



# BOARD OF COUNTY COMMISSIONERS

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

TUESDAY, OCTOBER 10, 2023 AT 6:00 P.M.  
T. PAGE THARP BUILDING  
OPAL CANNON AUDITORIUM  
WWW.LEE.GA.US

MEETING AGENDA  
WORK SESSION

## COUNTY COMMISSIONERS

Billy Mathis, Chairman	District 3
Luke Singletary, Vice-Chairman	District 2
Dennis Roland, Commissioner	District 1
Chris Guarnieri, Commissioner	District 4
George Walls, Commissioner	District 5

## COUNTY STAFF

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

- |  | <u>PAGE</u> |
|--|-------------|
| 1. <b><u>INVOCATION</u></b>  |             |
| 2. <b><u>PLEDGE OF ALLEGIANCE</u></b>  |             |
| 3. <b><u>CALL TO ORDER</u></b>   |             |
| 4. <b><u>APPROVAL OF MINUTES</u></b>   |             |
| (A) Consideration to approve the minutes for the Board of Commissioners meeting for September 26, 2023.  | A - D       |
| 5. <b><u>CONSENT AGENDA</u></b>  |             |
| NONE   |             |
| 6. <b><u>NEW BUSINESS</u></b>  |             |
| (A) Lee County School System Superintendent Dr. Kathleen Truitt to address the Board.  |             |
| (B) Consideration to adopt a Proclamation naming October as Careers in Construction Month.   | 1           |
| 7. <b><u>PUBLIC HEARING</u></b>  |             |
| (A) A proposed text amendment to the Lee County Code of Ordinances to include the following: <b><u>Chapter 70, Article XII, Section 70-382</u></b> related to the C-2 General Business District, to delete Section 70-382(h) in its entirety and adopt, in lieu thereof a new Section 70-382(h) and adding thereto a new Subsection (m) "Sanitariums and Nursing Homes"; <b><u>Chapter 70, Article XII Section 70-383</u></b> related to the C-2 General Business District adding thereto a new Subsection (g) "Conditional Use"; <b><u>Chapter 70, Article XIV, Section 70-422</u></b> related to the C-4 Traditional Office District, to delete Section 70-422(f) in its entirety and adopting in lieu thereof a new Section 70-422(f) and adding thereto a new Subsection (k) "Permitted Use"; and <b><u>Chapter 70, Article XIV, Section 70-423</u></b> related to the C-4 Traditional Office District, to add point (5) pertaining to the location of free standing ancillary healthcare service providers. <b><i>Planning Commission members unanimously recommended approval.</i></b> | 2 - 4       |
| 8. <b><u>DEPARTMENTAL MATTERS</u></b>  |             |
| <b><u>Building Inspection/ Business Licensing</u></b>  |             |
| (A) Consideration to approve an application for an alcohol license from Mr. Alpeshkumar Patel for the retail sale of off-premise consumption of liquor, wine and beer. This will be a Package Store named "Philema Liquor & Wine" proposed to be located at 1777 Philema Road South.   | 5 - 7       |

**Planning, Zoning & Engineering**

- (B) Consideration to approve a variance request from **Tony & Rhonda Clark (Z23-011)** to install a freestanding aluminum carport over their parking pad, to be installed 2FT away from the front of the house and 2FT away from one wall of the home. This property is located in the Second Land District of Lee County in Lot 106 of the Brentwood North Subdivision. The address is 127 Marlow Lane, Albany, Georgia 31721. **Planning Commission members unanimously recommended denial.** 8 - 14

**Public Works**

- (C) Consideration to declare vehicles surplus. 15
- (D) Consideration to purchase four (4) new vehicles. 16 - 17

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

**Sheriff's Office and Lee County Jail**

- (A) Discussion of the Jail control system and HVAC. 18

**10. COUNTY MANAGER'S MATTERS**

- (A) Updates on County projects. 19 - 24
- (B) Consideration to approve an easement on Dan Green Road for SR DeSoto Phase III. 25 - 35
- (C) Consideration to approve the Letter of Engagement for Mauldin & Jenkins for the FY2023 Audit. 36 - 46

**11. COMMISSIONER'S MATTERS**

- (A) Discussion of the "Pocket Park" revitalization project as it relates to Pirate's Cove Nature Park. *HANDOUT*

**12. UNFINISHED BUSINESS**

NONE

**13. COUNTY ATTORNEY'S MATTERS**

- (A) Consideration to adopt a text amendment to the Lee County Code of Ordinances to add a Code Of Conduct with Respect to the Use of County Facilities. *FIRST READING* 47 - 51

**14. EXECUTIVE SESSION**

NONE

**15. PUBLIC FORUM**

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

**16. ANNOUNCEMENTS**

- (A) The next regularly scheduled County Commission Meeting is **Tuesday, October 24, 2023 at 6:00pm.**

**17. ADJOURNMENT**

AGENDA MAY CHANGE WITHOUT NOTICE

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

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





## BOARD OF COUNTY COMMISSIONERS

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

TUESDAY, SEPTEMBER 26, 2023 6:00 P.M.

T. PAGE THARP BUILDING  
OPAL CANNON AUDITORIUM  
WWW.LEE.GA.US

MEETING MINUTES  
VOTING SESSION

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### COUNTY COMMISSIONERS

Billy Mathis, Chairman	District 3
Luke Singletary, Vice-Chairman	District 2
Dennis Roland, Commissioner	District 1
Chris Guarnieri, Commissioner	District 4
George Walls, Commissioner	District 5

### COUNTY STAFF

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

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The Lee County Board of Commissioners met in a voting session on Tuesday, September 26, 2023. The meeting was held in the Opal Cannon Auditorium of the Lee County T. Page Tharp Governmental Building in Leesburg, Georgia. Those present were Chairman Billy Mathis, Vice-Chairman Luke Singletary, Commissioner Dennis Roland, Commissioner Chris Guarnieri, and Commissioner George Walls. Staff in attendance was County Manager Christi Dockery, and County Attorney Jimmy Skipper. County Clerk Kaitlyn Good was absent. The meeting was also streamed on Facebook Live. Chairman Mathis called the meeting to order at 6:00pm.

### INVOCATION

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

### PLEDGE OF ALLEGIANCE

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

### CALL TO ORDER

### APPROVAL OF MINUTES

- (A) Consideration to approve the minutes for the Board of Commissioners meeting for September 12, 2023.

Commissioner Roland made the **MOTION** to approve the minutes for the Board of Commissioners meeting for September 12, 2023. Commissioner Walls seconded the **MOTION**. The **MOTION** was unanimous with Commissioner Guarnieri and Commissioner Singletary voting yea.

Chairman Mathis acknowledged members of the audience who were present anticipating a discussion of the closure of Grey Moss Road. Chairman Mathis stated that it was not on tonight's agenda. Commissioner Roland added that he had heard of citizens who wish to close the remained of Grey Moss Road, Batts Road, and Dan Green Road; however, acknowledged the County's road closure process stating that they would not be closed if the Board or citizens opposed. Chairman Mathis asked if anyone present wanted to speak on the subject, to which a citizen stated that someone wished to install a gate only entrance. No one in attendance was in support of this idea. Chairman Mathis stated that closing a road does not typically occur unless all citizens on the road are in favor and reiterated that no gate would be installed on Grey Moss Road as it is a public road.

### CONSENT AGENDA

NONE

## NEW BUSINESS

Chairman Mathis recognized the following employees for their years of service to Lee County:

5 years – Courtney Dassie – Communication Officer, E-911

5 years – Jamie Roberts – Equipment Operator, Public Works

5 years – Matthew Brown – Assistant Shift Commander, Sheriff's Office

## PUBLIC HEARING

NONE

## DEPARTMENTAL MATTERS

### Building Inspection/ Business Licensing

- (A) **Consideration to approve an application for an alcohol license from Mr. Devanshukumar Patel for the retail sale of off-premise consumption of liquor, wine and beer. This will be a Package Store named "The Spirits" proposed to be located at 1379 US Hwy 82 West.**

This alcohol license/package store application had been previously approved; this is simply a change in address. The store was originally slated to go into an existing structure, but the owners have now decided to build a new structure for the store.

Commissioner Singletary made the **MOTION** to approve the application for an alcohol license from Mr. Devanshukumar Patel for the retail sale of off-premise consumption of liquor, wine and beer for a Package Store named "The Spirits" proposed to be located at 1379 US Hwy 82 West. Commissioner Guarnieri seconded the **MOTION**. The **MOTION** was unanimous with Commissioner Roland and Commissioner Walls voting yea.

### Fire & EMS

- (B) **Consideration to approve the engine repair for Engine 8.**

Chairman Mathis stated that he had spoken to Fire Chief Forrester and would like to see another quote for the repairs as only one had been received thus far. Repairs are estimated to be around \$50,000.00. Commissioner Singletary suggested placing the item out for bid so that sealed bids are received and therefore the process uncompromised. Chairman Mathis agreed and instructed staff to put out a bid for a new engine for two weeks.

### Parks & Recreation

- (C) **Discussion of the "Pocket Parks" revitalization project. HANDOUT**

Commissioner Guarnieri made the **MOTION** to approve the quote from Hasley Recreation, Inc. for \$156,513.00 for the Callaway Lakes Park and \$157,912.00 for the Springdale Park. Commissioner Walls seconded the **MOTION**. The **MOTION** was unanimous with Commissioner Roland and Commissioner Singletary voting yea.

### Planning, Zoning & Engineering

- (D) **Review of the minutes from the September 7, 2023 Planning Commission meeting.**

The minutes were reviewed as presented.

## CONSTITUTIONAL OFFICERS & GOVERNMENTAL BOARDS/AUTHORITIES

NONE

## COUNTY MANAGER'S MATTERS

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

County Manager Christi Dockery discussed ongoing project in the County: (1) the 2024 LMIG application has been approved, with funds being received and the RFP documents for all road projects being drafted; and (2) the documents for SPLOST VIII are being prepared, with a meeting scheduled for October 10 with the Cities.

- (B) **Consideration to award the bid for Landscaping of the Tharp Building and the Courthouse.**

Commissioner Guarnieri made the **MOTION** to award the bid for Landscaping of the Tharp Building and



the Courthouse, to include irrigation, to Lawn Barber Nursery for \$81,043.96 to come from Facilities Department budget funds. Commissioner Walls seconded the **MOTION**. The **MOTION** was unanimous with Commissioner Roland and Commissioner Singletary voting yea.

- (C) **Consideration to adopt a Resolution Urging the Governor and General Assembly of Georgia to Continue Efforts to Reform and Improve Mental Health Services for the Citizens of Georgia.**  
Recommendation of ACCG.

Commissioner Roland made the **MOTION** to adopt a Resolution Urging the Governor and General Assembly of Georgia to Continue Efforts to Reform and Improve Mental Health Services for the Citizens of Georgia. Commissioner Walls seconded the **MOTION**. The **MOTION** was unanimous with Commissioner Guarnieri and Commissioner Singletary voting yea.

### **COMMISSIONER'S MATTERS**

- (A) **Consideration to approve a Professional Services Agreement with Reliable Engineering for the Design and R-O-W Plat Generation of the Coston Road paving project.**

Chairman Mathis asked if this had been put out for bid, to which County Manager Christi Dockery stated that it had not. Commissioner Singletary asked how long Coston Road is and how many houses were on it, to which Commissioner Walls responded that it was 0.70 mile and approximately 14 houses. Commissioner Singletary added that that was a lot of money to pave this road.

Ms. Dockery stated that Brent Davis with Reliable Engineering had been to Superior Court and pulled the plats to examine the rights of way. Commissioner Walls thinks the property owners may donate their rights of way, but a survey still needs to be completed. Commissioner Roland added that staff might need to check with the property owners on the road to be sure they all want it paved. Commissioner Singletary suggested sending letters to the property owners.

- (B) **Consideration to approve a Professional Services Agreement with Reliable Engineering for the Design, Bid, and Construction Administration for the County roads resurfacing project.**

Commissioner Singletary made the **MOTION** to approve a Professional Services Agreement with Reliable Engineering for the Design, Bid, and Construction Administration for the County roads resurfacing project (including 2024 LMIG roads) for \$102,500.00 to come from TSPLOST funds. Commissioner Roland seconded the **MOTION**. The **MOTION** was unanimous with Commissioner Guarnieri and Commissioner Walls voting yea.

### **UNFINISHED BUSINESS**

NONE

### **COUNTY ATTORNEY'S MATTERS**

NONE

### **EXECUTIVE SESSION**

NONE

### **PUBLIC FORUM**

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

Bruce Fackler – RV in backyard on Pineridge Drive

Chairman Mathis asked if anyone else would like to speak. With no more comments or questions from the audience, the Public Forum was closed.

## ANNOUNCEMENTS

(A) The next regularly scheduled County Commission Meeting is **Tuesday, October 10, 2023 at 6:00pm.**

## ADJOURNMENT

The meeting adjourned at 6:18PM.

Facebook video link: <https://www.facebook.com/leecountyga/videos/696889305636696>

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The meeting rooms and buildings are handicap accessible.



## Lee County Board of Commissioners Proclamation

**WHEREAS, Careers in Construction Month** is an annual month designated to help increase public awareness of the opportunities available in construction trades professions.

**WHEREAS**, during this month, employers, associations and schools are encouraged to conduct job fairs, panel discussions, and local community events to inform students of the vast employment opportunities in construction;

**WHEREAS**, the construction industry is one of our nation's largest industries, employing more than 5 million individuals in the U.S.;

**WHEREAS**, we are pleased to honor the construction trades professional and the critical role they play in the development of our community, state, and nation;

**WHEREAS**, through a collaborative effort that reaches policymakers as well as local educators and high school students, our goal is to effectively address some of the issues that have contributed to chronic labor shortages and misperceptions of careers in construction, to develop a skilled workforce for the future; and

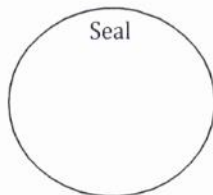
**WHEREAS**, the NAHB Student Chapters program is dedicated to enriching the educational experience of students by offering them first-hand exposure to the real world of the building industry through NAHB membership, educational programming, and networking opportunities.

