

MITCHELL COUNTY BOARD OF COMMISSIONERS
COMMISSION MEETING
AGENDA
April 9, 2024
5:00 PM

I. CALL TO ORDER

A. Chairman Benjamin Hayward

II. INVOCATION

A. Mr. Jerry Permenter

III. PLEDGE OF ALLEGIANCE

IV. APPROVAL OF MINUTES:

A. Regular Meeting, March 12, 2024

B. Work Session, March 25, 2024

V. OLD BUSINESS:

A. Right of Entry Work Policy

VI. NEW BUSINESS:

A. Resolution #2024-005 Mitchell County Comprehensive Plan Amendment

B. Resolution # 2024-006 Mitchell County Disaster Recovery & Redevelopment Plan Amendment

C. Ordinance #2024-001 Purchasing Policies and Procedures Amendment

D. LRA Resurfacing Grant

VII. COMMISSION AND ADMINISTRATIVE REPORTS

A. County Administrator

B. Finance Officer

C. County Attorney

VIII. CITIZEN COMMENTS

IX. ADJOURN



Agenda Item Coversheet

Chairman Benjamin Hayward



Agenda Item Coversheet

Mr. Jerry Permenter



Agenda Item Coversheet

Regular Meeting, March 12, 2024

ATTACHMENTS:

Description	Upload Date	Type
Regular Meeting, March 12, 2024	4/1/2024	Cover Memo

MINUTES OF THE REGULAR MEETING OF THE MITCHELL COUNTY BOARD OF COMMISSIONERS HELD TUESDAY AT 5:00 P.M., MARCH 12, 2024, IN THE COMMISSIONERS MEETING ROOM AT 5201 HIGHWAY 19 SOUTH, CAMILLA, GEORGIA.

Commissioners present:

Benjamin Hayward, Chairman
B. Keith Jones, Commissioner

Reggie Bostick, Vice Chairman
Julius Hatcher, Commissioner

Staff present: Gary Rice, Administrator, Jerry Permenter, CFO, Rebecca Reese, County Clerk, Samantha White, Insurance Coordinator

Chairman Hayward called the meeting to order. County Attorney Russell Britt joined the meeting by telephone. Commissioner David Sullivan was not present at the meeting.

INVOCATION

Mr. Jerry Permenter

PLEDGE OF ALLEGIANCE

Recited in unison.

APPROVAL OF MINUTES

Chairman Hayward called for the approval of the minutes of the following meetings: Regular Meeting, February 13, 2024, and Work Session, February 26, 2024. Commissioner Bostick made a motion to approve the February minutes. Commissioner Hatcher seconded the motion with all in favor.

OLD BUSINESS

Diverse Power Incorporated Lease Agreement: Commissioner Bostick made a motion to approve the lease agreement with Diverse Power Incorporated. Commissioner Hatcher seconded the motion with all in favor. Diverse Power Incorporated will continue to use the tower at Stripling Irrigation Research Park for the transmission and receipt of wireless communication.

Right of Entry Work Policy: Mr. Rice reported that works continues with the county attorney on the Right of Entry Work Policy. Mr. Britt said he will have it ready for the Work Session and for consideration of approval at the April meeting.

NEW BUSINESS

DOT Bridge Replacement Memorandum of Agreement: Commissioner Bostick made a motion to approve the DOT Bridge Replacement Memorandum of Agreement. Commissioner Jones second the motion with all in favor. This agreement specifies that the County will contribute \$75,000.00 toward the expenses associated with the right of way acquisition on the bridge replacement project on CR (County Road) 288/Whigham Road at the Big Slough.

Board of Health Position: Commissioner Hatcher made a motion to appoint Ms. Denise McGalliard to fill the unexpired term of Mr. Joe McGalliard which expires December 31, 2026. Commissioner Bostick seconded the motion with all in favor. Mr. Joe McGalliard resigned from the Health Board.

Georgia Opioid Settlement Advisory Commission & Regional Advisory Councils Appointment: Commissioner Bostick made a motion to appoint Judge Rick Waters to the Georgia Opioid Settlement Advisory Commission and Regional Councils Appointment as recommended by Mr. Rice. Commissioner Hatcher seconded the motion with all in favor. Mr. Rice reported that Judge Waters has been very active in the Opioid remediation strategies.

COMMISSION AND ADMINISTRATIVE REPORTS

County Administrator

- ACCG (Association County Commissioners of Georgia) Conference April 25-27, 2024.
- The library meeting was held Monday of this week with the City of Pelham, Pelham City Schools, and the Mitchell County Schools. A recommendation was made to invite Westwood, Baconton Community Charter School, and the City of Baconton to the next meeting on March 20th, 2024, to gain their support. The plan is to have a go forward plan for approval in the April Regular meeting.
- The City of Camilla had a Public Hearing last night, March 11th, to update their Community Work Plan portion of the Mitchell County Comprehensive Plan. The staff will present a resolution to the plan at the March Work session for approval in the April meeting.

- Had a member of Congressman Bishop team look at S. Turkey Road last week. The representative stated most of the transportation funds are for transportation routes that tie communities together. He said he did not know of anything that would help with this project. He also looked at the proposed site for a fire department expansion.
- Spring sports registration has been completed. Registrations this year are 247 down from last year's registrations which was 299. Softball clinic was held with 22 children involved. We had a lady attend the clinic that played at the University of Arizona, and she pitched in the 2003 and 2004 College World Series. She was the former coach of the ABAC program for 7 years. We have reported a safety problem at one of the fields to the City of Camilla for the second year in a row. The Recreation Director was advised not to use that field until the safety hazard has been mitigated.
- An updated Purchasing Policy will be presented at the March Work Session for consideration of approval in the April meeting.
- A Courthouse Committee will be convened soon to begin conversation about what needs to be done to provide the best service.

Commissioner Jones asked what the timeline for work to begin on the courthouse. Mr. Rice said once the committee meet and identify the needs then they will meet with the architect to discuss their needs. He said we could have plans as soon as two to three months after meeting with the architect. Commissioner Jones expressed his concern over the structural soundness of the courthouse building. Commissioner Bostick recalled that the architect had stated the building is structural sound. Mr. Rice stated now that the courthouse is empty we can get in behind some of the walls to see what is behind them.

Chief Financial Officer

Nothing to report.

County Attorney

Nothing to report.

CITIZEN COMMENTS

Ms. Jodie Chapman addressed the Board, who lives on Old Pelham/Camilla Road, to request help with a flooding issue on Corner Road. She said there are (7) seven people that live on this road and four of them are elderly (one being her mother). Ms. Chapman said she is aware that they live in a flood zone and proceeded to quote a section from the Zoning Ordinance. She said the rain that

the County received the previous weekend caused the flooding and that the residents on Corner Street had to wait approximately ten hours for the water to recede. Ms. Chapman said anything the County could do would be greatly appreciated. Commissioner Jones informed Ms. Chapman that this road was in his district, and they will investigate because they do not have a plan but will keep her up to date with any plan of action.

Ms. Doris Johnson addressed the Board to thank the Board for the work done on South Turkey Road. She said the road is much better. Ms. Johnson said she did not understand the comments made earlier by Mr. Rice regarding the comments made by the representative from Congressman Bishop office about South Turkey Road. Mr. Rice reiterated his earlier statement from the representative that federal funding for roads is for tying communities together. He said there are only three houses on South Turkey Road. Ms. Johnson said she did not agree with the statement because she said, “there are some funds somewhere” and she just cannot agree with that.

