

AGENDA
WALKER COUNTY
BOARD OF COMMISSIONERS
WALKER COUNTY COURTHOUSE ANNEX III, 201 S MAIN STREET
LAFAYETTE, GEORGIA 30728

The following constitutes the agenda for the regular scheduled meeting of the Board of Commissioners of Walker County, Georgia to be held on September 23, 2021 at 7:00P.M.

REGULAR SCHEDULED MEETING

- **Invocation**
Given by Chairman Shannon Whitfield
- **Pledge**
United States and Georgia Flag
- **Chairman Whitfield will Call to Order the Regular Meeting**
Clerk establishes a Quorum is present
- **Approve Agenda**
- **Public Hearing**
Request from Jerry Johnson (Terri Johnson Trustee) to Rezone from R-2 (Residential) to C-1 (Commercial) Property Located at 16 Blue Bird Lane Rossville, GA 30741. Tax Map & Parcel Number 0-124-009.
- **Close Public Hearing**
- **Approve Minutes**
Approval of the Minutes for the Public Hearing and Regular Scheduled Meeting Held September 9, 2021 at 7:00PM
- **Public Comment**
- **Informational:**
Kelsey Topolski, Mental Health Coordinator
Lookout Mountain Judicial Circuit
- **New Business**
Department of Justice (DOJ) Office of Justice Programs (OJP) Grant Award, Project Title: Lookout Mountain Judicial Circuit Enhancement, Grant Award Number: 2020-DC-BX-0109

Request from Jerry Johnson (Terri Johnson Trustee) to Rezone from R-2 (Residential) to C-1 (Commercial) Property Located at 16 Blue Bird Lane Rossville, GA 30741. Tax Map & Parcel Number 0-124-009.
- **Commissioner Comments**
- **Executive Session**
- **Adjourn**



**Walker County Governmental Authority
101 South Duke Street, P.O. Box 445
LaFayette, GA 30728
706-638-1437**

**Minutes of the Regular Scheduled Meeting
September 23, 2021**

I. Call to Order:

Chairman Whitfield called to order the Public Hearings and Regular Scheduled Commissioner's Meeting held at Annex III, 201 S. Main Street, LaFayette, Georgia at 7:00 PM on September 23, 2021.

II. Attendees:

The following were present: Chairman Shannon Whitfield, Commissioner Robert Blakemore, Commissioner Brian Hart, Commissioner Robert Stultz, Public Relations Director Joe Legge, Economic Development Director Robert Wardlaw, Legal and Policy Director David Gottlieb, Planning and Zoning Director David Brown, Code Enforcement Mandated Officer Gene Whitworth, Landfill Manager Paine Gily, Coroner Billy Sims, Deputy Coroner Darin Kelley, Public Works Director Carlen Bowers, Board Clerk Whitney Summey and County Clerk Rebecca Wooden. Other guests signed in at the meeting as well. Please see the attached sign in sheet.

III. Approval of Agenda:

Commissioner Hart made a motion to approve the agenda, seconded by Commissioner Stultz, 3 ayes and 0 nays, motion was approved.

IV. Public Hearing:

Wendell Cornett stated he lived right across from the property and was against the rezone because the road is not wide enough for the current uses and having this property commercial would cause more issues. He said there are major drainage and flooding issues that need to be fixed. The public hearing was then closed.

V. Approval of Minutes:

Commissioner Stultz made a motion to approve the minutes for the Regular Scheduled Meeting held September 9, 2021 at 7:00 PM, seconded by Commissioner Blakemore, 3 ayes and 0 nays, motion was approved.

VI. Public Comment:

Max Stone stated he lived at 381 McCarter Rd and gave details about ditch and drainage issues at his property. He said he would like to have something done to fix the problems. Chairman Whitfield said he would look into the issues.

VII. Informational:

Kelsey Topolski, Mental Health Coordinator with Lookout Mountain Judicial Circuit, said she has been at this position since July 2020. She said there are currently twelve participants in the program and six coming. She said the program serves citizens of Walker, Dade, and Catoosa County. She stated their program gave additional treatment to habitual violators with mental health problems. She said the program helps individuals with daily life obstacles such as obtaining a job and teaches them how to manage things like their finances and housing. She said the program helps individuals get the proper medical treatment they need so they can be productive citizens.