**NOW, THEREFORE**, I, Billy Mathis, Chairman of the Lee County Board of Commissioners do hereby proclaim October 2023 as

### CAREERS IN CONSTRUCTION MONTH

in Lee County, Georgia and I urge all citizens to join me in this special observance.

**AND IT IS FURTHER RESOLVED** that this Proclamation, unanimously adopted by the Lee County Board of Commissioners as of this 10<sup>th</sup> day of October, 2023, be spread upon the minutes of this body and that a suitable copy thereof be presented to Mr. John Wanner and the construction students of Lee County High School.



\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Attest

### Section One

BE IT ORDAINED by the Board of Commissioners of Lee County, and it is hereby ordained by authority of the same, that Article XII, related to the C-2 General Business District, Section 70-382(h) of the Lee County Code of Ordinances is hereby amended by deleting Section 70-382(h) in its entirety and adopting, in lieu thereof, a new Section 70-382(h) which shall provide as follows:

(h) Hospitals, medical offices, and freestanding ancillary healthcare service providers.

BE IT FURTHER ORDAINED by the Board of Commissioners of Lee County, and it is hereby ordained by authority of the same, that Article XII, related to the C-2 General Business District, Section 70-382 of the Lee County Code of Ordinances is hereby amended by adding a new subsection (m) to Section 70-382 which shall provide as follows:

(m) Sanitariums and nursing homes.

BE IT FURTHER ORDAINED that Article XII, Section 70-383 is hereby amended by adding thereto a new “conditional use” in the C-2 General Business District as follows:

(g) As to hospitals, medical offices, and free standing healthcare service providers to be located in a C-2 zone which is not upon the primary campus of a hospital as defined in O.C.G.A. §31-6-2(30.1) or at the remote location of a hospital as defined in O.C.G.A. §31-6-2(31.1), all freestanding ancillary healthcare services shall be required to obtain a conditional use permit under this Section of the Code. For the purpose of the Lee County Zoning Code, the term “freestanding ancillary healthcare services” means services not provided on the primary campus of a hospital or at the “remote location of a hospital”, and which provide the following types of ancillary care:

1. Freestanding Diagnostic ancillary healthcare services;
2. Freestanding Therapeutic ancillary healthcare services; and
3. Freestanding Custodial ancillary healthcare services.

Freestanding Diagnostic ancillary healthcare services include, but is not limited to radiology, cardiac monitoring, pulmonology, audiology, clinical lab services – including, but not limited to urology and blood testing, sleep laboratory services, x-rays, ultrasounds, and imaging studies.



Freestanding Therapeutic ancillary healthcare services shall include, but are not limited to dialysis, nutrition and food service, physical therapy, occupational therapy, language and speech therapy, and psychotherapy.

Freestanding Custodial ancillary healthcare services include hospice care, nursing facilities, home healthcare and rehabilitation services.

### **Section Two**

BE IT FURTHER ORDAINED that Article XIV, Section 70-422 is hereby amended by deleting Sec. 70-422(f) in its entirety in lieu adopting a new Sec. 70-422(f) which shall provide as follows:

(f) Offices of any type: clinical, search and services not primarily related to goods or merchandise; provided, however, this subsection shall not include hospitals, medical offices, and freestanding healthcare service providers.

BE IT FURTHER ORDAINED that Article XIV, Section 70-422 is hereby amended by adding thereto a new “permitted use” in the C-4 Traditional Office District as follows:

(k) Hospitals, medical offices, and freestanding healthcare service providers.

BE IT FURTHER ORDAINED that Article XIV, Section 70-423 is hereby amended by adding thereto a new “conditional use” in the C-2 General Business District as follows:

(5) As to hospitals, medical offices, and free standing healthcare service providers located or to be located in a C-4 Zone which is not upon the primary campus of a hospital as defined in O.C.G.A. §31-6-2(30.1) or at the remote location of a hospital as defined in O.C.G.A. §31-6-2(31.1), all freestanding ancillary healthcare services shall be required to obtain a conditional use permit under this Section of the Code. For the purpose of the Lee County Zoning Code, the term “freestanding ancillary healthcare services” means services not provided on the primary campus of a hospital or at the “remote location of a hospital”, and which provide the following types of ancillary care:

1. Freestanding Diagnostic ancillary healthcare services;
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Freestanding Therapeutic ancillary healthcare services shall include, but are not limited to dialysis, nutrition and food service, physical therapy, occupational therapy, language and speech therapy, and psychotherapy.

Freestanding Custodial ancillary healthcare services include hospice care, nursing facilities, home healthcare and rehabilitation services.

**Section Three**

BE IT FURTHER ORDAINED that this ordinance shall become effective on the date of its approval by the governing body of Lee County; provided, however, that the amendments to the County Zoning Code adopted pursuant to the provisions of this ordinance shall not be applicable to any building permit application, zoning or rezoning application, or conditional use application for the construction and operation of freestanding ancillary healthcare services in the unincorporated area of Lee County which was submitted to the County as a complete application before the effective date of this ordinance.

BE IT FURTHER ORDAINED that all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SO ORDAINED this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

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

By: \_\_\_\_\_  
Billy Mathis, Chairman

Attest: \_\_\_\_\_  
Kaitlyn Good, County Clerk

**ACTION TAKEN**

FIRST READING: \_\_\_\_\_

SECOND READING: \_\_\_\_\_

DATE OF ADOPTION: \_\_\_\_\_





# LEE COUNTY, GA GOVERNMENT

**SUBJECT:** Package Store License  
**AUTHORIZED BY:** Joey Davenport  
**CONTACT PERSON:** Carol Lee

**DATE SUBMITTED:** 9/29/23  
**AGENDA DATE REQUESTED:** 10/10/23  
**DEPARTMENT:** Inspection/Licensing

**DIVISION:**  
**TYPE:**  
 Regular  
 Consent

## **MOTION/RECOMMENDATION:**

Staff requests the Board of Commissioners consider an Alcohol Application for a Package Store located at 1777 Philema Rd.

## **BACKGROUND:**

All requirements have been met by the applicant.

## **ATTACHMENTS:**

1. Memo
- 2.
- 3.
- 4.

## **REVIEWED BY (INITIALS):**

Legal:  
Finance:  
Other:

## **USER DEPT.:**

## **SUBMITTED BY:**

\_\_\_\_\_  
County Manager

## **ADVERTISED:**

Date: 9/27/23  
Paper: Lee County Ledger  
 Not Required

## **COSTS:**

## **CURRENT FY:**

## **APPROPRIATION CODE:**

**AFFECTED PARTIES:**  Notified  N/R

## **COMMISSION ACTION:**

- Approved
- Approved w/Conditions
- Denied
- Continued to:

## **FUNDING SOURCE:**

- Capital Improvement
- Operating
- Other



LEE COUNTY  
Life works well here

# BOARD OF COUNTY COMMISSIONERS

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

LEE COUNTY BUILDING INSPECTION  
BUILDING INSPECTION  
BUILDING PERMITS  
BUSINESS LICENSE  
ALCOHOL LICENSE

Joey Davenport  
Chief Building Official

Carol Lee  
Administrative Assistant

Martha Roberts  
Permit Technician

## Lee County Alcohol License Memorandum

**Date:** 10/10/23  
**To:** Lee County Board of Commissioners  
**From:** Carol Lee  
License Administrator  
**RE:** Package Store Application

Mr. Alpeshkumar Patel is requesting that the Lee County Board of Commissioners grant him an Alcohol License for retail sale of off-premise consumption of liquor, wine and beer. This will be a Package Store named Philema Liquor & Wine located at 1777 Philema Rd.

### CONSIDERATIONS FOR APPROVAL OR DENIAL

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

The Business License Department is unaware of any negative information relating to the applicant's work history, status...etc. There is no record of any information on these subjects that would require staff to recommend against the granting of the application for this license.

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

See summary by request.

- Compliance with application requirements.**

Lee County, Georgia  
102 Starksville Ave. N.  
Leesburg, GA 31763  
(229) 759-6000  
Fax: (229) 759-2346  
Web: [www.lee.ga.us](http://www.lee.ga.us)  
[buildinginspections@lee.ga.us](mailto:buildinginspections@lee.ga.us)

One of the first  
original counties of  
Georgia

Established  
June 9, 1825





## BOARD OF COUNTY COMMISSIONERS

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

### **LEE COUNTY BUILDING INSPECTION BUILDING INSPECTION BUILDING PERMITS BUSINESS LICENSE ALCOHOL LICENSE**

**Joey Davenport**  
*Chief Building Official*

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**Carol Lee**  
*Administrative Assistant*

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**Martha Roberts**  
*Permit Technician*

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Lee County, Georgia  
102 Starksville Ave. N.  
Leesburg, GA 31763  
(229) 759-6000  
Fax: (229) 759-2346  
Web: [www.lee.ga.us](http://www.lee.ga.us)  
[buildinginspections@lee.ga.us](mailto:buildinginspections@lee.ga.us)

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*One of the first  
original counties of  
Georgia*

*Established  
June 9, 1825*

The applicant has completed all application requirements.

**4. Adequate and satisfactory reference response.**

Reference response was adequate and satisfactory.

**5. Proximity of the proposed business to densely populated residential districts.**

**(See Planner's Report)**

**6. Compliance with zoning regulations.**

**(See Planner's Report)**

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

**(See Planner's Report)**

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

All requirements relating to the application have been met.

**STAFF RECOMMENDATION:**

**Staff requests the Board of Commissioners consider the Alcohol Application for Philema Liquor & Wine.**



LEE COUNTY  
Planning Department  
Lee County, Georgia  
Staff Report

Variance Application Review – Clark, 127 Marlow Ln., Albany GA – Land Lot 262 and 283 – 2nd District

**Application Name:** Variance Application

**Date:** 9/3/2023

**Applicant Name:** Tony L. and Rhonda Clark

**Property Owner:** Tony L. and Rhonda Clark

**Location:** Land Lots 262 and 283, 2nd Land District

**Parcel Size:** 0.5 acres

**Existing Zoning:** R-1

Application Summary

The applicant proposes to locate a carport in the front yard of the subject property on the location of an existing concrete driveway. As stated, the proposed location is 2 feet from the existing home (principal structure).

Within Sec. 70-162 (c) accessory uses may be permitted provided accessory buildings conform to and are located as required in Sec. 70-84. Sec. 70-84 (2) states that accessory buildings, except garages, may be erected in any required yard except a front yard. Sec. 70-84 (4) states that no detached accessory building shall be erected closer than 15 feet to any principal building. Sec. 70-84 (7) states that in any residential zone no carport shall be erected, constructed or altered beyond the front line of the house to which it is attached (in this case the proposed carport structure is detached).

(Ord. of 12-2-2002, § 70-84; Ord. No. 2014-02, 8-26-2014)

A variance is required to allow the proposed placement of the proposed freestanding metal carport structure because it is in the front yard relative to the existing residence and closer than 15 feet to the existing residence. The following is assessment of the Lee County Zoning Ordinance criteria for variances.

Variance Review Comments Summary

A variance may be granted by the Board of Commissioners, after review of the Planning Commission, in cases where the variance is determined to not be contrary to the public interest, and where owing to special conditions a literal enforcement of a specified zoning requirement will result in unnecessary hardship. A variance may be granted in a case of unnecessary hardship determine by the following criteria:

- (1) There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography, and;



- (2) The application of the chapter to this particular piece of property would create an unnecessary hardship, and;
- (3) Such conditions are peculiar to the particular piece of property involved, and;
- (4) Release if granted, would not cause substantial detriment to the public interest or impair the purposes and intent of this chapter, provided, however, that no variance may be granted for a use of land or building which is prohibited by this article.

*The evaluation criteria for a hardship variance are generally not met in this case.*

*The size of the existing property is similar in size, shape and topography to the adjacent residential properties and many other properties in the vicinity and there are no apparent extraordinary or exceptional conditions pertaining to this particular property.*

*Application of the cited provisions of Sec. 70-84 (2) and 70-84 (4) would prevent the erection of a detached carport in the front yard in a location that is 2 feet from the existing home as proposed. However, there is the potential option for construction of an attached carport in the proposed location in a manner that is relatively compliant with the standards of Sec. 70-84 (7). Due to the potential to construct an attached carport in a manner more compliant with Sec. 70-84 (7) it can be determined that the application of Sec. 70-84 (2) and 70-84 (4) concerning a detached carport do not create an unnecessary hardship.*

*This situation is not particular to this subject property in that the location of the existing driveway relative to the property and existing residence is common along Marlow Lane, as is the overall property size and configuration.*

*Relief from the accessory use provisions of Sec. 70-84 (2) and Sec. 70-84 (4) in this case would result in location of a detached accessory structure out of compliance with multiple standards and unique in the vicinity. As a result, approval of the requested variance would be expected to cause detriment to the public interest and impact the purpose and intent of the zoning ordinance. If approved, the variance to allow the proposed detached carport located in the front yard of the residence and 2 feet from the existing structure would result in a nonconforming situation unique among the many similar R-1 properties in the vicinity.*



LEE COUNTY  
CITY OF LEESBURG  
CITY OF SMITHVILLE

**VARIANCE APPLICATION**

OWNER: Tony L. & Rhonda Clark  
ADDRESS: 127 Marlow Lane, Albany, GA 31721

DAYTIME PHONE # \_\_\_\_\_ EMAIL: \_\_\_\_\_

ADDRESS OR LOCATION OF PROPERTY: 127 Marlow Lane, Albany, GA 31721

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

Present Zoning Residential Present Use of Property: Single Residence Dwelling

262 Land Lot Number Second Land District 0.75 # of Acres  
(Land Lot 262 in the 2nd Land District, and all of Lot 106 of Brentwood North subdivision)

Reasons for requesting variance:  
We desire to install a freestanding aluminum carport over our parking pad, in front of our home.  
The carport would be installed 2 ft. from the front of the home, and 2 ft. from one wall of the home.

ALSO ATTACH: (1 copy of each)  Plat of property, including vicinity map  
 Legal description Containing Metes and Bounds

I hereby certify that I am the owner and/or legal agent of the owner, in fee simple of the above-described property.