There being no further business, Commissioner Jones made a motion to adjourn the meeting. Commissioner Bostick seconded the motion with all in favor.

The meeting adjourned at 5:31 p.m.

Benjamin Hayward, Chairman

Rebecca Reese, County Clerk



Agenda Item Coversheet

Work Session, March 25, 2024

ATTACHMENTS:

Description	Upload Date	Type
Work Session, March 25, 2024	4/1/2024	Cover Memo

MITCHELL COUNTY BOARD OF COMMISSIONERS
WORK SESSION MINUTES
MONDAY @ 5:00 P.M., MARCH 25, 2024
COMMISSION OFFICE, 5201 HIGHWAY 19 S, CAMILLA, GA

Commissioners present:

Benjamin Hayward, Chairman
Reggie Bostick, Vice Chairman
Julius Hatcher, Commissioner

David Sullivan, Commissioner
Keith Jones, Commissioner

Staff present: Gary Rice, Administrator, Jerry Permenter, CFO, Rebecca Reese, County Clerk, Samantha Carr, Assistant CFO, Samantha White, Insurance Clerk

CALL TO ORDER

Chairman Hayward called the meeting to order. Mr. Russell Britt, County Attorney, joined the meeting by telephone.

OLD BUSINESS

Right of Entry Work Policy: Mr. Rice reported that he continues to work with County Attorney Britt on the Right of Entry Policy and the policy will be presented at the next meeting.

NEW BUSINESS

Resolution formally adopting Mitchell County Comprehensives Plan Amendment: The City of Camilla has applied for a CDBG (Community Development Block Grant) for sewer on the north side of Camilla. The City of Camilla is requesting the County and the cities of Pelham, Sale City, and Baconton to adopt a resolution permitting this update of the Mitchell County Joint Comprehensive Plan that will be submitted to the Department of Community Affairs.

Mitchell County Disaster Recovery & Redevelopment Plan Amendment: Mr. Rice informed the Board that GEMA (Georgia Emergency Management Agency) has approved the Disaster Recovery & Redevelopment Plan Amendment. The purpose of the plan is to *“Provide the framework for Mitchell County in coordination with local, state and federal government agencies, and the private sector to coordinate disaster recovery and redevelopment across the county based off identified needs following the Emergency Operations Plan.”* This item will be presented for consideration at the regular meeting.

Purchasing Policy Update: Mr. Rice advised the Commission that he and the financial staff were updating the County’s purchasing policies and procedures to

better align with the new software the County had recently purchased. These proposed policies, once completed, will be presented to the Commission for consideration. The proposed policies will clearly define the various levels of authority for supervisors, financial staff, County Administrator, and the Commission and establish clear and concise methodologies for purchasing.

Library Funding Update: Mr. Rice reported that he met with the City of Pelham, Mitchell County School System, and Pelham School System to determine how to make up for the \$15,000.00 shortfall in the funding for the library. The City of Baconton, Baconton Charter, and Westwood schools did not attend the meeting. Mr. Rice said for this year's budget, the amount had been funded by a local donation. The entities present at the meeting proposed that this deficit be added to the County's taxpayers, but if it could not be added the entities said they would be unable to fund this amount. Everyone agreed that they want to keep a library here in Mitchell County.

LRA Resurfacing Grant: Mr. Rice announced that the State amended its budget and added \$250 million to LRA (Local Road Assistance Administration) funds. Mitchell County will receive \$1,042,919.23. There will be no required match by the County. Mr. Rice asked the commissioners to let him know if they had any specific roads they wanted considered.

COMMISSION AND ADMINISTRATIVE REPORTS

County Administrator

- Signed an extension to the Statewide Mutual Aid agreement with GEMA that extends through March 1st, 2028. This is a 4-year renewal.
- Submitted appropriations request to Congressman Sanford Bishop and Senator Raphael Warnock. Working to submit one to Senator Jon Ossoff. This will be to build a new headquarters fire station on Hwy 37.
- The Courthouse Renovation Committee, comprised of the 3 Superior Court Judges, the State Court Judge and the Sheriff's Department, will meet on April 5th, 2024, to begin identifying space and security requirements. Conversations were had about what needs to be done to provide the best service.
- We are meeting this Friday morning to get a plan to cut into some areas of the courthouse to see what is behind the walls.

Assistant Chief Financial Officer

Ms. Samantha Carr, Assistant Chief Financial Officer, gave an update on the new software conversion and said the financial staff is working to balance the general ledger and accounts and that everything was going well.

County Attorney

Mr. Britt gave his condolences for the sudden passing of Coroner Stedderick Thomas, who passed away on Friday, March 15th. Mr. Britt said he had researched the procedure for when an elected official dies after qualifying to run for office. He said he is waiting for a response from the Democrat Party. Mr. Britt said the Election Superintendent can reopen qualifying on her own if she desires.

Commissioner Sullivan asked if there would be any negative impact on the Comprehensive Plan should the commission not approve the requested amendment. Mr. Rice said there would not be any negative impact.

There being no further business, the meeting adjourned at 5:27 p.m.

Benjamin Hayward, Chairman

Rebecca Reese, County Clerk



Agenda Item Coversheet

Right of Entry Work Policy

ATTACHMENTS:

Description

DRAFT Private Property Work

Upload Date

1/26/2024

Type

Cover Memo

DRAFT

County Employees / Equipment—Work on private property.

(a) Private property work prohibited. In accordance with state law, county employees are prohibited from working on private property, except under the conditions noted in this policy.

(b) Conditions allowing work on private property. County employees may be permitted to work on private property under one or more of the following conditions:

(1) For law enforcement, building inspection, animal control and other such functions related to protecting the health and safety of Mitchell County citizens through the enforcement of federal, state, and local laws, and regulations.

(2) In the event of a locally declared natural or technological disaster or emergency on a case-by-case basis as determined by the Mitchell County Board of Commissioners.

(3) To fulfill a legitimate public interest associated with providing one or more the services authorized by the laws of the State of Georgia and on the case-by-case approval of the Mitchell County Board of Commissioners. Private property work of this type shall require a contract, easement, or other written agreement with the property owner acceptable to the County Attorney.

(4) In a situation to protect public infrastructure such as roads, bridges, or culverts, etc.

(5) Any other situation that, in the opinion of the County Attorney is permitted by Georgia law.

Interpretation. The Board of Commissioners reserves the right to interpret and apply this policy to the highest benefit of the public interest.

Process

In the event a situation exists that creates a hazard to public infrastructure, the following process must occur before county equipment or personnel can work on private property for one of the reasons listed above.

- 1) The County Administrator should be notified by the Mitchell County Department Head or citizen requesting a situation be evaluated.

