Commissioners stating facts relevant to the claim known to the Board of Tax Assessors and the Board of Tax Assessors' analysis of the claim.

8. Upon request of the Chairman of the Board of Commissioners, the County Attorney shall provide to the Board of Commissioners his or her legal opinion or opinions regarding the claim.
9. The Board of Commissioners shall consider information contained in the taxpayer's claim for refund and such other information as is available.
10. In the event the taxpayer desires a conference or hearing before the Board of Commissioners, the taxpayer shall so specify in writing in the claim.
11. If the claim conforms to the requirements of OCGA § 48-5-380 and specifies the taxpayer desires a conference or hearing before the Board of Commissioners, the Board of Commissioners shall grant a conference.
12. The place, date, and a time of such a conference shall be specified by the Board of Commissioners.
13. At such a conference, the taxpayer and a representative of the taxpayer will be allowed a reasonable time, determined by the Chairman of the Board of Commissioners, to address the Board of Commissioners to explain the taxpayer's claim.
14. A representative or representatives of the Board of Tax Assessors shall also attend such a conference to answer any questions members of the Board of Commissioners may have regarding the Board of Tax Assessors' report to the Board of Commissioners.
15. To maintain proper decorum at such a conference, questions shall be limited to questions members of the Board of Commissioners may have of the taxpayer and/or the taxpayer's representative, the representative of the Board of Tax Assessors attending the conference, and/or the County Attorney. All responses shall be directed to the Board of Commissioners.
16. The Board of Commissioners shall approve or disapprove the taxpayer's claim and notify the taxpayer of its action.
17. In the event any claim for refund is approved, the Board of Commissioners shall proceed under OCGA § 48-5-380(a) to give effect to the terms of OCGA § 48-5-380(a).
18. Any refunds approved or allowed under OCGA § 48-5-380 shall be paid from funds as provided in OCGA § 48-5-380(d).
19. Any refunds shall be paid within 60 days of the approval of the taxpayer's claim.

This Resolution shall become effective when adopted and shall repeal and supersede all previous County ordinances and resolutions concerning this subject.

This Resolution shall remain in full force and effect unless and until it is repealed or superseded by the Board of Commissioners.

IT IS SO RESOLVED, this 11th day of February 2025.

BOARD OF COMMISSIONERS OF LOWNDES COUNTY

By: _____
Bill Slaughter, Chairman

Attest: _____
Belinda C. Lovern, County Clerk