WITNESS \_\_\_\_\_  
DATE: \_\_\_\_\_

OWNER Tony L. Clark  
DATE: 09/01/2023

Application Fee: \_\_\_\_\_ Date Paid: \_\_\_\_\_ Received by: \_\_\_\_\_

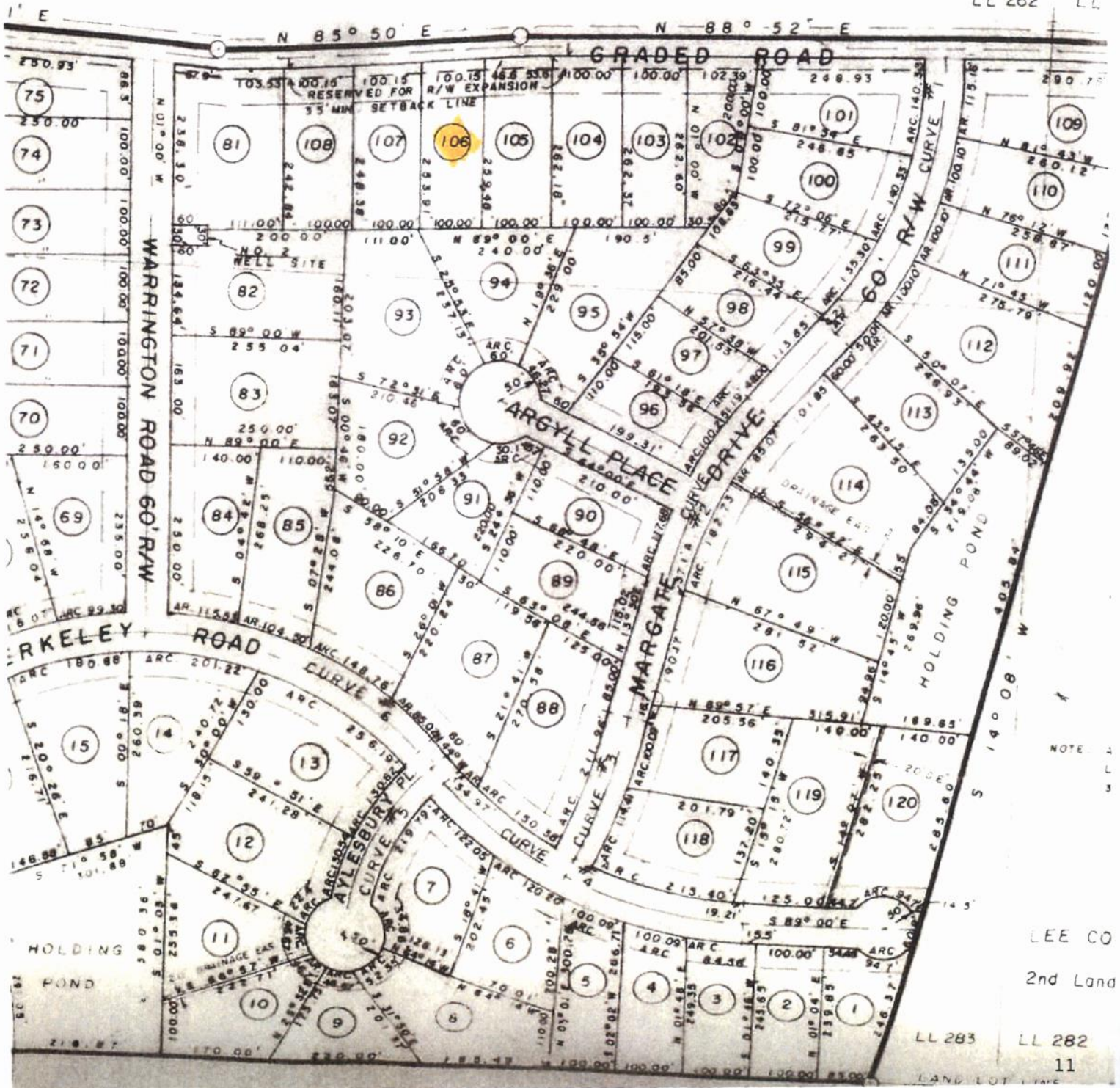
In my absence, I authorize the person named below to act as the applicant in the pursuit of action for the application.

Applicant Name: Tony L. Clark  
Address: 127 Marlow Lane, Albany, GA 31721  
Phone #: \_\_\_\_\_ Email: \_\_\_\_\_



W. M. STORY

LL 262 LL



NOTE 1  
L  
3

LEE CO  
2nd Land

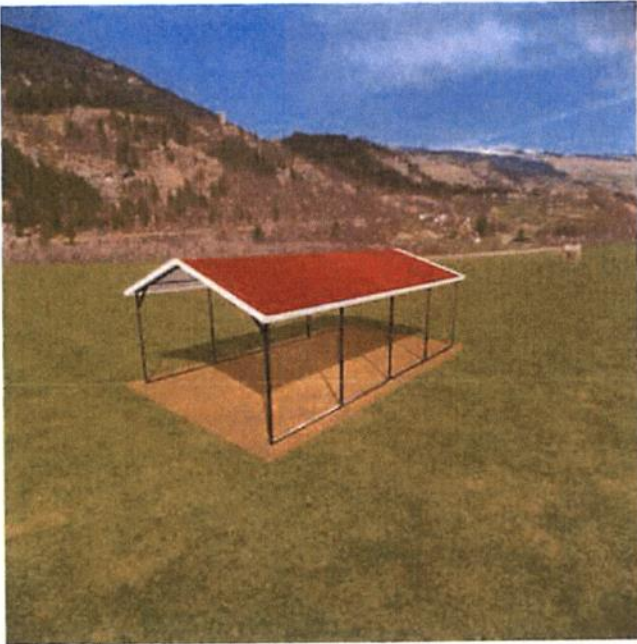
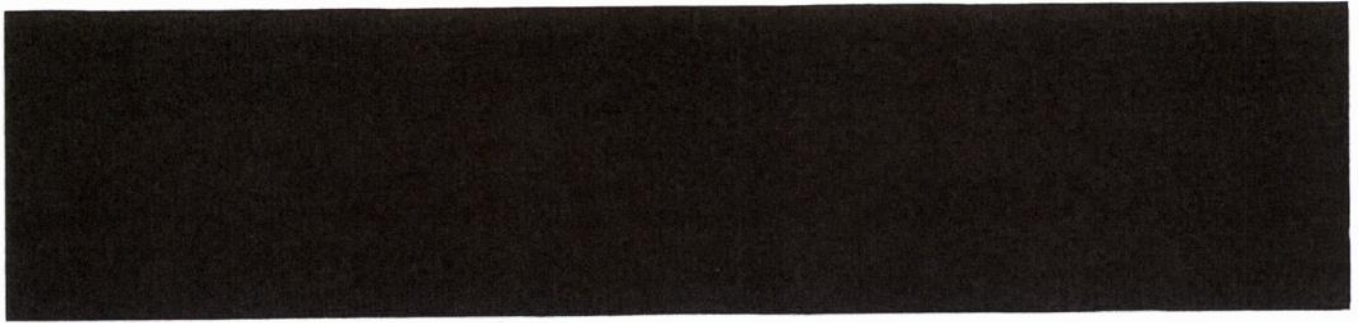
LL 283 LL 282

Tony L. & Rhonda Clark  
127 Marlow Lane  
Albany, GA 31721

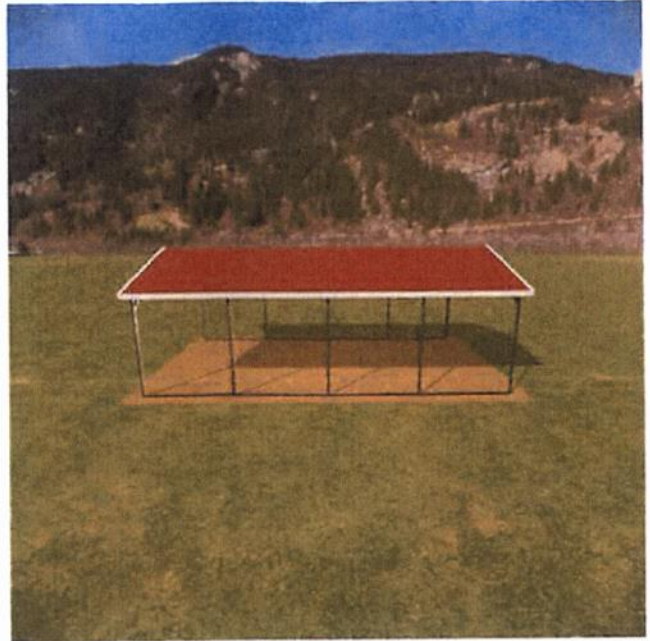
Variance Request  
Front of Property Showing Parking Pad



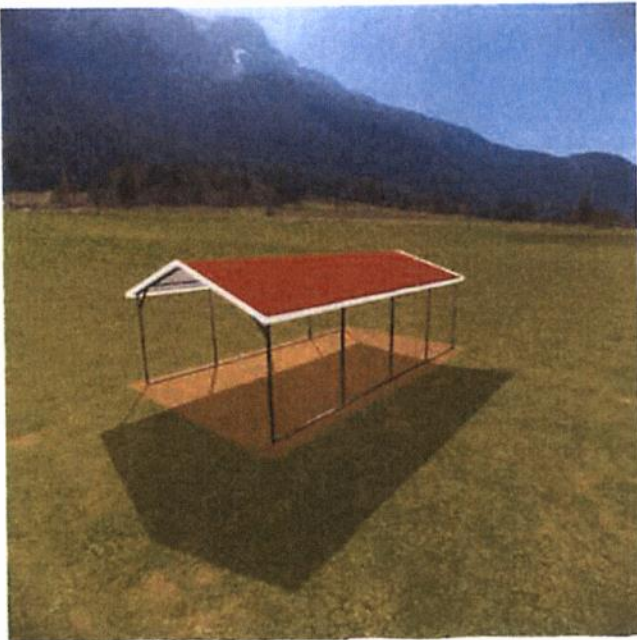




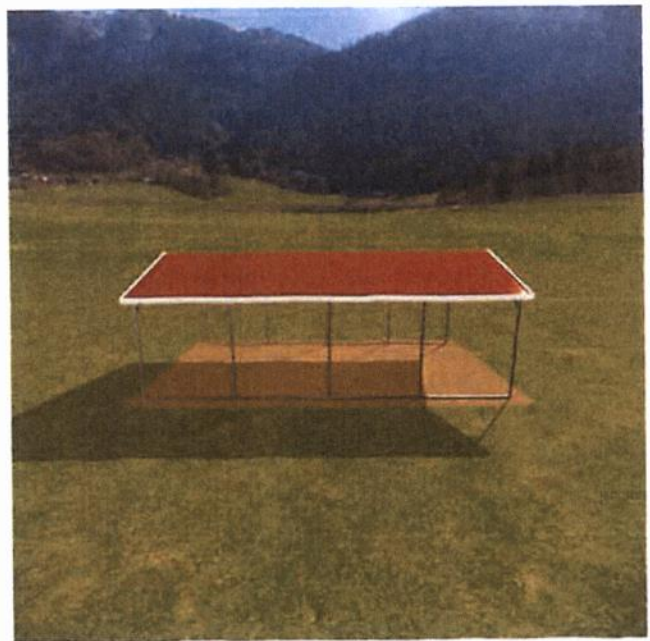
Front



Right



Back



Left

# WARRANTY DEED

STATE OF GEORGIA, COUNTY OF DOUGHERTY

THIS INDENTURE, Made the 31st day of August, in the year one thousand nine hundred eighty-nine, between

C. L. REYNOLDS and VELMA J. REYNOLDS

of the County of Dougherty, and State of Georgia, as party or parties of the first part, hereinafter called Grantor, and

TONY L. CLARK and RHONDA W. CLARK

as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, personal representatives, successors and assigns where the context requires or permits.)

WITNESSETH that: Grantor, for and in consideration of the sum of TEN DOLLARS (\$10.00) AND OTHER VALUABLE CONSIDERATIONS in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee, All that tract or parcel of land lying and being in Land Lot 262 in the Second Land District, Lee County, Georgia and being all of Lot 106 of Brentwood North, according to a map of plat of said subdivision as same is recorded in Plat Book "E", Page 149 (Plat Cabinet "C", Slide C-41), in the office of the Clerk of Superior Court of Lee County, Georgia.

This conveyance is made subject to easements and restrictions of record.

LEE COUNTY, GEORGIA  
REAL ESTATE TRANSFER TAX  
PAID \$ 65.00  
DATE Sep 5, 1989  
Beverly P. Chambers  
CLERK OF SUPERIOR COURT

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee forever in FEE SIMPLE, subject only to the limitations, if any, above set out.

AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons whomsoever.

IN WITNESS WHEREOF, the Grantor has signed and sealed this deed, the day and year above written.

Signed, sealed and delivered in presence of:

UNOFFICIAL WITNESS

*James H. Cunningham*  
NOTAR PUBLIC (Seal)

My Commission Expires: 5-21-91

*C. L. Reynolds* (Seal)  
C. L. Reynolds (Seal)

*Velma J. Reynolds* (Seal)  
Velma J. Reynolds





**MEMORANDUM  
LEE COUNTY BOARD  
OF COMMISSIONERS**

**TO:** Honorable Board of County Commissioners  
**SUBJECT:** Surplus Vehicles  
**MEETING DATE:** Tuesday, October 10, 2023

---

**MOTION/RECOMMENDATION**

Motion to declare the following vehicles (former ambulances) surplus, to be sold on GovDeals:

- 2008 Ford F-350 6.4L Diesel with 162,600 miles, VIN 5402
  - Will soon need a new engine
- 2008 Ford F-350 6.4L Diesel with 136,841 miles, VIN 5988
  - Not running and will need a new engine



# MEMORANDUM LEE COUNTY BOARD OF COMMISSIONERS

**TO:** Honorable Board of County Commissioners  
**SUBJECT:** Purchase of New Vehicles for Public Works  
**MEETING DATE:** Tuesday, October 10, 2023

---

## **MOTION/RECOMMENDATION**

Motion to purchase four (4) new vehicles for the Public Works Department using T-SPLOST funds to include one (1) Ford F-250 gas engine and three (3) F-350 gas engine trucks with a total estimated cost of \$194,673.00.