- 2) The situation affecting the public infrastructure can be identified by either citizens or Mitchell County.
- 3) The situation must be studied by the Local Issuing Agency (LIA) and a certified engineer selected by Mitchell County.
- 4) If the situation is determined to be a hazard to the public infrastructure, the County Attorney must write a letter to the Mitchell County Board of Commissioners stating this activity is allowed by federal, state, and local laws and does not violate the Georgia Gratuities Clause.
- 5) If Mitchell County identifies the situation, Mitchell County will bear all expenses for Engineering and legal cost.
- 6) If a citizen requests a situation to be looked at and it is deemed a threat to the public infrastructure, Mitchell County will bear the expense for the engineer and legal cost.
- 7) If a citizen requests a situation to be looked at and it is not deemed a threat to the public infrastructure, the citizen will bear one-half of the expense for the engineer and legal cost with Mitchell County bear the other half of the expenses.
- 8) If a situation is identified as a threat to the public infrastructure as outlined above, a right of entry and a release of liability must be acquired from the property owner before any work can be performed.
- 9) This process can be bypassed if there is a situation where a catastrophic failure to the public infrastructure is imminent.
- 10) This does not affect any current prescriptive easement that may be in place.

References:

Gratuities Clause of the Georgia Constitution - Ga. Const. Art.III, Sec.VI, Para. VI(a)

Ga. Attorney General Unofficial Opinion No. U2001-4

Mitchell County Code of Ordinances, Chapter 30 – Environmental, Sec. 30.20 Definitions, *Local issuing authority*: The governing authority of any county or municipality which is certified pursuant to O.C.G.A. § 12-7-8(a).



Agenda Item Coversheet

Resolution #2024-005 Mitchell County Comprehensive Plan Amendment

ATTACHMENTS:

Description	Upload Date	Type
Resolution formally adopting Mitchell County Comprehensive Plan Amendment	3/5/2024	Cover Memo

**A RESOLUTION FORMALLY ADOPTING THE UPDATES TO THE MITCHELL COUNTY AND CITIES
JOINT COMPREHENSIVE PLAN**

Whereas, the Mitchell County, Georgia is required to review its existing Comprehensive plan to determine if the plan reflects the current activities; and

Whereas, the governments of Mitchell County, Camilla, Baconton, Pelham, and Sale City have found it necessary to make minor revisions to the plan; and

Whereas the governments have held the required public meetings, and the plan promotes activities that are responsive to the current planning and community development needs of its citizenry.

Therefore, be it resolved, the updates to the Mitchell County Joint Comprehensive Plan will be submitted to the Georgia Department of Community Affairs.

Adopted on the _____ day of _____ 2024.

Benjamin Hayward

Chairman, Mitchell County Board of Commissioners

Witness

Rebecca Reese

County Clerk, Mitchell County



Agenda Item Coversheet

Resolution # 2024-006 Mitchell County Disaster Recovery & Redevelopment Plan Amendment

ATTACHMENTS:

Description	Upload Date	Type
Resolution #2024-006 Mitchell County Disaster Recovery Redevelopment Plan	4/5/2024	Cover Memo

Resolution 2024-006

WHEREAS, the County is vulnerable to various natural hazards such as hurricanes, flooding, landslides, wildfires, and severe storms causing substantial loss of life and property resulting in declared local, State, or federal level disasters;

WHEREAS, the County is authorized under state law to declare a state of local emergency and take actions necessary to ensure the public safety and well-being of its residents, visitors, business community, and property during and after such disasters;

WHEREAS, it is essential to the well-being of the County after disasters to expedite recovery, mitigate hazardous conditions threatening public safety, and improve the community;

WHEREAS, disaster recovery can be facilitated by establishment of an ongoing Recovery Committee within the County government to plan, coordinate, and expedite recovery activities;

WHEREAS, preparation of a pre-event Recovery and Redevelopment Plan can help the County organize to expedite recovery in advance of a declared disaster and to mitigate hazardous conditions before and after such a disaster;

WHEREAS, post-disaster recovery can be facilitated by adoption of a pre-event ordinance authorizing certain extraordinary staff actions to be taken to expedite implementation of recovery;

WHEREAS, it is mutually beneficial to identify in advance of a declared disaster the necessity to establish and maintain cooperative relationships with other local, regional, State, and federal governmental agencies in order to facilitate post-disaster recovery;

WHEREAS, it is informative, productive, and necessary to consult with representatives of business, industry, citizens, and community stakeholder organizations regarding the most suitable and helpful means to facilitate post-disaster recovery;

The Mitchell County Board of Commissioners does hereby ordain:

Section

1. **Authority.** This ordinance is adopted by the Mitchell County Board of Commissioners acting under authority of the law of the State of Georgia and all applicable federal laws and regulations.
2. **Purposes.** It is the intent of the Mitchell County Board of Commissioners under this chapter to:
 - a. Authorize, in advance of a disaster, the establishment and maintenance of an ongoing Recovery Management Organization within the County to plan, prepare for, direct, and coordinate orderly and expeditious post-disaster recovery;

- b. Direct, in advance of a declared disaster, the preparation of a pre-event Recovery Plan for short-term and long-term post-disaster recovery, to be adopted by the Mitchell County Board of Commissioners and amended periodically, as necessary;
- c. Establish, in advance of a disaster, powers to be implemented upon declaration of a local emergency by which staff of building, planning, public works, and other departments can take extraordinary action to reasonably assure safe and healthy post-disaster recovery;
- d. Identify methods by which the Mitchell County Board of Commissioners may take cooperative action with other governmental entities to facilitate recovery;
- e. Specify means by which the County may consult with and assist citizens, businesses and community organizations during the planning and implementation of recovery procedures.

3. **Definitions.** As used in this ordinance, the following definitions shall apply:

3.1 Development Moratorium shall mean a temporary hold, for a defined period of time, on the issuance of building permits, approval of land-use applications or other permits and entitlements related to the use, development, and occupancy of private property in the interests of protection of life and property.

3.2 Director shall mean the Director of the Recovery Committee or an authorized representative.

3.3 Disaster shall mean a locally declared emergency also proclaimed as a state of emergency by the Governor of the State and declared a disaster by the President of the United States.

3.4 Emergency shall mean a local emergency, which has been declared by the Mitchell County Board of Commissioners for a specific disaster and has not been terminated.

3.5 Flood Insurance Rate Map (FIRM) shall mean an official map of a community on which the Federal Insurance Administrator has delineated both the special hazard areas and the risk premium zones applicable to the community. A FIRM that has been made available digitally is called a Digital Flood Insurance Rate Map (DFIRM).

3.6 Hazard Mitigation Grant Program. A program for assistance to federal, state, and local agencies whereby a grant is provided by FEMA as an incentive for implementing mutually desired mitigation programs, as authorized by the Stafford Act and related federal regulations, plans, and policies.

3.7 Historic Building or Structure shall mean any building or structure included on the national, state, or municipal register of historic places, and structures having historic significance within a recognized historic district.

3.8 Individual Assistance Program. A program for providing small grants to individuals and households affected by a disaster to offset loss of equipment, damage to homes, or the cost of relocation to another home, as authorized under the Stafford Act and related federal regulations.

3.9 In-Kind shall mean the same as the prior building or structure in size, height and shape, type of construction, number of units, general location, and appearance.

3.10 Interim Recovery Strategy shall mean a post-disaster strategic program identifying major recovery initiatives and critical action priorities either in the Recovery Plan or necessitated by specific post-disaster conditions.

3.11 Local Hazard Mitigation Plan. A plan prepared for governing board adoption and FEMA approval, which, among other things, assesses the type, location, and extent of natural hazards affecting the County; describes vulnerability of people, structures, and infrastructure facilities to such hazards and estimates potential losses, and includes a mitigation strategy that provides the County's blueprint for reducing potential losses identified.

3.12 Multi-Agency Hazard Mitigation Team. A team of representatives from FEMA, other federal agencies, state emergency management agencies, and related state and local agencies, formed to identify, evaluate, and report on post-disaster mitigation needs.

3.13 Natural Hazards/ Safety Element [or equivalent] shall mean an element of the comprehensive plan that addresses protection of the community from unreasonable risks associated with earthquakes, landslides, flooding, wildland fires, wind, coastal erosion, and other natural, technological, and human-caused hazards.

3.14 Public Assistance Program. A program for providing reimbursement to federal, state, and local agencies and non-profit organizations for repair and replacement of facilities lost or damaged in a disaster, as authorized under the Stafford Act and related federal regulations, plans, and policies.

3.15 Redevelopment shall mean the rebuilding or replacement of permanent residential, commercial, or industrial facilities damaged or destroyed in a major disaster, as well as construction of large-scale public or private infrastructure, addition of community improvements, and/or restoration of a healthy economy.

3.16 Recovery shall mean the restoration of housing, transportation, public services, and/or economic activity to levels equal to or better than their pre-disaster states through a series of short-term, intermediate, and long-term strategies and actions.

3.17 Recovery Management Organization shall mean an interdepartmental organization that coordinates county staff actions in planning and implementing disaster recovery and reconstruction functions.

3.18 Recovery Plan shall mean a pre- or post-disaster plan for recovery, comprising policies, plans, implementation actions, and designated responsibilities related to expeditious and orderly post-disaster recovery and redevelopment, as well as long-term mitigation.

3.19 "Stafford Act" shall mean the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Public Law 93-288, as amended).

4. **Recovery Management Organization.** There is hereby created the Recovery Management Organization [or equivalent] for the purpose of planning, organizing, coordinating, and implementing pre-event and post-disaster disaster recovery actions.

4.1 Powers and Duties. The Recovery Management Organization shall have such powers as needed to carry out the purposes, provisions, and procedures of this chapter.

4.2 Officers and Members. The Recovery Management Organization shall be comprised of the following officers and members: a. The County Manager who shall be Director; b. The County Attorney [or equivalent] who shall be Legal Adviser; c. Other members include [list titles or functions, such as chief building official, county engineer, director of community development or planning, fire chief, emergency management or disaster preparedness coordinator, general services director, historic preservation director, police chief, director of public works, director of utilities, floodplain manager, hazard mitigation specialist], and representatives from such other departments as deemed necessary by the Director for effective operations;

4.3 Relation to Emergency Management Organization. The Recovery Management Organization shall include all members of the Emergency Management Organization [or equivalent] as follows: [list titles, such as emergency management coordinator, fire chief, police chief, etc.]

4.4 Operations and Meetings. The Director shall be responsible for overseeing Recovery Management Organization operations and for calling meetings, as needed. After a declaration of an emergency, and for the duration of the emergency period, the Recovery Management Organization shall meet daily, or as frequently as determined by the Director.

4.5 Succession. In the absence of the Director, the Deputy Director shall serve as Acting Director and shall be empowered to carry out the duties and responsibilities of the Director. The Director shall name a succession of department managers to carry on the duties of the Director and Deputy Director, and to serve as Acting Director in the event of the unavailability of the Director and Deputy Director.

4.6 Organization. The Recovery Management Organization may create such standing or ad hoc committees as determined necessary by the Director.

5. Recovery Plan. The Recovery Management Organization shall prepare a Recovery Plan addressing pre-event and post-disaster recovery policies, strategies, and actions; if possible, the Recovery Plan shall be adopted by the County Commission [or equivalent] before a disaster, and amended after a disaster, as needed.

5.1 Plan Content. The Pre-Disaster Recovery Plan shall be composed of pre- and post-event policies, strategies, and actions needed to facilitate post-disaster recovery. The Recovery Plan will designate lead and back-up departmental action responsibilities to facilitate expeditious post-disaster recovery as well as hazard mitigation actions. The Recovery Plan shall address short-term and long-term recovery subjects, including but not limited to: business resumption, damage assessment, demolitions, debris removal, expedited repair permitting, hazards evaluation and mitigation, historical buildings, moratorium procedures, nonconforming buildings and uses, rebuilding plans, restoration of infrastructure, temporary and replacement housing, and such other subjects as may be appropriate to expeditious and wise recovery. To the extent possible, the Pre-Disaster Recovery Plan should reflect a holistic approach (where everyone in the Recovery Management Organization team

is working toward common objectives, and roles are defined within a general consensus regarding those roles); include language about constructing a mutually agreed-upon vision of community resilience; and also include language regarding local perspectives on sustainability and climate adaptation.

5.2 Coordination with Other Organizations. The Recovery Plan shall identify relationships of planned recovery actions with those of local, regional, state, federal, mutual aid, and nonprofit organizations involved with disaster recovery, including but not limited to: the Federal Emergency Management Agency (FEMA), the American Red Cross, the Department of Housing and Urban Development (HUD), the Small Business Administration (SBA), the Environmental Protection Agency (EPA), the Department of Transportation (DOT), the State Emergency Management Agency [or equivalent] and other organizations that may provide disaster assistance. Prior to adoption or amendment of the Recovery Plan by the County Commission [or equivalent], such organizations shall be notified of its proposed content, and comments shall be solicited in a timely manner.

5.3 Consultation with Citizens. During the initial and intermediate stages of Recovery Plan formulation as well as prior to its adoption or amendment by the Board of Commissioners, the Recovery Management Organization shall conduct outreach to community stakeholder groups, organize and distribute public announcements, schedule and conduct community workshops and meetings, and/or convene advisory committees composed of representatives of homeowner, business, and community organizations, or implement other means to provide information and consult with members of the public regarding preparation, adoption, or amendment of the Recovery Plan. Public comments shall be solicited in a timely manner during Recovery Plan formulation, adoption, and amendment processes.

5.4 Adoption. Following preparation, update, or revision, the Recovery Plan shall be transmitted to the Board of Commissioners for review and approval. The Board shall hold at least one legally noticed public hearing to receive comments from the public on the Recovery Plan. Following public hearing(s), the Board may adopt or amend the Recovery Plan by resolution, or transmit the plan back to the Recovery Management Organization for further modification prior to final action.

5.5 Amendments. The Recovery Management Organization shall address key issues, strategies, and information bearing on the orderly maintenance and periodic amendment of the plan. In preparing amendments, the Recovery Management Organization shall consult in a timely manner with the Board, County departments, businesses and community organizations, and other government entities to obtain information pertinent to possible Recovery Plan amendments.

5.6 Implementation. Under policy direction from the Board of Commissioners, the Recovery Management Organization shall be responsible for Recovery Plan implementation. Before a declaration of emergency, the Director shall prepare and submit reports at least annually to fully advise the Board of Commissioners on the progress of preparation, update, or implementation of the Recovery Plan. After a declaration of emergency, the Director shall report to the Board of Commissioners as often as necessary on actions taken to implement the plan in the post-disaster setting, identify policy issues needing Board of Commissioners direction, and receive authorization to proceed with interim plan modifications necessitated by specific circumstances.