## **BACKGROUND**

Public Works staff are requesting the purchase of the following four (4) trucks:

- 1 Ford F-250 This truck will replace the F-250 van that is out of service frequently with wiring issues. This size truck is needed to pull a 27' enclosed trailer for landscape crew and speed hump trailer.
- 3 Ford F-350s One will replace the dump body truck 865 that needs a new engine. The dump body will be moved to new truck which is in good working condition.

One will replace the maintenance truck 861 that currently needs an engine. This truck carries a 200 gal. fuel tank, a 30 gal. with engine air compressor, and two big tool boxes. This truck is used by staff to install speed humps and is used on a daily basis. The bed of this truck will be moved to the new truck as well.

One will be used to haul the new skid steer and attachments. The skid steer weighs over 13,000 pounds and this truck with the proper trailer is what is recommended to pull it.

## **Cost and Delivery Estimates**

Ford F250 - \$51,243.00 (gas engine) – diesel engine is \$9,495.00 additional

Ford F350 - \$47,810.0 (gas engine) – diesel engine is \$9,495.00 additional

- The trucks have an estimated delivery date of before the end of 2023

## **ATTACHMENTS**

TSPLOST Report



TSPLOST Cash Flow  
as of September 30, 2023

Bank Balance as of September 30, 2023	7,263,849.19
Total Cash	<u>7,263,849.19</u>
Current Encumbrances:	
Culverts	7,375.00
Signs	24,816.83
Road at LCMC	2,113,989.54
Sidewalk Participation on Firetower Road (Design and construction)	22,236.00
Crack Sealer	100,000.00
Skid Steer	150,000.00
6 in Self Priming Pump	47,000.00
Total of Encumbrances	<u>2,465,417.37</u>
<b>Total Cash Available to spend on projects through June 30, 2024</b>	<u><b>4,798,431.82</b></u>
<b>Anticipated Revenue (through June 30, 2024</b>	
Avg \$ 301,006.52 per month for 10 months (after tranfer to Smithville and Leesburg) (based on prior 12 months deposits)	3,010,065.20



## MEMORANDUM LEE COUNTY BOARD OF COMMISSIONERS

**TO:** Honorable Board of County Commissioners

**SUBJECT:** Lee County Jail Control System & HVAC

**MEETING DATE:** Tuesday, October 10, 2023

---

### **BACKGROUND**

The Lee County Board of Commissioners built the Sheriff's Office and Jail facilities in 1999 and the control system was originally installed by Johnson Controls. In 2008, ESS installed a new control system. The Board of Commissioners then hired Clayton and Company to install two (2) new chillers in 2019 at a cost of \$121,500.00. During the last few years, various HVAC companies have worked on the HVAC system and ESS has managed the control system.

The estimated cost for the project is approximately \$50,000.00 - \$55,000.00. Staff was provided a proposal from ESS for a comprehensive preventative maintenance and repair agreement, which is available to the Board as a handout for reference.

### **ATTACHMENTS**

NONE





## MEMORANDUM

### LEE COUNTY BOARD OF COMMISSIONERS

**TO:** Honorable Board of County Commissioners  
**SUBJECT:** County Updates

---

#### Agricultural/ Recreation Complex

- Located on 100 acres on Leesburg Bypass — 231 State Route 3
- Proposed plans provided July 29, 2020
  - Including: A boating access point at the creek's edge, the agricultural complex, walking trails, and campsites
- Resolution adopted and lease agreement signed on September 22, 2020 with Georgia Department of Natural Resources for a Boat Ramp
  - Renewed January 11, 2022
  - Estimated Start Date: Fall 2023
  - DNR hired EMC Engineering to survey property for canoe/kayak ramp
  - DNR staff notified us that the DNR Commissioner has signed the Boat Ramp agreement for the Lee County construction project
  - Engineering design began in January 2023
- Improvements to the Property
  - Renovation of Covered Building: New roof, fresh paint, picnic tables, electrical system, well
  - Bobby Donley, Lanier Engineering, provided proposed site plan
    - Proposal submitted to the BOC for review
  - Trails:  $\frac{3}{4}$  mile walking trail that runs along a 46 foot high ridgeline above the Kinchafoonee Creek and has a seasonal view of the waterway
    - Eight (8) picnic tables as well as a number of trash cans have been placed along this trail on the creek side
    - Directional signs for the area ordered (i.e. Parking, No Parking, trail markers, boundary signs, etc.)
- Future Improvements
  - Define the location of the road
  - Grade and place compacted crushed stone GAB/recycled asphalt on the area on top of the ridgeline for a parking area
  - Placing a gate at the trailhead so that the area can be closed to public for safety during high water events
- Planning/Designing Committee created by the Board at the May 11, 2021 meeting
  - **Committee Members:** Art Ford, Tim Sumners, Tom Sumners, Bobby Donley, Lisa Davis, David Dixon, Judy Powell, Rick Muggridge, Commissioner Luke Singletary, County Manager Christi Dockery, Parks & Recreation Director Jeremy Morey
    - **First Meeting:** June 14, 2021
    - **Second Meeting:** November 15, 2021
    - **Third Meeting:** January 11, 2022
  - Staff is working with a local engineering firm to develop a plan
- Professional Services Agreement with Lose Designs approved and signed on August 8, 2023
- Onsite meeting held Friday, September 15, 2023

### **Bicentennial Anniversary – June 9, 2025**

- Preliminary discussions with staff and Lisa Davis, Chamber of Commerce Executive Director, on projects and ideas for a community celebration for Lee County's first 200 years
- Proposals:
  - Beginning June 2024, the BOC could recognize LC departments and long-time business partners each month leading up to the June 9, 2025 anniversary
  - Create a time capsule with community involvement to bury on LC property
  - Draft a Proclamation for the Local Delegation to honor LC on the 200 anniversary
  - Propose a project that could be completed with the cities and community to honor this anniversary (e.g. buy 200 trees from DNR and give to the public to plant in honor of LC)
  - Develop logo/medallion to honor this occasion

### **2020 Census Numbers**

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

### **2021 Census Numbers**

- Lee County: 33,411

### **Commercial Land Development Permits**

- Ace Hardware Store – Hwy 82
- Artesian City Federal Credit Union
- Boaters World – Ridezilla – Hwy 19
- DeSoto Silicon Ranch Phase II & III
- Drake Properties – Downtown Leesburg Restaurant Passion & Bliss
- Eliano's Coffee – Hwy 19
- El-Maya Restaurant Renovation and Expansion – US 19
- Flint Ventures Commercial Subdivision – US 19
- Forrester Crossing Commercial Subdivision Phase II – Hwy 19
- Forrester Crossing Phase I – New Office Building
- Georgia Electric Associates New Office – Veterinary Way
- Giovingo Properties Sanitary Sewer Expansion – US 82
- Ledo Self Storage Phase II
- Mavis Tire – Hwy 19
- New Jerusalem Grove Baptist Church – Smithville
- New Little Caesar's Location – US 82
- Oxford Business Park
- Seven Brew – Hwy 82
- Southern Hills Orchards – New York Road AG Office Space
- Three (3) Proposed Package Stores – Hwy 19 & Hwy 82
- Tidal Wave – Ledo Road
- Wawa Gas Station – Hwy 82
- Whistle Wash – Hwy 82
- Woodgrain Millwork Expansion – Hwy 82

### **GIS**

#### **Road Layer**

- Including road width, length, and speed limits

#### **Utilities Mapping Project**

- Purpose: To map all utilities in Lee County
  - Includes water mains, water valves, water towers, fire hydrants, sewer lines, sewer manholes, sewer pump stations, fiber, gas, telephone, etc. as well as feature type, pipe size, pipe material, valve size



- Also mapping greenspace, stormwater holding ponds, Hazard Mitigation lots, etc.
- Goal: To have an internet map in ArcGIS Online where utility workers can view utility maps on a tablet in the field.

### **LMIG Funds**

- **FY2024**
  - Letter received from GDOT July 5, 2023
  - Funds Received from GDOT: \$690,908.06
    - Total, with 30% match from Lee County: **\$898,180.48**
  - Application approved at the September 12, 2023 BOC meeting
  - Application submitted September 13, 2023
  - Application approved September 18, 2023
  - Grant Funds received September 19, 2023
  - Staff writing RFP documents
- **FY2023**
  - Application Submitted October 18, 2022
  - Roads: Lumpkin Road West, Quail Street, Northwood Drive, Stanley Street, Cannon Drive, Balmoral Drive, Elgin Court, Montrose Drive, Brittany Lakes Drive, Fairethorne Drive, Graves Springs Road, Heathridge Court, Hearthstone Drive, Sterling Drive, Pewter Court, Willow Lake Drive, Fair Oaks Court, Hickory Ridge Court, Cedric Street, Ravenwood Court, Maplewood Court, and Sportmans Club Road. Striping remains to be completed.
  - Funds Received from GDOT: \$627,424.76
    - Total, with 30% match from Lee County: **\$815,652.19**
    - BOC awarded bid on December 13, 2022 to Reeves Construction Company for **\$1,977,781.35**
  - Completed: May 2023
  - July 2023: Documents submitted to GDOT for closeout

### **Sidewalks**

- Georgia Department of Transportation, GDOT, has approved the City of Leesburg's request for funding assistance for sidewalks on State Route 3, State Route 32, and Firetower Road
- GDOT is committing up to \$304,000.00, or 70% of the project cost, whichever is less
- December 22, 2022: Board voted to pay the County's share of the cost for sidewalks on Firetower Road (\$13,500.00)
- Ongoing project

### **Smithville Road Bridge**

- Georgia Department of Transportation, GDOT, plans to replace the bridge over the Muckaloochee Creek on Smithville Road
- Construction and Maintenance Easements received from adjoining property owners and recorded
- Estimated Start Date: Summer 2023
  - Detour will be implemented during this construction

### **Speed Limit Ordinance**

- Approved by BOC at April 26, 2022 meeting
- Staff has submitted documents to GDOT
- Requested DOT examine Old Leesburg Road/State Route 133
- Awaiting GDOT review and approval

### **SPLOST VII**

- Collection Period: October 1, 2019 - September 30, 2025
- Ballot amount: \$20,825,603.00
  - Current collection: \$18,301,109 as of August 2023 (88%)
  - Average monthly collection: \$397,850.20
  - Projected to collect ballot amount by February 2024

## **SPLOST VIII**

- Possible Ballot: March 2024
- Collection Period: October 1, 2025 - September 30, 2031
- LC Departments have submitted their requests for projects to be included on the next ballot
- September 12, 2023: BOC approved placing on the March 2024 ballot
- BOC reviewing staff proposed projects
- Meeting with Lee County, Leesburg, and Smithville officials scheduled for Tuesday, October 10, 2023 at 5:00pm

## **Storm Drainage Repair/ Holding Ponds**

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

## **TSPLOST**

- Collection Period: April 1, 2019 - March 31, 2024
- Ballot amount: \$16,995,017.00
  - Current Collection: \$15,616,660 as of August 2023 (92%)
  - Average monthly collection: \$300,320.00
  - Projected to collect ballot amount by December 2023

## **TSPLOST II**

- Joint meeting held Tuesday, June 21, 2022 at 5:00pm
- Voters approved continuation of TSPLOST II in November 2022
- Collection Period: April 1, 2024 – March 31, 2029

## **Telecommunications Tower**

- To be located at the Smithville Fire Station
- Partnering with Motorola
- Surveying has begun
  - Once completed, crews can then break ground
- Estimated Completion: May 2024

## **Westover Extension**

- GDOT project - DARTS support
- Will connect Westover Road and Ledo Road at Capstone Connector
- Oxford Construction Company awarded bid from GDOT
  - Project ongoing
- Staff is working with GDOT and DARTS on signal and safety issues for Ledo Road intersection
- Estimated Completion Date: December 2024

## **Windstream – Kinetic Fiber Installation**

- Kinetic staff is currently staking installation areas throughout the county
- Engineering design is expected to be completed by January 2024
- Crews will begin fiber installation in early 2024 with anticipated completion of over 4,234 underserved properties by the end of 2024.
- Project is required to be completed by 2026 with minimum speeds of 100 Mbps download and 100 Mbps upload
- Funding for this project includes:
  - Grant award from Georgia's State & Local Fiscal Recovery Funds - \$12,541,241.00
  - Kinetic funding of \$7,337,804.00 with Lee County's match of \$1,200,000.00

- ARPA funding
- Total Investment: \$21,079,046.00

## RFPs and RFQs

### Open

#### Courthouse Window Coverings

- Pre-Bid Meeting: September 28, 2023
- Bid Opening: October 19, 2023
- Results to be brought to the Board on October 24, 2023

#### Engine for Fire Truck

- Bid Opening: October 23, 2023
- Results to be brought to the Board on October 24, 2023

#### Turn Out Gear for Fire & EMS Personnel

- Bid Opening: October 12, 2023
- Results to be brought to the Board on October 24, 2023

### Recently Awarded

#### Landscaping

- Courthouse and Tharp Building
- Pre-Bid Meeting: August 10, 2023
- Bid Opening: September 21, 2023
- BOC awarded bid on August 22, 2023 to **Lawn Barber Nursery** at a total cost of **\$81,043.96**

#### Elections and Registration Office Renovation

- Approved by BOC at April 11, 2023 meeting
- Pre-Bid Meeting: July 6, 2023
- Bid Opening: July 20, 2023
  - No bids received
- Bid was republished
- Second Pre-Bid Meeting: August 8, 2023
- Bid Opening: August 21, 2023
- BOC awarded bid on August 22, 2023 to **3D Construction, Inc.** at a cost of **\$90,200.00**
- Ongoing

### Future

#### Road Resurfacing Projects

- Including those roads listed on LMIG 2024 application
- Approved by BOC at September 12, 2023 meeting
- Staff writing RFP documents
- Projected Bid Opening: TBD

#### Coston Road Paving Project

- Approved by BOC at September 12, 2023 meeting
- Staff writing RFP documents
- Projected Bid Opening: TBD

#### Fencing

- Approved by BOC at April 25, 2023 meeting
- Staff writing RFP documents
- To be placed at several County facilities



- Projected Bid Opening: TBD

#### **LED Lighting in the Fire Stations**

- Previous Pre-Bid Meeting: September 20, 2022
- Previous Bid Opening: October 19, 2022
- Results brought to the Board on October 25, 2022
  - Bids rejected
- Project to be reopened at a future date

#### **LED Lighting in all County Buildings**

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

#### **ADA Compliant Website**

- Staff writing RFP documents
- Projected Bid Opening: TBD

#### **County Building Painting Services**

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

#### **Flooring Services for County Buildings**

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

#### **Extended Sewer Installation on Hwy 19**

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

Return To:  
Mary Balthrop, Esq.  
Silicon Ranch Corporation  
222 Second Ave S. Suite 1900  
Nashville, TN 37201

**STATE OF GEORGIA** ) **POWER TRANSMISSION LINE**  
**COUNTY OF LEE** ) **EASEMENT**

Re: Power Transmission Line Easement across right-of-way of Dan Green Road,  
located in Land Lot 228, Fourteenth Land District, Lee County, Georgia

For value received, the sufficiency of which is hereby acknowledged, Lee County, Georgia, by and through its duly elected Board of Commissioners ("Grantor"), hereby gives, grants and conveys unto Silicon Ranch Corporation, a Delaware corporation, with a principal business office located at 222 Second Ave S. Suite 1900, Nashville, TN 37201 (together with its successors and assigns, "Silicon"), along with (i) SR DeSoto I, LLC, a Delaware limited liability company, (ii) SR DeSoto II, LLC, a Delaware limited liability company, and (iii) SR DeSoto III, LLC, a Delaware limited liability company, each with a principal business office located at 222 Second Ave S. Suite 1900, Nashville, TN 37201 (such entities collectively, and together with their successors and assigns, "DeSoto"), and their successors and assigns (each, a "Grantee"), a perpetual non-exclusive easement (the "Easement") under and across the portions of the right-of-

way of Dan Green Road described and depicted in Schedule "A," attached hereto and incorporated herein by reference (the "Easement Area"), for the purpose of constructing, reconstructing, replacing, removing, maintaining, operating and using, from time to time, one or more subsurface transmission lines, wires and cables under and across the Easement Area.

The Easement is specifically given, granted, made and conveyed for the express benefit of certain tracts of land (the "Benefitted Property"), which is or shall be owned by Silicon in fee simple absolute and leased in full or in part to any of the DeSoto entities, and on which DeSoto intends to construct solar photovoltaic generating facilities, to specifically include, without limitation, such areas more specifically described in Schedule "B," attached hereto and incorporated herein by this reference.

The Easement shall run with the land.

The term of the Easement shall be indefinite or permanent in duration.

Each Grantee specifically reserves the right to assign all or any portion of its interest in the Easement.

**(SIGNATURES ON FOLLOWING PAGE)**



WITNESS the hands and seals of the undersigned this \_\_\_\_ day of \_\_\_\_\_, 2023.

SIGNED, SEALED AND DELIVERED  
IN THE PRESENCE OF:

LEE COUNTY, GEORGIA:

BY: \_\_\_\_\_

NAME: \_\_\_\_\_

TITLE: \_\_\_\_\_

\_\_\_\_\_  
WITNESS

ATTEST: \_\_\_\_\_

\_\_\_\_\_  
NOTARY PUBLIC

My commission expires \_\_\_\_\_

NAME: \_\_\_\_\_

TITLE: \_\_\_\_\_

**(SIGNATURES CONTINUED ON NEXT PAGE)**

SIGNED, SEALED AND DELIVERED  
IN THE PRESENCE OF:

SILICON RANCH CORPORATION  
a DELAWARE CORPORATION

\_\_\_\_\_  
UNOFFICIAL WITNESS

BY: \_\_\_\_\_ (SEAL)

PRINTED NAME: D. Reagan Farr

TITLE: President & CEO

\_\_\_\_\_  
NOTARY PUBLIC  
My commission expires \_\_\_\_\_  
(NOTARIAL SEAL)

(CORPORATE SEAL)

SIGNED, SEALED AND DELIVERED  
IN THE PRESENCE OF:

SR DESOTO I, LLC  
a DELAWARE LIMITED LIABILITY  
COMPANY

\_\_\_\_\_  
UNOFFICIAL WITNESS

BY: \_\_\_\_\_ (SEAL)

PRINTED NAME: D. Reagan Farr

TITLE: President & CEO

\_\_\_\_\_  
NOTARY PUBLIC  
My commission expires \_\_\_\_\_  
(NOTARIAL SEAL)

SIGNED, SEALED AND DELIVERED  
IN THE PRESENCE OF:

SR DESOTO II, LLC  
a DELAWARE LIMITED LIABILITY  
COMPANY

\_\_\_\_\_  
UNOFFICIAL WITNESS

BY: \_\_\_\_\_(SEAL)

PRINTED NAME: D. Reagan Farr

TITLE: President & CEO

\_\_\_\_\_  
NOTARY PUBLIC  
My commission expires \_\_\_\_\_.  
(NOTARIAL SEAL)

SIGNED, SEALED AND DELIVERED  
IN THE PRESENCE OF:

SR DESOTO III, LLC  
a DELAWARE LIMITED LIABILITY  
COMPANY

\_\_\_\_\_  
UNOFFICIAL WITNESS

BY: \_\_\_\_\_(SEAL)

PRINTED NAME: D. Reagan Farr

TITLE: President & CEO

\_\_\_\_\_  
NOTARY PUBLIC  
My commission expires \_\_\_\_\_.  
(NOTARIAL SEAL)



**SCHEDULE "A"**

**EASEMENT AREA**

**LEGAL DESCRIPTION OF THE EASEMENT AREA:**

**BORING EASEMENT DESCRIPTION**

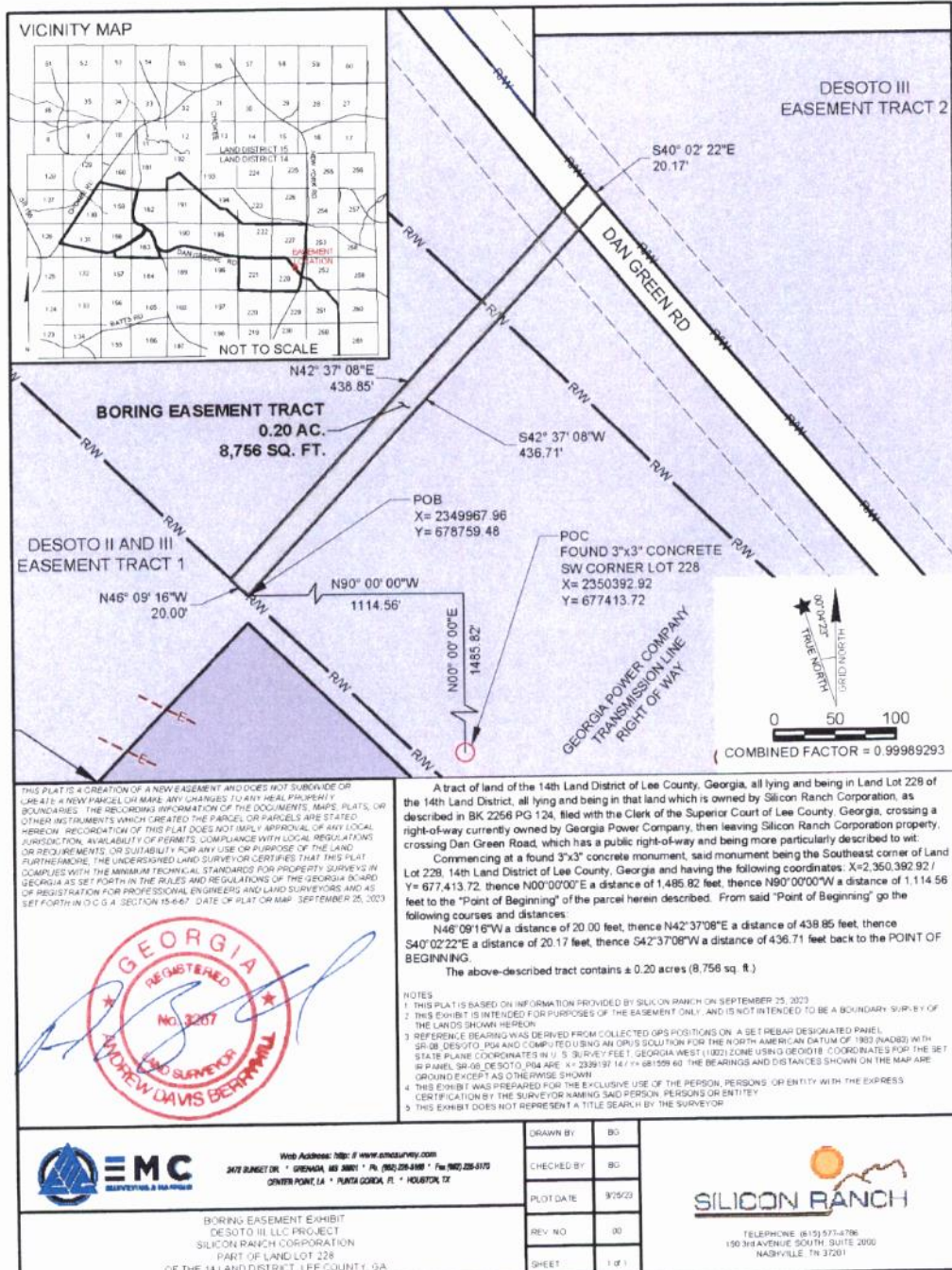
A tract of land of the 14th Land District of Lee County, Georgia, all lying and being in Land Lot 228 of the 14th Land District, all lying and being in that land which is owned by Silicon Ranch Corporation, as described in BK 2256 PG 124, filed with the Clerk of the Superior Court of Lee County, Georgia, crossing a right-of-way currently owned by Georgia Power Company, then leaving Silicon Ranch Corporation property, crossing Dan Green Road, which has a public right-of-way and being more particularly described to wit:

Commencing at a found 3"x3" concrete monument, said monument being the Southeast corner of Land Lot 228, 14th Land District of Lee County, Georgia and having the following coordinates: X=2,350,392.92 / Y= 677,413.72, thence N00°00'00"E a distance of 1,485.82 feet, thence N90°00'00"W a distance of 1,114.56 feet to the "Point of Beginning" of the parcel herein described. From said "Point of Beginning" go the following courses and distances:

N46°09'16"W a distance of 20.00 feet, thence N42°37'08"E a distance of 438.85 feet, thence S40°02'22"E a distance of 20.17 feet, thence S42°37'08"W a distance of 436.71 feet back to the POINT OF BEGINNING.

The above-described tract contains ± 0.20 acres (8,756 sq. ft.)

**DEPICTION OF THE EASEMENT AREA:**



EMC\_3RC\_DRAWING NAME EMC2205 DESOTO III ADDITIONAL EASEMENT 9-25-23.DWG



## SCHEDULE "B"

### DESCRIPTION OF THE BENEFITTED PROPERTY

#### DS I/III FEE PARCEL 1

That tract of land of the 14<sup>th</sup> Land District of Lee County, Georgia, all lying and being in Land Lots 162, 163, 190, 191, 192, 194, 195, 221, 222, 223, 227 & 228, all lying and being in that land which is owned by Silicon Ranch Corporation, as described in BK 2261 PG 313, BK 2261 PG 286, BK 2261 PG 300, BK 2261 PG 306, BK 2261 PG 319, BK 2257 PG 317, BK 2257 PG 327, BK 2312 PG 205 and BK 2256 PG 124 filed with the Clerk of the Superior Court of Lee County, Georgia and being more particularly described to wit:

Commencing and Beginning at a found 3"x3" concrete monument, said concrete monument being the apparent Southwest corner of Land Lot 192 of the 14th Land District of Lee County, Georgia, having the following coordinates: X= 2337808.81 / Y= 686505.12, Said "Point of Commencement" being S89°24'42"W a distance of 6302.08' from the found 1/2" rebar being the apparent Southeast corner of Land Lot 193 of the 14th Land District of Lee County, Georgia, Said monument also being the Point of Beginning of the property boundary herein described, from said "Point of Beginning" go the following courses and distances:

N01°00'44"E a distance of 997.00 feet to a set iron rod and cap, thence N74°27'53"E a distance of 496.21 feet to a set iron rod and cap, thence N54°32'45"E a distance of 726.61 feet to a set iron rod and cap on the West right-of-way of the Georgia Power Transmission Lines, thence along said right-of-way S45°49'05"E a distance of 990.35 feet to a found right-of-way marker, thence continuing along said right-of-way S48°05'24"E a distance of 3916.99 feet to a set iron rod and cap, thence crossing said right-of-way S86°28'34"E a distance of 531.66 feet to a set iron rod and cap on the East right-of-way, thence continuing along said right-of-way S47°22'47"E a distance of 1971.94 feet to a set iron rod and cap, then leaving said right-of-way S89°28'54"E a distance of 381.07 feet to a found 3"x3" concrete marker, thence S89°41'26"E a distance of 764.65 feet to a found 5/8" rebar, thence S88°50'42"E a distance of 1493.47 feet to a found 1" galvanized pipe, thence S89°05'22"E a distance of 1606.85 feet to an existing fence corner, thence S89°10'41"E a distance of 1470.25 feet to a found disturbed 1/2" iron rod, thence S00°11'21"E a distance of 248.04 feet to a set 5/8" x 24" rebar with cap on the West right-of-way of New York Road, thence along said West right-of-way to following courses and distances; S08°55'48"W a distance of 289.96 feet to a point, thence S07°06'10"W a distance of 286.85 feet to a point, thence S02°16'16"W a distance of 300.91 feet to a point, thence S00°28'11"W a distance of 878.60 feet to a point, thence S02°46'13"W a distance of 216.73 feet to a point, thence S07°46'09"W a distance of 286.22 feet to a point, thence S09°31'51"W a distance of 2141.77 feet to a set 5/8" x 24" rebar with cap on the North right-of-way of Dan Green Road, thence along said right-of-way the following courses and distances; N48°56'29"W a distance of 30.59 feet to a point, thence N40°02'22"W a distance of 601.62 feet to a point, thence N38°29'55"W a distance of 1270.20 feet to a point, thence N41°43'10"W a distance of 86.09 feet to a point, thence N53°25'36"W a distance of 88.88 feet to a point, thence N68°11'30"W a distance of 80.82 feet to a point, thence