5.7 Training and Exercises. The Recovery Management Organization shall organize and conduct periodic training and exercises annually, or more often as necessary, in order to develop, communicate, and update the contents of the Recovery Plan. Such training and exercises will be conducted in coordination with similar training and exercises related to the Emergency Operations Plan.

5.8 Coordination with Related Plans. The Recovery Plan shall be coordinated with the Comprehensive General Plan, the Emergency Operations Plan, the Local Hazard Mitigation Plan, and such other related plans as may be pertinent, to avoid inconsistencies between plans. Such related plans shall be periodically amended by the Board of Commissioners to be consistent with key provisions of the Recovery Plan, and vice versa.

6. Interim Recovery Strategy. At the earliest possible time following a declaration of local emergency, the Recovery Management Organization shall prepare an Interim Recovery Strategy.

6.1 Content. The Interim Recovery Strategy shall identify and describe recovery initiatives and action priorities anticipated or underway that are necessitated by specific post-disaster circumstances.

6.2 Critical Action Priorities. The Interim Recovery Strategy shall identify critical action priorities, including but not limited to those actions identified under Section 9.0 Temporary Regulations of this chapter, describing for each action its objective, urgency, affected individuals and organizations, funding sources, department responsible, and likely duration. The Interim Recovery Strategy shall separately identify those recovery initiatives and action priorities that are not covered or insufficiently covered by the adopted Recovery Plan, but which in the judgment of the Director are essential to expeditious fulfillment of victims' needs, hazard mitigation imperatives, critical infrastructure restoration, and rebuilding needs, and without which public health, safety, and welfare might otherwise be impeded.

6.3 Short-Term Hazard Mitigation Program. The Interim Recovery Strategy shall include a short-term hazard mitigation program comprised of high priority actions. Such measures may include urgency ordinances dealing with mitigation and abatement priorities identified under Section 9. Temporary Regulations or requiring special land-use and development restrictions or structural measures in areas affected by flooding, urban/wildland fire, wind, seismic, or other natural hazards, or remediation of known human-induced or technological hazards such as toxic contamination.

6.4 Review and Consultation. The Interim Recovery Strategy shall be forwarded to the County Commission [or equivalent] for review and approval following consultation with FEMA, other governmental agencies, businesses, infrastructure operators, and other citizen and stakeholder representatives. The Director shall periodically report to the County Commission regarding Interim Recovery Strategy implementation, and any adjustments that may be required by changing circumstances.

6.5 Coordination with Pre-Disaster Recovery Plan and Other Plans. The Interim Recovery Strategy shall form the basis for periodic amendments to the Recovery Plan, and such other related plans as may be pertinent. It shall identify needed post-disaster amendments to the Pre-Disaster Recovery, Comprehensive Plan, Emergency Operations Plan, or other plans, codes, or ordinances.

7. Hazard Mitigation Program. Prior to a major disaster, the Recovery Management Organization, with County Commission concurrence, shall establish a hazard mitigation program by which natural hazards, risks, and vulnerability are addressed for prioritized short-term and long-term mitigation actions leading to reduced disaster losses. The hazard mitigation program shall include preparation and adoption of a Local Hazard Mitigation Plan, amendment of the Comprehensive Plan to include a Natural Hazard/Safety Element [or equivalent], together with emergency actions dealing with immediate hazards abatement, including hazardous materials management.

7.1 Local Hazard Mitigation Plan. The Recovery Management Organization shall prepare for County Commission adoption and FEMA approval a Local Hazard Mitigation Plan qualifying the County for receipt of federal Hazard Mitigation Grant Program (HMGP), Flood Mitigation Assistance (FMA), Pre-Disaster Mitigation (PDM), and Severe Repetitive Loss (SRL) grants, under the provisions of the Stafford Act, National Flood Insurance Act, and Disaster Mitigation Act of 2000, as amended. The Local Hazard Mitigation Plan shall include, among other items specified in federal regulations (44 CFR 201.6): a risk assessment describing the type, location, and extent of all natural hazards that can affect the County, vulnerability to such hazards, the types and numbers of existing and future buildings, infrastructure, and critical facilities located in identified hazard areas, and an estimate of the potential dollar losses to vulnerable structures; and a mitigation strategy that provides the County's blueprint for reducing the potential losses identified in the risk assessment. The Local Hazard Mitigation Plan, or its mitigation strategy and other contents, shall be adopted as part of the Natural Hazard/Safety Element [or equivalent] of the Comprehensive Plan.

7.2 Natural Hazard/Safety Element [or equivalent]. The Recovery Management Organization shall prepare for County Commission adoption an amendment to the Comprehensive Plan known as the Natural Hazards/Safety Element [or equivalent] including proposed long- and short-term hazard mitigation goals, policies, and actions enhancing long-term safety against future disasters. The Natural Hazard/Safety Element [or equivalent] shall determine and assess the community's vulnerability to known hazards, including climate change impacts, such as: severe flooding; wildland fires; seismic hazards, such as ground shaking and deformation, fault rupture, liquefaction, and tsunamis; dam failure; slope instability, mudslides, landslides, and subsidence; sea level rise, coastal surge and erosion; hurricanes, tornadoes, and other high winds; and human-induced or technological hazards, such as oil spills, natural gas leakage and fires, hazardous and toxic materials contamination, and nuclear power plant and radiological accidents.

7.3 New Information. As new information is obtained regarding the presence, location, extent, location, and severity of natural and human-induced or technological hazards, or regarding new mitigation techniques, such information shall be made available to the public, and shall be incorporated as soon as possible as amendments to the Local Hazard Mitigation Plan and the Comprehensive Plan through County Commission action.

8. General Provisions. The following general provisions shall be applicable to implementation of this chapter:

8.1 Emergency Powers and Procedures. Following a declaration of local emergency and while such declaration is in force, the Recovery Management Organization shall have authority to exercise powers and procedures authorized by this chapter, including temporary regulations identified below, subject to extension, modification or replacement of all or portions of these provisions by separate ordinances adopted by the County Commission [or equivalent].

8.2 Post-Disaster Operations. The Recovery Management Organization shall coordinate post-disaster recovery operations, including but not limited to: business resumption, damage assessment, demolitions, debris removal, expedited repair permitting, hazards evaluation and mitigation, historical buildings, moratorium procedures, nonconforming buildings and uses, rebuilding plans, restoration of infrastructure, temporary and replacement housing, and such other subjects as may be appropriate, as further specified below.

9. Coordination with FEMA and Other Agencies. The Recovery Management Organization shall coordinate recovery actions identified under this and following sections with those of state, federal, local, or other mutual organizations involved in disaster recovery, including but not limited to the Federal Emergency Management Agency (FEMA), the American Red Cross, the Department of Housing and Urban Development (HUD), the Small Business Administration (SBA), the State Emergency Management Agency [or equivalent], and other organizations that provide disaster assistance. Intergovernmental coordination tasks include but are not limited to the following: local compliance with all applicable federal and state laws and regulations; provision of information and logistical support; participation in the Multi-Agency Hazard Mitigation Team; cooperation in joint establishment of one-stop service centers for victim support and assistance; and such other coordination tasks as may be required under the specific circumstances of the disaster.