N79°59'50"W a distance of 64.79 feet to a set 5/8" x 24" rebar with cap, thence N85°59'21"W a distance of 75.63 feet to a point, thence N89°17'48"W a distance of 1105.85 feet to a point, thence N89°06'48"W a distance of 1365.61 feet to a point, thence N88°20'01"W a distance of 124.99 feet to a set 5/8" x 24" rebar with cap, thence N87°45'17"W a distance of 119.05 feet to a point, thence N85°09'00"W a distance of 1313.90 feet to point, thence N83°34'46"W a distance of 1180.70 feet to a point, thence along an arc 564.61 feet to the right, having a radius of 2401.47 feet, the chord of which is N77°29'12"W for a distance of 563.31 feet to a set 5/8" x 24" rebar with cap, thence N21°26'11"E a distance of 5.00 feet to a found 1/2" iron rod, thence along an arc 137.15 feet to the right, having a radius of 2434.58 feet, the chord of which is N68°44'36"W for a distance of 137.13 feet to a point, thence N67°07'46"W a distance of 391.65 feet to a point, thence along an arc 287.73 feet to the left, having a radius of 1452.04 feet, the chord of which is N72°48'23"W for a distance of 287.26 feet to a set iron rod and cap, thence N78°28'59"W a distance of 2039.36 feet to a set 5/8" x 24" rebar with cap, thence N11°31'01"E a distance of 10.00 feet to a set 5/8" x 24" rebar with cap, thence along an arc 1412.43 feet to the left, having a radius of 1939.34 feet, the chord of which is S80°39'10"W for a distance of 1381.42 feet to a found 1/2" iron rod, thence S59°47'18"W a distance of 219.36 feet to a found 1/2" iron rod thence along an arc 1145.19 feet to the right, having a radius of 851.38 feet, the chord of which is N81°13'59"W for a distance of 1060.79 feet to a point, thence N43°22'42"W a distance of 369.13 feet to a point, thence along an arc 238.55 feet to the right, having a radius of 1409.74 feet, the chord of which is N17°59'31"W for a distance of 238.27 feet to a point, thence N13°08'38"W a distance of 192.82 feet to a point, thence along an arc 316.07 feet to the left, having a radius of 1449.62 feet, the chord of which is N19°23'26"W for a distance of 315.44 feet to a point, thence N25°38'13"W a distance of 416.06 feet to a point, thence along an arc 301.41 feet to the left, having a radius of 655.36 feet, the chord of which is N38°48'44"W for a distance of 298.76 feet to a point, thence N51°59'16"W a distance of 769.73 feet to a point, thence along an arc 309.59 feet to the left, having a radius of 734.80 feet, the chord of which is N64°03'28"W for a distance of 307.31 feet to a point, thence N76°07'42"W a distance of 138.38 feet to a point, thence along an arc 394.93 feet to the right, having a radius of 479.09 feet, the chord of which is N52°30'45"W for a distance of 383.84 feet to a point, thence N28°53'47"W a distance of 100.82 feet to a point, thence along an arc 265.63 feet to the right, having a radius of 678.71 feet, the chord of which is N17°41'06"W for a distance of 263.94 feet to a point, thence N06°28'24"W a distance of 219.11 feet to a point, thence along an arc 489.95 feet to the right, having a radius of 1409.71 feet, the chord of which is N03°29'01"E for a distance of 487.49 feet to a point, thence N13°26'25"E a distance of 1795.48 feet to a found 1/2" iron rod, thence S89°37'26"E a distance of 2525.65 feet to a found 1/2" iron rod, thence S89°22'32"E a distance of 88.09 feet to a found 1/2" iron rod and the POINT OF BEGINNING.

The above described tract contains ± 1453.77 acres (63,326,545 sq. ft.)

ALONG WITH:



## DS II/III FEE PARCEL

A portion of all of those tracts of land lying and being in Land Lots 163, 188, 189, 190, 195, 196, 197, 221 and 228 of the 14th Land District, all lying and being in that land which is owned by Silicon Ranch Corporation, as described in Deed Book 2405 Page 285, Deed Book 2405 Page 292, Deed Book 2405 Page 193, Deed Book 2257 Page 317 and Deed Book 2256 Page 124 filed with the Clerk of the Superior Court of Lee County, Georgia and being more particularly described to wit:

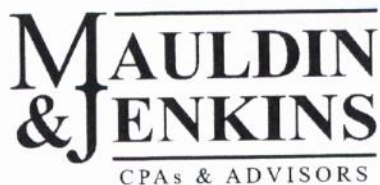
Commencing at a found 3" concrete monument, said monument being the apparent Southeast corner of Land Lot 196 of the 14th Land District of Lee County, Georgia, having the following coordinates: X= 2344347.60 / Y= 677603.31, Said "Point of Commencement" also being the Point of Beginning of the property boundary herein described, from said "Point of Beginning" go the following courses and distances:

S00°30'02"W for a distance of 3,076.54 feet to a found concrete monument with a T-post, thence N88°34'21"W for a distance of 5,973.64 feet to a found 1.5" iron pipe, thence N27°30'30"W for a distance of 24.17 feet to a point, thence N29°27'28"W for a distance of 182.47 feet to a point, thence N28°36'51"W for a distance of 180.52 feet to a point, thence N28°08'51"W for a distance of 156.90 feet to a point, thence N26°24'01"W for a distance of 108.21 feet to a point, thence N16°45'21"W for a distance of 69.80 feet to a point, thence N09°41'44"W for a distance of 92.40 feet to a point, thence N08°18'25"W for a distance of 56.26 feet to a set iron rod with an orange plastic cap, thence N00°39'22"W for a distance of 2,263.40 feet to a found 6" PVC filled with concrete, thence N01°06'42"E for a distance of 130.76 feet to a found 1/2" iron rod in concrete, thence N01°13'34"E for a distance of 114.88 feet to a found 5/8" iron rod, thence N01°31'22"E for a distance of 2,531.06 feet to a found 3"X3" concrete monument, thence N87°17'41"W for a distance of 487.18 feet to a set iron rod with an orange plastic cap, thence N36°35'40"W for a distance of 80.53 feet to a point, thence N36°45'26"W for a distance of 115.68 feet to a point, thence N35°35'54"W for a distance of 66.46 feet to a point, thence N33°03'34"W for a distance of 34.42 feet to a point, thence N28°01'34"W for a distance of 31.24 feet to a point, thence N24°14'16"W for a distance of 29.35 feet to a point, thence N16°32'36"W for a distance of 33.74 feet to a point, thence N12°40'04"W for a distance of 36.77 feet to a point, thence N09°21'05"W for a distance of 45.90 feet to a point, thence N07°52'51"W for a distance of 51.64 feet to a point, thence N11°15'31"W for a distance of 35.67 feet to a point, thence N15°22'36"W for a distance of 19.92 feet to a set iron rod with an orange plastic cap, thence N45°09'14"E for a distance of 175.95 feet to a set iron rod with an orange plastic cap, thence Easterly, along a non-tangent curve to the left with a radius of 903.09 feet, curve length of 1025.39 feet, chord bearing S88°17'18"E, chord length of 971.19 feet and having a central angle of 65°03'17" to a point, thence N60°01'44"E for a distance of 269.75 feet to a point, thence Easterly, along a non-tangent curve to the right with a radius of 1,883.71 feet, curve length of 1307.32 feet, chord bearing of N81°34'54"E, chord length of 1281.24 feet and having a central angle of 39°45'50" to a point, thence N11°31'01"E for a distance of 10.00 feet to a point, thence S78°29'00"E for a distance of 498.49 feet to a set iron rod with an orange plastic cap, thence S78°28'59"E for a distance of 1246.55 feet to a set iron rod with an orange plastic cap, thence S01°14'50"W for a distance of 669.48 feet to a set iron rod with an orange plastic cap, thence N90°00'00"E for a distance of 1659.89 feet to a set iron rod with an orange plastic cap, thence N01°01'41"E for a distance of 200.45 feet to a found 1/2" iron rod, thence S81°57'57"E for a distance of 44.91 feet to a point, thence S83°01'01"E for a distance of 146.31 feet to a point, thence S82°40'20"E for a distance of 202.82 feet to a point, thence S84°06'08"E for a distance of 202.06 feet to a point, thence S84°23'51"E for a distance of 52.69 feet to a set iron rod with an orange plastic cap, thence S00°00'00"E for a distance of 402.44 feet to a set iron rod with an orange plastic cap, thence N90°00'00"E for a distance of 267.16 feet to a set iron rod with an orange plastic cap, thence N90°00'00"E for a distance of 221.40 feet to a set iron rod with an orange plastic cap, thence N00°01'28"W a distance of 157.98 feet to a found 5/8" rebar, thence N00°02'18"W a distance of 195.00 feet to a found 5/8" rebar on the South right-of-way of Dan Green Road, thence along said right-of-way, S85°05'57"E a distance of 1312.14 feet to a point, thence S87°45'17"E a distance of 120.18 feet to a set 5/8" x 24" rebar with cap, thence S87°45'17"E a distance of 80.46 feet to a point, thence S89°06'34"E a distance of 1410.32 feet to a set 5/8" x 24" rebar with cap, thence S88°31'48"E a distance of 50.49 feet to a found axle, thence S89°24'04"E a distance of 975.94 feet to a point, thence S88°43'16"E a distance of 78.87 feet to a point, thence S86°12'49"E a distance of 70.63 feet to a point, thence S79°59'49"E a distance of 62.81 feet to a point, thence S68°11'30"E a distance of 73.84 feet to a point, thence S53°25'35"E a distance of 81.93 feet to a point, thence S41°43'10"E a distance of 82.20 feet to a point, thence S38°29'56"E a distance of 1269.95 feet to a point, thence S40°02'23"E a distance of 604.37 feet to a point, thence S48°56'29"E a distance of 51.30 feet to a set 5/8" x 24" rebar with cap at the intersection of the Southwest right-of-

way of Dan Green Road and West right-of-way of New York Road, thence along said right-of-way on the West side of New York Road; S09°31'51"W a distance of 711.60 feet to a point, thence S14°23'47"W a distance of 221.54 feet to a point, thence S17°59'59"W a distance of 82.27 feet to a point, thence S22°45'45"W a distance of 115.51 feet to a point, thence S25°32'41"W a distance of 61.29 feet to a point, thence S28°44'34"W a distance of 91.69 feet to a point, thence S31°37'25"W a distance of 83.98 feet to a set 5/8" x 24" rebar with cap, thence leaving said right-of-way, N89°37'43"W a distance of 2339.36 feet to a found axle, thence N86°37'56"W a distance of 1463.61 feet to a found T-Post, thence N86°37'56"W a distance of 1459.08 feet to a found 3"x3" concrete monument and the POINT OF BEGINNING.

The above-described tract contains ± 1274.44 acres (55,514,716 sq. ft.)





September 18, 2023

Chairman and Members of the Lee  
County Board of Commissioners  
Lee County, Georgia  
102 Starksville Avenue North  
Leesburg, Georgia 31763

Attn: Christi Dockery, County Manager

We are pleased to confirm our understanding of the services we are to provide Lee County, Georgia (the County) for the year ended June 30, 2023.

**Audit Scope and Objectives**

We will audit the financial statements of the governmental activities, the business-type activities, the aggregate discretely presented component units, each major fund, and the aggregate remaining fund information, including the disclosures, which collectively comprise the basic financial statements, of Lee County, Georgia as of and for the year then ended. These statements will include the budgetary comparison information for the General Fund and any major special revenue funds. We will obtain and place reliance on the report of other auditors for the Lee County Board of Health, a discretely presented component unit of the County, and the Development Authority of Lee County, a blended component unit of the County. Accounting standards generally accepted in the United States of America (GAAP) provide for certain required supplementary information (RSI), such as management's discussion and analysis (MD&A), to supplement the County's basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. As part of our engagement, we will apply certain limited procedures to the County's RSI in accordance with auditing standards generally accepted in the United States of America (GAAS). These limited procedures will consist of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We will not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance. The following RSI is required by GAAP and will be subjected to certain limited procedures, but will not be audited:

1. Management's Discussion and Analysis (MD&A).
2. Schedule of Changes in the County's Net Pension Liability and Related Ratios.
3. Schedule of County Contributions – Pension Plan

We have also been engaged to report on supplementary information other than RSI that accompanies the County's financial statements. We will subject the following supplementary information to the auditing procedures applied in our audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with GAAS and will provide an opinion on it in relation to the financial statements as a whole in a report combined with our auditor's report on the financial statements:

1. Schedule of expenditures of federal awards.
2. Schedule of Projects Constructed with Special Purpose Local Option Sales Tax Proceeds.
3. Community Development Block Grant Program Project Cost Schedule
4. Community Development Block Grant Program Source and Application of Funds Schedule.
5. Combining and individual fund statements.

The objectives of our audit are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and issue an auditor's report that includes our opinions about whether your financial statements are fairly presented, in all material respects, in conformity with GAAP, and report on the fairness of the supplementary information referred to in the second paragraph when considered in relation to the financial statements as a whole. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with GAAS and *Government Auditing Standards* will always detect a material misstatement when it exists. Misstatements, including omissions, can arise from fraud or error and are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment of a reasonable user made based on the financial statements. The objectives also include reporting on -

- Internal control over financial reporting and compliance with provisions of laws, regulations, contracts and award agreements, noncompliance with which could have a material effect on the financial statements in accordance with *Government Auditing Standards*.
- Internal control over compliance related to major programs and an opinion (or disclaimer of opinion) on compliance with federal statutes, regulations, and the terms and conditions of federal awards that could have a direct and material effect on each major program in accordance with the Single Audit Act Amendments of 1996 and Title 2 U.S. *Code of Federal Regulations* (CFR) Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance).