9.1 Temporary Regulations. The Recovery Management Organization shall have the authority to administer the provisions of this section temporarily modifying provisions of the Municipal Code [or equivalent] dealing with building permits, demolition permits, and restrictions on the use, development, or occupancy of private property, provided that such action, in the opinion of the Director, is reasonably justifiable for protection of life and property, mitigation of hazardous conditions, avoidance of undue displacement of households or businesses, or prompt restoration of public infrastructure.

9.2 Duration. The provisions of this section shall be in effect subject to review by the County Commission for a period of 90 days from the date of a local emergency declaration leading to a state-proclaimed emergency and federally declared disaster, or until such time as the local emergency is extended, modified, replaced, or terminated in whole or in part by action of the County Commission through separate ordinance.

9.3 Environmental Clearances. The provisions of this section enable actions that in the judgment of the Director are justifiable for protection of public health and safety and, therefore, can be reasonably declared to qualify under statutory exemptions of environmental regulations contained in other chapters of the Municipal Code, and within state and federal law. The Director shall provide ongoing monitoring reports to the County Commission on environmental issues arising in relation to the Interim Recovery Strategy, the Recovery Plan, and the statutory exemptions.

9.4 Debris Clearance and Hazard Abatement. The Director shall have the emergency authority to undertake the following actions:

- a. Debris Removal—Remove from public rights-of-way and/or private property adjoining such rights-of-way any debris, rubble, trees, damaged or destroyed cars, trailers, equipment, or other items of private property, posing a threat to public health or safety;
- b. Hazardous Materials—Remove and/or abate hazardous and toxic substances threatening public health and safety;
- c. Setbacks of Temporary Buildings—Create and maintain such additional setbacks for temporary buildings as to assure emergency and through movement of vehicles and pedestrians essential for recovery management;
- d. Prohibition of Access—Prohibit public access to areas damaged and/or hazardous to public health;
- e. Other—Take such other actions, which, in the judgment of the Director, are reasonably justified for protection of public health and safety, provision of emergency ingress and egress, assurance of firefighting or ambulance access, restoration of infrastructure, and mitigation of hazardous conditions.

9.5 Damage Assessment and Placarding. The Director shall direct damage assessment teams having authority to conduct field surveys of damaged structures and post placards designating the condition and permitted occupancy of such structures as follows:

- a. Inspected—Lawful Occupancy Permitted is to be posted on any building in which no apparent structural hazard has been found. This does not mean other forms of damage that may not temporarily affect occupancy.
- b. Restricted Use is to be posted on any building in which damage has resulted in some form of restriction to continued occupancy. The individual posting this placard shall note in general terms the type of damage encountered and shall clearly and concisely note the restrictions on continued occupancy.
- c. Unsafe—Do Not Enter or Occupy is to be posted on any building that has been damaged to the extent that continued occupancy poses a threat to life safety. Buildings posted with this placard shall not be entered under any circumstances except as authorized in writing by the department that posted the building or by authorized members of damage assessment teams. The individual posting this placard shall note in general terms the type of damage encountered. This placard is not to be considered a demolition order. This chapter and section number, the name of the department, its address, and phone number shall be permanently affixed to each placard. Once a placard has been attached to a building, it shall not be removed, altered, or covered until done so by an authorized representative of the department or upon written notification from the department. Failure to comply with this prohibition will be considered a misdemeanor punishable by a \$500 fine.

9.6 Development Moratorium. The Director shall have the authority to establish a moratorium on the issuance of building permits, approval of land use applications or other permits and entitlements related to the use, development, and occupancy of private property authorized under other chapters and sections of the Municipal Code and related ordinances, provided that, in the opinion of the Director, such action is reasonably justifiable for protection of life and property and subject to the following:

- a. **Posting**—Notice of the moratorium shall be posted in a public place and on the Internet, and shall clearly identify the boundaries of the area(s) in which moratorium provisions are in effect, and shall specify the exact nature of the development permits and entitlements that are temporarily held in abeyance;
- b. **Duration**—The moratorium shall be in effect subject to review by the County Commission at the earliest possible time, but no later than 90 days, at which time the Commission shall take action to extend, modify, replace, or terminate such moratorium through separate ordinance.

9.7 Temporary Use Permits. The Director shall have the authority to issue permits in any zone for the temporary use of property that will aid in the immediate restoration of an area adversely impacted by a major disaster, subject to the following provisions:

- a. **Critical Facilities**--Any police, fire, emergency medical, or emergency communications facility that will aid in the immediate restoration of the area may be permitted in any zone for the duration of the declared emergency.
- b. **Other Temporary Uses**--Temporary use permits may be issued in any zone, with conditions, as necessary, provided written findings are made establishing a factual basis that the proposed temporary use: 1) will not be detrimental to the immediate neighborhood; 2) will not adversely affect the Comprehensive General Plan or any applicable specific plan; and 3) will contribute in a positive fashion to the reconstruction and recovery of areas adversely impacted by the disaster. Temporary use permits may be issued for a period of one year following the declaration of local emergency and may be extended for an additional year, to a maximum of two years from the declaration of emergency, provided such findings are determined to be still applicable by the end of the first year. If, during the first or the second year, substantial evidence contradicting one or more of the required findings comes to the attention of the Director, then the temporary use permit shall be revoked.

9.8 Temporary Waiver of Repair Permit Requirements for Emergency Repairs. Following a disaster, temporary emergency repairs to secure structures and property damaged in the disaster against further damage or to protect adjoining structures or property may be made without fee or permit where such repairs are not already exempt under other chapters of the Municipal Code. The building official must be notified of such repairs within 10 working days, and regular permits with fees may then be required.

9.9 Deferral of Fees for Repair and Rebuilding Permits. Except for temporary repairs issued under provisions of this chapter, all other repairs, restoration, and reconstruction of buildings damaged or destroyed in the disaster shall be approved through permit under the provisions of other chapters of this Code. Fees for such repair and reconstruction permits may be deferred until issuance of certificates of occupancy.

9.10 Nonconforming Buildings and Uses. Buildings damaged or destroyed in the disaster that are legally nonconforming as to use, yards, height, number of stories, lot area, floor area, residential density, parking, or other provisions of the Municipal Code specified herein may be repaired and reconstructed in-kind, provided that:

- a. The building is damaged in such a manner that the structural strength or stability of the building is appreciably lessened by the disaster and is less than the minimum requirements of the Municipal Code for a new building;
- b. The cost of repair is greater than 50 percent of the replacement cost of the building;
- c. All structural, plumbing, electrical, and related requirements of the Municipal Code, as well as any rebuilding requirements imposed by a higher level of government, such as building elevation or basement removal if required under NFIP, are met at current standards;
- d. All natural hazard mitigation requirements of the Municipal Code are met;
- e. Reestablishment of the use or building is in conformance with the National Flood Insurance Program requirements and procedures, or higher community standards;
- f. The building is reconstructed to the same configuration, floor area, height, and occupancy as the original building or structure;
- g. No portion of the building or structure encroaches into an area planned for widening or extension of existing or future streets as determined by the comprehensive general plan or applicable specific plan;
- h. Repair or reconstruction shall commence within two years of the date of the declaration of local emergency in a major disaster and shall be completed within two years of the date on which permits are issued; damaged structures must be secured in accordance with the community's provisions for abandoned structures in order to ensure the health and safety of the public;
- i. Nothing herein shall be interpreted as authorizing the continuation of a nonconforming use beyond the time limits set forth under other sections of the Municipal Code that were applicable to the site prior to the disaster.

10. One-Stop Service Center for Permit, Economic, and Housing Assistance. The Recovery Management Organization shall coordinate the establishment of a one-stop center, staffed by representatives of pertinent County departments, and staff of cooperating organizations, for the purpose of providing coordinated services and assistance to disaster victims for purposes including but not limited to: permit processing to expedite repair of buildings, provision of housing assistance, and encouragement of business resumption and industrial recovery. The Director shall establish such center and procedures in coordination with other governmental entities that may provide services and support, such as FEMA, SBA, HUD, or the State Emergency Management Agency (or equivalent).

10.1 Emergency Contractor and Volunteer Certification. The Recovery Management Organization shall have authority to establish a standard certification process for all contractors and volunteers seeking to provide clean-up, repair, or construction services within areas that have experienced disaster damage. In order to be eligible, contractors and volunteers must obtain the proper certification using the following process.

10.2 Application for Contractor Certification. Contractors must apply for Contractor Certification at a one-stop center with the location and hours identified by the County. An application processing fee of \$25.00 is required for each contractor firm and may be paid in cash or by check made payable to the County.

10.3 Application Requirements. Contractors seeking certification must meet the following minimum insurance and background check requirements.

- a. Staff will verify that contractors are properly registered and/or licensed with the state contractors' licensing agency of the state within which their business is headquartered.
- b. The Police Department will conduct a criminal background check on each worker that will be performing services for the contractor's firm.
- c. Contractors must be licensed for their respective trades through the state contractors' licensing agency within which their business is headquartered and meet minimum insurance required by that state. All other contractor firms seeking to perform projects with a scope of work that exceeds a cost of \$2,000 must provide proof of a general liability insurance policy for an amount not less than \$1,000,000.

10.4 Certification Enforcement. Contractors are subject to the following certification enforcement requirements.

- a. Proof of certification will be a county-issued photo identification badge for each worker performing clean-up, repair, or construction services within disaster-damaged areas. This must be displayed by each worker at all times within the designated area. Replacement badges will be issued at a cost of \$10.00.
- b. Individuals without an identification badge will not be permitted to perform clean-up, repair, or construction services.
- c. Contractors failing to register will be subject to a fine of \$100.00 per day or be subject to imprisonment for not more than 30 days. Each day a violation occurs will constitute a separate offense.
- d. The County retains the right to suspend or revoke the Contractor Certification.

10.5 Volunteer Certification. Persons volunteering their efforts without compensation for disaster clean-up repair, or construction services must also apply for emergency certification as a volunteer at a one-stop center and receive a photo identification badge. No application processing fee is required for a Volunteer Certification. However, volunteers certified to assist with clean-up, repair, or construction services must be affiliated with a charitable, non-profit organization meeting all preceding Contractor Certification insurance and enforcement requirements.

11. Temporary and Permanent Housing. The Director shall assign staff to work with FEMA, SBA, HUD, the State Emergency Management Agency (or equivalent), and other appropriate governmental and private entities to identify special programs by which provisions can be made for temporary or permanent replacement housing which will help avoid undue displacement of people and businesses. Such programs may include deployment of mobile homes and mobile home parks under the temporary use permit procedures provided in Section 9.6 of this chapter, use of SBA loans and available Section 8 and Community Development Block Grant funds to offset repair and replacement housing costs, and other initiatives appropriate to the conditions found after a major disaster.

11.1 Demolition of Damaged Historic Buildings. The Director shall have authority to order the condemnation and demolition of buildings and structures damaged in the disaster under the standard provisions of the Municipal Code, except as otherwise indicated below:

11.2 Condemnation and Demolition. Within 5 days after the disaster, the building official [or equivalent] shall notify the State Historic Preservation Officer that one of the following actions will be taken with respect to any building or structure determined by the building official to represent an imminent hazard to public health and safety, or to pose an imminent threat to the public right of way:

- a. Where possible, within reasonable limits as determined by the building official, the building or structure shall be braced or shored in such a manner as to mitigate the hazard to public health and safety or the hazard to the public right-of-way;
- b. Whenever bracing or shoring is determined not to be reasonable, the building official shall cause the building or structure to be condemned and immediately demolished. Such condemnation and demolition shall be performed in the interest of public health and safety without a condemnation hearing as otherwise required by the Municipal Code. Prior to commencing demolition, the building official shall photographically record the entire building or structure.

11.3 Notice of Condemnation. If, after the specified time frame noted in Subsection 8.1 of this chapter and less than 30 days after the disaster, a historic building or structure is determined by the building official to represent a hazard to the health and safety of the public or to pose a threat to the public right of way, the building official shall duly notify the building owner of the intent to proceed with a condemnation hearing within business days of the notice in accordance with Municipal Code Section; the building official shall also notify FEMA, in accordance with the National Historic Preservation Act of 1966, as amended, of the intent to hold a condemnation hearing.

11.4 Request to FEMA to Demolish. Within 30 days after the disaster, for any historic building or structure that the building official and the owner have agreed to demolish, the building official shall submit to FEMA, in accordance with the National Historic Preservation Act of 1966, as amended, a request to demolish. Such request shall include all substantiating data.

11.5 Historic Building Demolition Review. If after 30 days from the event, the building official and the owner of a historic building or structure agree that the building or structure should be demolished, such action will be subject to the review process established by the National Historic Preservation Act of 1966, as amended.

12. Severability. If any provision of this chapter is found to be unconstitutional or otherwise invalid by any court of competent jurisdiction, such invalidity shall not affect the remaining provisions, which can be implemented without the invalid provision, and, to this end, the provisions of this ordinance are declared to be severable.



Agenda Item Coversheet

Ordinance #2024-001 Purchasing Policies and Procedures Amendment

ATTACHMENTS:

Description	Upload Date	Type
Ordinance #2024-001 Purchasing Policies and Procedures Amendment	4/5/2024	Cover Memo

DIVISION 2. - PURCHASING POLICIES AND PROCEDURES

Sec. 2-216. - Approval required.

- (a) All purchases made by any authorized officer or employee shall be made through the county's adopted financial software program, except for emergency purchases as defined in section 2-218.
- (b) It shall be considered a breach of duty on the part of any officer or employee of the county to make any purchase or aid and abet the making of any purchase by any other manner than through the county's adopted financial software program, except for emergency purchases as defined in section 2-218.
- (c) (1) Department heads may approve purchases of budgeted items of \$5,000.00 or less without any additional approval of the board of commissioners, save the approval of the said budget by the board of commissioners.
(2) The county chief financial officer and assistant chief financial officer each may approve purchases of \$15,000.00 or less without any additional approval of the board of commissioners, save the approval of the said budget by the board of commissioners.
- (3) The county administrator may approve purchases of \$25,000.00 or less without any additional approval of the board of commissioners, save the approval of the said budget by the board of commissioners. The county administrator, at his discretion, may authorize the county chief financial officer or assistant chief financial officer to approve purchases of budgeted items of \$25,000.00 or less without any additional approval of the board of commissioners, save the approval of the said budget by the board of commissioners.. Any purchase over \$25,000.00 requires the prior express approval of the board of commissioners, except that emergency purchases may be made pursuant to section 2-218, and in which case, the purchase approved by the chairman or the vice-chairman of the board of commissioners.
- (d) The officer or employee desiring to make a purchase shall first submit an electronic request form through the county's adopted financial software program. The electronic request shall identify the officer or employee seeking the purchase, the department for which the purchase is sought, at least three bids on the item to be purchased or explanation as to why bids were not obtained, the quantity of items sought to be purchased, the purchase price of each unit and the total price and any other information required by the county's adopted financial software program. Upon the proper level of purchase approval, a purchase order shall be issued.
- (e) All original invoices shall be submitted on a daily basis.