**Auditor's Responsibilities for the Audit of the Financial Statements and Single Audit**

We will conduct our audit in accordance with GAAS; the standards for financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; the Single Audit Act Amendments of 1996; and the provisions of the Uniform Guidance, and will include tests of accounting records, a determination of major program(s) in accordance with the Uniform Guidance, and other procedures we consider necessary to enable us to express such opinions. As part of an audit in accordance with GAAS and *Government Auditing Standards*, we will exercise professional judgment and maintain professional skepticism throughout the audit.

We will evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management. We will also evaluate the overall presentation of the financial statements, including the disclosures, and determine whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation. We will plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement, whether from (1) errors, (2) fraudulent financial reporting, (3) misappropriation of assets, or (4) violations of laws or governmental regulations that are attributable to the government or to acts by management or employees acting on behalf of the government. Because the determination of waste and abuse is subjective, *Government Auditing Standards* do not expect auditors to perform specific procedures to detect waste or abuse in financial audits nor do they expect auditors to provide reasonable assurance of detecting waste or abuse.

Because of the inherent limitations of an audit, combined with the inherent limitations of internal control, and because we will not perform a detailed examination of all transactions, there is an unavoidable risk that some material misstatements or noncompliance may not be detected by us, even though the audit is properly planned and performed in accordance with GAAS and *Government Auditing Standards*. In addition, an audit is not designed to detect immaterial misstatements or violations of laws or governmental regulations that do not have a direct and material effect on the financial statements or on major programs. However, we will inform the appropriate level of management of any material errors, any fraudulent financial reporting or misappropriation of assets that come to our attention. We will also inform the appropriate level of management of any violations of laws or governmental regulations that come to our attention, unless clearly inconsequential. We will include such matters in the reports required for a Single Audit. Our responsibility as auditors is limited to the period covered by our audit and does not extend to any later periods for which we are not engaged as auditors.

We will also conclude, based on the audit evidence obtained, whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the government's ability to continue as a going concern for a reasonable period of time.

Our procedures will include tests of documentary evidence supporting the transactions recorded in the accounts, tests of the physical existence of inventories, and direct confirmation of receivables and certain other assets and liabilities by correspondence with selected individuals, funding sources, creditors, and financial institutions. We will request written representations from your attorneys as part of the engagement, and they may bill you for responding to this inquiry.



We plan to obtain and place reliance on the report of other auditors for the Lee County Board of Health, a discretely presented component unit of the County, and the Development Authority of Lee County, a blended component unit of the County, assuming that our communications with the other auditors and review of their audit report and the financial statements of the Lee County Board of Health and the Development Authority of Lee County provide sufficient and appropriate audit evidence on which to base our overall opinion on the aggregate blended and discretely presented component units.

We may, from time to time and depending on the circumstances, use third-party service providers in serving your account. We may share confidential information about you with these service providers but remain committed to maintaining the confidentiality and security of your information. Accordingly, we maintain internal policies, procedures, and safeguards to protect the confidentiality of your personal information. In addition, we will secure confidentiality agreements with all service providers to maintain the confidentiality of your information and we will take reasonable precautions to determine that they have appropriate procedures in place to prevent the unauthorized release of your confidential information to others. In the event that we are unable to secure an appropriate confidentiality agreement, you will be asked to provide your consent prior to the sharing of your confidential information with the third-party service provider. Furthermore, we will remain responsible for the work provided by any such third-party service providers.

**Audit Procedures—Internal Control**

We will obtain an understanding of the government and its environment, including the system of internal control, sufficient to identify and assess the risks of material misstatement of the financial statements, whether due to error or fraud, and to design and perform audit procedures responsive to those risks and obtain evidence that is sufficient and appropriate to provide a basis for our opinions. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentation, or the override of internal control. Tests of controls may be performed to test the effectiveness of certain controls that we consider relevant to preventing and detecting errors and fraud that are material to the financial statements and to preventing and detecting misstatements resulting from illegal acts and other noncompliance matters that have a direct and material effect on the financial statements. Our tests, if performed, will be less in scope than would be necessary to render an opinion on internal control and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to *Government Auditing Standards*.

As required by the Uniform Guidance, we will perform tests of controls over compliance to evaluate the effectiveness of the design and operation of controls that we consider relevant to preventing or detecting material noncompliance with compliance requirements applicable to each major federal award program. However, our tests will be less in scope than would be necessary to render an opinion on those controls and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to the Uniform Guidance.

An audit is not designed to provide assurance on internal control or to identify significant deficiencies or material weaknesses. Accordingly, we will express no such opinion. However, during the audit, we will communicate to management and those charged with governance internal control related matters that are required to be communicated under AICPA professional standards, *Government Auditing Standards*, and the Uniform Guidance.

#### **Audit Procedures—Compliance**

As part of obtaining reasonable assurance about whether the financial statements are free of material misstatement, we will perform tests of Lee County, Georgia's compliance with provisions of applicable laws, regulations, contracts and agreements, including grant agreements. However, the objective of those procedures will not be to provide an opinion on overall compliance and we will not express such an opinion in our report on compliance issued pursuant to *Government Auditing Standards*.

The Uniform Guidance requires that we also plan and perform the audit to obtain reasonable assurance about whether the auditee has complied with federal statutes, regulations, and the terms and conditions of federal awards applicable to major programs. Our procedures will consist of tests of transactions and other applicable procedures described in the *OMB Compliance Supplement* for the types of compliance requirements that could have a direct and material effect on each of Lee County's major programs. For federal programs that are included in the Compliance Supplement, our compliance and internal control procedures will relate to the compliance requirements that the Compliance Supplement identifies as being subject to audit. The purpose of these procedures will be to express an opinion on Lee County's compliance with requirements applicable to each of its major programs in our report on compliance issued pursuant to the Uniform Guidance.

#### **Other Services**

We will also assist in preparing the financial statements, schedule of expenditures of federal awards, and related notes of the County in conformity with U.S. generally accepted accounting principles and the Uniform Guidance based on information provided by you. These nonaudit services do not constitute an audit under *Government Auditing Standards* and such services will not be conducted in accordance with *Government Auditing Standards*. We will perform these services in accordance with applicable professional standards. The other services are limited to the financial statements, schedule of expenditures of federal awards, and related notes services previously defined. We, in our sole professional judgement, reserve the right to refuse to perform any procedure or take any action that could be construed as assuming management responsibilities.



You agree to assume all management responsibilities relating to the financial statements, schedule of expenditures of federal awards, related notes, and any other nonaudit services we provide. You will be required to acknowledge in the management representation letter our assistance with preparation of the financial statements, schedule of expenditures of federal awards, and related notes and that you have reviewed and approved the financial statements, schedule of expenditures of federal awards, and related notes prior to their issuance and have accepted responsibility for them. Further, you agree to oversee the nonaudit services by designating an individual, preferably from senior management, who possesses suitable skill, knowledge, or experience; evaluate the adequacy and results of those services; and accept responsibility for them.

#### **Responsibilities of Management for the Financial Statements and Single Audit**

Our audit will be conducted on the basis that you acknowledge and understand your responsibility for (1) designing, implementing, establishing, and maintaining effective internal controls relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error, including internal controls over federal awards, and for evaluating and monitoring ongoing activities, to help ensure that appropriate goals and objectives are met; (2) following laws and regulations; (3) ensuring that there is reasonable assurance that government programs are administered in compliance with compliance requirements; and (4) ensuring that management and financial information is reliable and properly reported. Management is also responsible for implementing systems designed to achieve compliance with applicable laws, regulations, contracts, and grant agreements. You are also responsible for the selection and application of accounting principles; for the preparation and fair presentation of the financial statements, schedule of expenditures of federal awards, and all accompanying information in conformity with accounting principles generally accepted in the United States of America; and for compliance with applicable laws and regulations (including federal statutes) and the provisions of contracts and grant agreements (including award agreements). Your responsibilities also include identifying significant contractor relationships in which the contractor has responsibility for program compliance and for the accuracy and completeness of that information.

You are also responsible for making drafts of financial statements, schedule of expenditures of federal awards, all financial records and related information available to us and for the accuracy and completeness of that information (including information from outside of the general and subsidiary ledgers). You are also responsible for providing us with (1) access to all information of which you are aware that is relevant to the preparation and fair presentation of the financial statements, such as records, documentation, identification of all related parties and all related-party relationships and transactions, and other matters (2) access to personnel, accounts, books, records, supporting documentation, and other information as needed to perform an audit under the Uniform Guidance, (3) additional information that we may request for the purpose of the audit, and (4) unrestricted access to persons within the government from whom we determine it necessary to obtain audit evidence. You are also responsible for coordinating our access to information relevant to the preparation and fair presentation of the financial statements of component units which may include discussions with component unit management and their auditors. At the conclusion of our audit, we will require certain written representations from you about the financial statements; schedule of expenditures of federal awards; federal award programs; compliance with laws, regulations, contracts, and grant agreements; and related matters.



Your responsibilities include adjusting the financial statements to correct material misstatements and confirming to us in the management representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the latest period presented are immaterial, both individually and in the aggregate, to the financial statements of each opinion unit taken as a whole.

You are responsible for the design and implementation of programs and controls to prevent and detect fraud, and for informing us about all known or suspected fraud affecting the government involving (1) management, (2) employees who have significant roles in internal control, and (3) others where the fraud could have a material effect on the financial statements. Your responsibilities include informing us of your knowledge of any allegations of fraud or suspected fraud affecting the government received in communications from employees, former employees, grantors, regulators, or others. In addition, you are responsible for identifying and ensuring that the government complies with applicable laws, regulations, contracts, agreements, and grants. You are also responsible for taking timely and appropriate steps to remedy fraud and noncompliance with provisions of laws, regulations, contracts, and grant agreements that we report. Additionally, as required by the Uniform Guidance, it is management's responsibility to evaluate and monitor noncompliance with federal statutes, regulations, and the terms and conditions of federal awards; take prompt action when instances of noncompliance are identified including noncompliance identified in audit findings; promptly follow up and take corrective action on reported audit findings; and to prepare a summary schedule of prior audit findings and a separate corrective action plan. The summary schedule of prior audit findings should be available for our review subsequent to the start of fieldwork.

You are responsible for identifying all federal awards received and understanding and complying with the compliance requirements and for the preparation of the schedule of expenditures of federal awards (including notes and noncash assistance received, and COVID-19 related concepts, such as lost revenues, if applicable) in conformity with the Uniform Guidance. You agree to include our report on the schedule of expenditures of federal awards in any document that contains and indicates that we have reported on the schedule of expenditures of federal awards. You also agree to include the audited financial statements with any presentation of the schedule of expenditures of federal awards that includes our report thereon or make the audited financial statements readily available to intended users of the schedule of expenditures of federal awards no later than the date the schedule of expenditures of federal awards is issued with our report thereon. Your responsibilities include acknowledging to us in the written representation letter that (1) you are responsible for presentation of the schedule of expenditures of federal awards in accordance with the Uniform Guidance; (2) you believe the schedule of expenditures of federal awards, including its form and content, is stated fairly in accordance with the Uniform Guidance; (3) the methods of measurement or presentation have not changed from those used in the prior period (or, if they have changed, the reasons for such changes); and (4) you have disclosed to us any significant assumptions or interpretations underlying the measurement or presentation of the schedule of expenditures of federal awards.

You are also responsible for the preparation of the other supplementary information, which we have been engaged to report on, in conformity with U.S. generally accepted accounting principles. You agree to include our report on the supplementary information in any document that contains and indicates that we have reported on the supplementary information. You also agree to include



the audited financial statements with any presentation of the supplementary information that includes our report thereon or make the audited financial statements readily available to users of the supplementary information no later than the date the supplementary information is issued with our report thereon. Your responsibilities include acknowledging to us in the written representation letter that (1) you are responsible for presentation of the supplementary information in accordance with GAAP; (2) you believe the supplementary information, including its form and content, is fairly presented in accordance with GAAP; (3) the methods of measurement or presentation have not changed from those used in the prior period (or, if they have changed, the reasons for such changes); and (4) you have disclosed to us any significant assumptions or interpretations underlying the measurement or presentation of the supplementary information.

Management is responsible for establishing and maintaining a process for tracking the status of audit findings and recommendations. Management is also responsible for identifying and providing report copies of previous financial audits, attestation engagements, performance audits or other studies related to the objectives discussed in the Audit Scope and Objectives section of this letter. This responsibility includes relaying to us corrective actions taken to address significant findings and recommendations resulting from those audits, attestation engagements, performance audits, or studies. You are also responsible for providing management's views on our current findings, conclusions, and recommendations, as well as your planned corrective actions, for the report, and for the timing and format for providing that information.

With regard to an exempt offering document with which Mauldin & Jenkins is not involved, you agree to clearly indicate in the exempt offering document that Mauldin & Jenkins is not involved with the contents of such offering document. In the event that Mauldin & Jenkins is requested to be involved with an exempt offering document, you agree that the aforementioned auditor's report or reference to Mauldin & Jenkins will not be included without our prior permission or consent. Furthermore, any agreement to perform work in connection with an exempt offering document, including an agreement to provide permission or consent, will be a separate engagement.

With regard to the electronic dissemination of audited financial statements, including financial statements published electronically on your website, you understand that electronic sites are a means to distribute information and, therefore, we are not required to read the information contained in these sites or to consider the consistency of other information in the electronic site with the original document.

You acknowledge Lee County will not utilize Mauldin & Jenkins, LLC to store documents, data, or records on behalf of the County in accordance with the "Hosting Services" (see ET section 1.295.143) interpretation of the AICPA Code of Professional Conduct. The County is solely responsible for maintaining its own data and records.

In that regard, SuraLink is used solely as a method of transferring data to Mauldin & Jenkins, LLC and is not intended for the storage of the County's information. All information you will provide through SuraLink is a copy and you will maintain original documents and data as part of your records.



**Engagement Administration, Fees, and Other**

We understand that your employees will prepare all cash or other confirmations we request and will locate any documents selected by us for testing.

At the conclusion of the engagement, we will complete the appropriate sections of the Data Collection Form that summarizes our audit findings. It is management's responsibility to electronically submit the reporting package (including financial statements, schedule of expenditures of federal awards, summary schedule of prior audit findings, auditors' reports, and corrective action plan) along with the Data Collection Form to the federal audit clearinghouse. We will coordinate with you the electronic submission and certification. The Data Collection Form and the reporting package must be submitted within the earlier of 30 calendar days after receipt of the auditors' reports or nine months after the end of the audit period.