Sec. 2-217. - Purchase orders required.

- (a) No officer or employee of the county shall request any merchant, dealer or other vendor to deliver goods to the county or any department, officer or employee thereof, except on a regular purchase order approved by the appropriate approval-level officer or employee, except for emergency purchases as defined in section 2-218.
- (b) All purchase orders must be executed and approved through the county's adopted financial software program.

- (c) Any purchases made without obtaining a purchase order in advance shall be disallowed and payment refused. No purchase order will be issued after the fact. Vendors, merchants and dealers will be deemed to have dealt with any employee or officer who does not have a purchase order at their own risk.
- (d) Violation of any provision of this division shall be determined a violation of the county personnel policy and shall be deemed sufficient grounds for discharge.

Sec. 2-218. - Emergency purchases.

In all cases where there is an immediate need for any materials, supplies, goods, wares or merchandise by any department, such department must advise the county administrator, and if he cannot be located, the officer or employee must immediately notify the chairman or vice-chairman of the board of commissioners for action pursuant to section 2-216(c). If none of the above can be reached and the purchase of the item is absolutely necessary, such purchase must be reported to the county administrator within 24 hours of such purchase. An emergency is defined as being a situation where immediate action is absolutely necessary, and delay would adversely affect the life, health or safety of the citizens of the county. In such event, the county's adopted financial software program must be updated regarding the emergency purchase as soon as possible.

Sec. 2-219. - Discretion on purchases.

In all purchases where quality, as well as price and service are involved, the appropriate approval-level officer or employee shall exercise discretion in making the purchase. In all cases where patented items or special purpose items are requested, the appropriate approval-level officer or employee has the discretionary authority to decide whether similar products of equal quality and at a lower price shall be ordered in lieu of the items requested.

Sec. 2-220. - Competitive bids and exceptions.

- (a) All purchases in excess of \$2,500.00 shall be made through competitive bids, except in the case of emergency purchases as defined in section 2-218.
- (b) All bids for goods and materials purchased by the county shall be kept on file in the county administrator's office and shall be subject to inspection at any time.

Sec. 2-221. - Bidding procedures.

- (a) All requests for bids shall be posted on the county website and any county social media accounts. When required by state law, requests for bids also shall be posted on the Georgia Procurement Registry.
- (b) Each authorized officer or employee shall attempt to obtain three (3) competitive bids / quotes, if available, on all purchases within their approved spending limits as provided in section 2-216.
- (c) Sealed bids shall be identified on the envelope, shall be submitted at the place and no later than the time specified in the public notice inviting bids and shall be opened publicly at the time and place stated in the public notice. A tabulation of all bids received shall be made available for public inspection.

- (d) The Georgia Local Government Public Works Construction Law, O.C.G.A. § 36-91-1, et seq., as amended, shall be followed for public works construction projects when applicable.

Sec. 2-222. - Award of contract.

In all cases in which bids are solicited and received, the contract shall be awarded to the lowest responsible and responsive bidder, as defined in O.C.G.A. § 36-91-2. In the event of equal bids and one of the equal bidders resides in the county, the county-resident bidder shall be provided preferential treatment. In all cases, the county reserves the right to reject all bids.

Sec. 2-223. - Sale of county property.

- (a) No property belonging to the county shall be sold except after approval of the board of commissioners.
- (b) When any property owned by the county has become surplus, unserviceable or useless, the head of the department in charge of the property shall certify to the board of commissioners that such property is no longer useful and should be disposed of. Any property to be sold shall be sold at public sale either by sealed bid or public outcry to the highest bidder for cash, except nothing in this section shall prevent the county from donating or exchanging such surplus property with other governmental units or quasigovernmental units.

Secs. 2-224—2-254. - Reserved.



Agenda Item Coversheet

LRA Resurfacing Grant

ATTACHMENTS:

Description	Upload Date	Type
Revised Road Resurfacing List 2024 Brent Davis (1)	4/9/2024	Cover Memo

Road Name	Grade	From	To	Miles	Width	District	Estimated Cost	Description	Previous Rank
Jackson Dairy Road	62	Hwy 112	Stagecoach Rd	2.07	20	5	\$ 615,000.00	Lot of Base Failure in Patches Throughout The Road. Very Rough and Bumpy, Needs Heavy Leveling.	New Road
Gravel Hill Road	73	State Route 112	Pleasant Grove	3.89	20	5	\$ 778,000.00	Unraveling Edges and Rutting Wheel Paths with Some Alligator Cracking	1
Stagecoach Road	73	Harmony Road	Hwy 111	1.72	20	4	\$ 395,000.00	Course Surface Treatment That is Worn & Coming Up Causing Potholes, Not Much Base Failure or Rutting	New Road
County Line Road	73	Pleasant Grove	Dougherty Co. Line	1.24	20	5	\$ 248,000.00	Unraveled Edges With Block and Alligator Cracking with Some Potholes and Patches	2
County Line Road	74	Thomas Co. Line	Hwy 93	4.5	20	4	\$ 960,000.00	Potholes on Edge of Road Causing Sides to Unravel. Moderate Base Failure	New Road
Sale City Road	75	Pebble City Road	Colquitt County Line	2.9	20	5	\$ 605,000.00	Deteriorating Wearing Course Causing Shallow Potholes to Form. High Shoulders Causing Edges to Unravel. Not Much Base Failure	New Road
Mount Olive Road	75	State Route 112	Branchville Rd	5.47	20	3	\$ 1,094,000.00	Surface Treatment Road in Much Better Shape Then Previously Resurfaced Portions	3
Old Ga 3	75	Baconton City Limits	Dougherty Co. Line	4.27	18	1	\$ 1,200,000.00	Road is in Good Shape But is Only 18' Wide and Needs Widening	4
Sassifras Tea Road	75	Pine Cliff Road	State Route 97	2.81	20	3	\$ 562,000.00	Uneven Ride With Some Potholes	5
Delta Pine Road	76	Jackson Dairy Rd	Stage Coach Rd	3.7	20	1	\$ 740,000.00	Some Alligator Cracking That Has Led To Potholes, Moderate Unraveled Edges	6
Jersulem Church Road	77	Stage Coach Rd	State Route 93	4.47	20	5	\$ 894,000.00	Some Potholes From Base Failure, Most Base Failure Centralized Close to Stage Coach Road	7
County Line Road	85	State Route 112	Pleasant Grove	1.89	20	5	\$ 378,000.00	Some Bumps But Pavement and Base Are In Overall Good Shape	8
49er Road	90	Orr Road	Hwy 65	1.09	20	2	\$ 218,000.00	Road is in Good Shape With a Few Patches from Culverts	New Road



Agenda Item Coversheet

County Administrator



Agenda Item Coversheet

Finance Officer



Agenda Item Coversheet

County Attorney