We will provide copies of our reports to Lee County, Georgia; however, management is responsible for distribution of the reports and financial statements. Unless restricted by law or regulation, or containing privileged and confidential information, copies of our reports are to be made available for public inspection.

The audit documentation for this engagement is the property of Mauldin & Jenkins and constitutes confidential information. However, subject to applicable laws and regulations, audit documentation and appropriate individuals will be made available upon request and in a timely manner to the Georgia Department of Audits and Accounts or its designee, a federal agency providing direct or indirect funding, or the U.S. Government Accountability Office for purposes of a quality review of the audit, to resolve audit findings, or to carry out oversight responsibilities. We will notify you of any such request. If requested, access to such audit documentation will be provided under the supervision of Mauldin & Jenkins personnel. Furthermore, upon request, we may provide copies of selected audit documentation to the aforementioned parties. These parties may intend, or decide, to distribute the copies or information contained therein to others, including other governmental agencies.

The audit documentation for this engagement will be retained for a minimum of five years after the report release date or for any additional period requested by a regulatory body. If we are aware that a federal awarding agency, pass-through entity, or auditee is contesting an audit finding, we will contact the party (ies) contesting the audit finding for guidance prior to destroying the audit documentation.

We expect to begin our audit on approximately October 2, 2023 and to issue our reports no later than December 31, 2023. Justin Elliott is the engagement partner and is responsible for supervising the engagement and signing the reports or authorizing another individual to sign them. Our fee for these services will be \$52,500 for the year ended June 30, 2023, which includes \$8,000 for the audit of the Lee County Utilities Authority and \$7,000 for the Single Audit. Our hourly rates vary according to the degree of responsibility involved and the experience level of the personnel assigned to your audit. Our invoices for these fees will be rendered as work progresses and are payable upon presentation. The above fees are based on anticipated cooperation from your personnel (including complete and timely receipt by us of the information on the respective client participation listings) and the assumption that unexpected circumstances (including scope changes) will not be encountered during the audit. If significant additional time is necessary, we



will discuss it with management and arrive at a new fee estimate before we incur the additional costs.

As a result of our prior or future services to you, we might be requested or required to provide information or documents to you or a third party in a legal, administrative, arbitration, or similar proceeding in which we are not a party. If this occurs, our efforts in complying with such requests will be deemed billable to you as a separate engagement. We shall be entitled to compensation for our time and reasonable reimbursement for our expenses (including legal fees) in complying with the request. For all requests we will observe the confidentiality requirements of our profession and will notify you promptly of the request.

### **Reporting**

We will issue written reports upon completion of our Single Audit. Our reports will be addressed to the Board of Commissioners of Lee County, Georgia. We will make reference to other auditor's report on the Lee County Board of Health and the Lee County Development Authority in our report on your financial statements. We cannot provide assurance that unmodified opinions will be expressed. Circumstances may arise in which our report may differ from its expected form and content based on the results of our audit. Depending on the nature of these circumstances, it may be necessary for us to modify our opinions or add emphasis-of-matter or other-matter paragraphs to our auditor's report, or if necessary, withdraw from this engagement. If our opinions on the financial statements or the Single Audit compliance opinions are other than unmodified, we will discuss the reasons with you in advance. If, for any reason, we are unable to complete the audit or are unable to form or have not formed opinions, we may decline to express opinions or to issue reports, or may withdraw from this engagement.

The *Government Auditing Standards* report on internal control over financial reporting and on compliance and other matters will state (1) that the purpose of the report is solely to describe the scope of testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance, and (2) that the report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. The Uniform Guidance report on internal control over compliance will state that the purpose of the report on internal control over compliance is solely to describe the scope of testing of internal control over compliance and the results of that testing based on the requirements of the Uniform Guidance. Both reports will state that the report is not suitable for any other purpose.

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We appreciate the opportunity to be of service to Lee County, Georgia and believe this letter accurately summarizes the significant terms of our engagement. If you have any questions, please let us know. If you agree with the terms of our engagement as described in this letter, please sign below and return it to us.

Sincerely,

MAULDIN & JENKINS, LLC



Justin M. Elliott

RESPONSE:

This letter correctly sets forth the understanding of Lee County, Georgia.

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

Title: \_\_\_\_\_



**AN ORDINANCE TO AMEND CHAPTER 2 OF THE ORDINANCES OF LEE COUNTY, GEORGIA TO ADD A NEW ARTICLE TO SAID CHAPER 2 OF SAID CODE OF ORDINANCES TO BE DESIGNATED AS ARTICLE XII, TO BE KNOWN AS A “CODE OF CONDUCT IN CONNECTION WITH THE PUBLIC USE OF COUNTY FACILITIES”; TO PROVIDE FOR THE DISTINCTION BETWEEN PORTIONS OF COUNTY FACILITIES WHICH ARE OPEN TO THE PUBLIC AND PORTIONS OF COUNTY FACILITIES WHICH ARE NOT OPEN TO THE PUBLIC; TO PROVIDE FOR THE DEFINITION OF PUBLIC FACILITIES AND COUNTY FACILITIES; TO PROVIDE FOR THE REGULATION OF ACTIVITIES AT OR WITHIN ANY PORTION OF A COUNTY FACILITY WHICH DISRUPT OR INTENDED TO DISRUPT THE CONDUCT OF THE COUNTY’S REGULAR BUSINESS IN SUCH FACILITY; TO PROVIDE FOR THE AUTHORITY OF PERSONS TO FILM, VIDEO, TAKE PHOTOGRAPHS OR MAKE SOUND RECORDINGS WITHIN AND FROM AREAS OPEN TO THE PUBLIC AT OR WITHIN COUNTY FACILITIES; TO PROHIBIT SUCH ACTIVITY IN AREAS NOT OPEN TO THE PUBLIC AT OR WITHIN COUNTY FACILITIES; TO DIRECT THE COUNTY MANAGER TO POST SIGNS AND NOTICES INDICATING RESTRICTED ACCESS TO PRIVATE AREAS OF PUBLIC FACILITIES; TO PROVIDE FOR THE POSTING OF THIS ORDINANCE IN PUBLIC AREAS OF PUBLIC COUNTY FACILITIES; TO PROVIDE FOR THE APPLICABILITY OF THIS ORDINANCE TO COURTROOMS WITHIN COUNTY FACILITIES; TO PROVIDE FOR VIOLATIONS OF THE ORDINANCE; TO PROVIDE FOR A PROCESS BY WHICH VIOLATIONS ARE RESOLVED; TO PROVIDE FOR AN EFFECTIVE DATE; TO PROVIDE FOR REPEAL OF CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES**

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BE IT ORDAINED by the Board of Commissioners of Lee County, Georgia, and it is hereby ordained by authority of the same that Chapter 2 of the Code of Ordinances of Lee County is hereby amended by adding thereto a new Article XII of Chapter 2 of said Code of Ordinances, to be entitled “Code of Conduct In Connection With The Use of County Facilities”, which shall provide as follows:

## **Article XII**

### **Code Of Conduct In Connection With The Public Use of County Facilities**

**Section 1. Portions of County Facilities Open to the Public and Portions of County Facilities Not Open to the Public; Definition of Public Facilities and County Facilities.** Lee County encourages the use of its County-owned and operated facilities for the purpose of conducting the County’s legitimate business. To preserve that purpose, all persons entering or visiting such County facilities shall be respectful of each other and County employees in a manner that does not disrupt either other visitors or County employees. Such facilities are established to serve the County and persons having business with the County



and may contain areas (i) open to the public, including, but not limited to hallways, open areas outside of private offices, reception areas, meeting rooms used to conduct meetings of County government entities, and areas otherwise designated as being open to the public; and areas (ii) which are not open to the public, such as private offices, private County employee meeting rooms used for employee meetings and meetings between employees and third parties, secure facilities, such as non-public areas of law enforcement, jail and correctional facilities, employee workspaces (either inside or outside a public building), and similar locations within County facilities to which public access is not necessary or required for the public to conduct County business. For purposes of this Ordinance, the term "public facilities" or "County facilities" includes County-owned or County-leased buildings, recreational buildings, athletic fields, and other recreational facilities, pavilions, outdoor shelters, stadiums, and similar buildings and outdoor facilities owned or operated by Lee County.

**Section 2. Disruption of Persons and County Employees Conducting Regular County Business or Events at County Facilities.** Regardless of the designation of a portion of a building as for public or private use, the County is authorized to regulate activities at or within any portion of a County facility which disrupt or which are intended to disrupt the conduct of the County's regular business at such County facility. Any behavior within any County facility at any location which disrupts or is intended to disrupt the regular business of the County government is prohibited. Such prohibited conduct includes, but is not limited to, any actions or behavior of any person at or within a County facility which interferes with:

- a) The use of County facility property, materials, and services by other persons;
- b) The ability of County employees to conduct the County's regular business and to perform such employee's own duties as employees of the County; or
- c) The safety of visitors or employees at County facilities.

**Section 3. Prohibited Conduct at or within County Facilities.** Examples of activities at or within public areas of County facilities which are prohibited include, but are not limited to, the following:

- a) Leaving unsupervised or unattended children who are unable to care for themselves;
- b) Directing profane, obscene or abusive language at other persons or County employees;
- c) Directing racial, ethnic, religious, gender, or sexual-orientation epithets at other persons or County employees;
- d) Intentionally damaging, destroying, or stealing property belonging to the County, another person, or County employees;
- e) Littering;
- f) Soliciting and/or panhandling persons or County employees at or within County facility;
- g) Blocking entry or exit to a County facility or obstructing space within a County facility;



- h) Trespassing or remaining within or on County facility property after being directed to leave;
- i) Fighting, physical abuse, verbal abuse intended to provoke, or assault;
- j) Engaging in or soliciting a sexual act or indecently exposing oneself;
- k) Vandalization;
- l) Being legally under the influence, possessing, or selling of alcohol or illegal drugs;
- m) Bathing, shaving, or washing clothes in a County facility or upon County property, except in the County jail or County correctional facilities;
- n) Having animals within a County facility, except as permitted by law;
- o) Smoking, using tobacco or electronic nicotine delivery system (including vaping) within a County facility;
- p) Using sports equipment in County facilities or on County facility property which is not otherwise designated as a sports facility or location;
- q) Entering private offices or spaces without the express permission or invitation of an authorized County employee;
- r) Possessing weapons of any kind, except as otherwise authorized by Georgia law;
- s) Violating other posted County facility policies or guidelines.

**Section 4. Filming, Taking Video, Taking Photographs, or Making Sound Recordings at a County Facility.** As long as a person is physically within a public area at or within a County facility, such person shall be authorized to film, video, take photographs, or make sound recordings within and from areas open to the public in County facilities, but no person not employed by Lee County shall be authorized to film, video, take photographs, or make sound recordings in areas not open to the public at or within County facilities.

**Section 5. Designation of Non-Public Areas in County Facilities; Posting of Signs.** The County Manager, or her or his designee, is directed to designate, in consultation with County Constitutional Officers and County Department Heads, the locations at or within each County facility which are not open to the public. Such locations shall be designated by the posting of appropriate signs which indicate that access to such locations is restricted to authorized personnel only, is restricted to County employees only, or similar such designations which indicate that such location is not accessible by the public.

**Section 6. Posting of Ordinance in Public Areas and on the County's Official Website; Distribution of Copies of Ordinance to County Employees.** A copy of this Ordinance, or a summary thereof, shall be posted in public areas of County facilities in such locations as designated by the County Manager from time to time and upon the County's official website; provided, however, the failure of the County Manager to do so shall not be construed to prohibit the legal enforcement of this Ordinance or be a defense to noncompliance with this Ordinance. A copy of this Ordinance shall also be distributed to all County employees and to all newly hired County employees, along with a copy of the County's Personnel Policies.

**Section 7. Authority of Judges in Lee County to Control Such Judge's Courtroom.** No provision of this Ordinance shall be construed to interfere with the authority of any Judge presiding in any permanent or temporary courtroom in a County facility from controlling access to such courtroom, behavior of persons in such courtroom and in areas adjacent to or in the vicinity of such courtroom, or such Court's authority to enter and enforce such Court orders as such Judge may deem necessary or appropriate with respect to the use, access, or activities which are or are not authorized in such courtroom or in areas adjacent to or in the vicinity of such courtroom.

**Section 8. Penalties for Violation of Ordinance; County Employees Responses to Violation of Ordinance.** A violation of any provision of this Ordinance may result in a person's expulsion from the County facility, arrest, and prosecution for any such violation. Notwithstanding the foregoing provisions of this Section 8, and although the County does reserve the right to require anyone violating this Ordinance to leave the County facility where such violation or violations have occurred and to prosecute such person for such violation, in the event of a violation hereof, except in a situation of physical danger to a person or property resulting or likely to result from a violation or violations of this Ordinance, a County employee's response to a person violating this Ordinance shall be to take the following steps where feasible:

- a) County employees or law enforcement will verbally bring a violator's attention to any act or omission that violates this Ordinance and verbally request that the individual change his or her behavior to conform to the Ordinance;
- b) If the violator refuses to change his or her conduct which is violating this Ordinance, County employees or law enforcement will direct the individual to leave the County facility;
- c) If the violator refuses to leave after being directed to do so, then the person may be charged with violation of this Ordinance and with violation of such other state or local ordinances for which the law enforcement officer present may have probable cause based upon the existing facts and circumstances.

BE IT FURTHER ORDAINED that all ordinances or parts of ordinances in conflict herewith are hereby repealed.

BE IT FURTHER ORDAINED that this ordinance shall become effective as of 12:01 am on the date after the date of the adoption of this ordinance by the Board of Commissioners of Lee County.



SO ORDAINED, effective this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

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

By: \_\_\_\_\_  
Billy Mathis, Chairman

Attest: \_\_\_\_\_  
Kaitlyn Good, County Clerk

ACTION TAKEN

FIRST READING: \_\_\_\_\_

SECOND READING: \_\_\_\_\_

DATE OF ADOPTION: \_\_\_\_\_