VIII. New Business:

- I. Chairman Whitfield stated the Grant Project Titled: Lookout Mountain Judicial Circuit Enhancement, grant award number: 2020-DC-BX-0109, was fully funded and there was

no cost to the County. He stated the County only manages the funds for the Lookout Mountain Judicial Circuit. Commissioner Hart made a motion to approve, seconded by Commissioner Blakemore, 3 ayes and 0 nays, motion carried.

- II. Chairman Whitfield read the request from Jerry Johnson for the rezone from R-2 to C-1 for property located at 16 BlueBird Lane, Rossville, GA 30741, tax map & parcel number 0-124-009. Planning and Zoning Director David Brown stated the Planning Commission unanimously recommended to deny the request. He said there are constant water issues in the area and the roads are not wide enough. He said Mr. Cornett, who spoke earlier, had been denied a few years ago for the same request at the neighboring property. Commissioner Blakemore made a motion to deny, seconded by Commissioner Stultz, 3 ayes and 0 nays, motion carried.

IX. Commissioner Comments:

Commissioner Blakemore said he appreciated everyone for coming out and being involved and he enjoys their feedback so feel free to reach out to him.

Commissioner Hart thanked Kelsey Topolski for her work and helping the citizens and also thanked all of the other organizations like hers in the County. He said he is looking forward to the mowing crew coming to Taylors Ridge very soon.

Commissioner Stultz thanked everyone for coming out and stated the vaccination rate is up to 29% in the County. He encouraged everyone to be on the lookout for booster shots that are coming soon. He gave information on the Agriculture Day event at the Ag Center this Saturday and encouraged everyone to come out. He announced Dougherty Gap Road will be closed until further notice due to the land slide earlier in the week.

Chairman Whitfield said GDOT and some engineers have been out to look and evaluate the landslide. He said it will be closed for safety precautions until everything can be fixed.

X. Executive Session:

Chairman Whitfield stated there was no reason for an executive session today.

Adjournment:

Commissioner Hart made a motion to adjourn the meeting, Commissioner Stultz seconded the motion, 3 ayes and 0 nays, motion carried and the meeting was adjourned at 7:31 PM.


Shannon K. Whitfield
Chairman/CEO
Walker County Georgia

10-14-2021
Date

Minutes prepared by: Walker County Board Clerk, Whitney Summey

Sign In Sheet

Public Hearing & Regular Scheduled Commissioner's Meeting

September 23, 2021

7:00 PM

Name

Address

PAINE GILY

WCG, CANSFILL

Becky Wooden

Wendell Cornett

10 Blue Bird Ln

Sharon Wancek

10 Blue Bird Ln

Billy Lin

Cornett

John A Johnson

Carla Bon

Carol Moore

Mission Ridge Rd

Luanne Atkins

N Long Hollow Rd.

ROBERT WARDLAW

Ray Marshall

Bill Cheramie

Honeycreek Dr

Max R Stone

381 McCARTER Rd

Ann Bralley

David Brown

Walker County Public Hearing and Regular Scheduled Commissioners Meeting

Walker County Annex III

September 23, 2021

7:00 PM

<u>Roll Call</u>	<u>09/23/2021</u>	<u>Present/Not Present</u>
------------------	-------------------	----------------------------

Commissioner Blakemore	Present
------------------------	---------

Commissioner Askew	Absent
--------------------	--------

Chairman Whitfield	Present
--------------------	---------

Commissioner Hart	Present
-------------------	---------

Commissioner Stultz	Present
---------------------	---------

SHERIFF'S REPORT

Walker County Sheriff's Office booking report for Aug. 9-15

The Walker County Sheriff's Office provided the following information concerning recent arrests. All people are presumed innocent until proven guilty in a court of law.

♦ Morris, Jesse Blake, 26, 1252 Grand Center Road, Chickamauga, Ga., criminal trespass (damage to property under \$500)

♦ Lawson, Dylan James, 24, 105 Carlisle Ave., Shelbyville, Tenn., no insurance, speeding, driving while license suspended or revoked (first offense)

♦ Brown, Michael, 53, 1222 E. 54th St., Savannah, Ga., pedestrian under the influence

♦ Apostol III, Theodore Howard, 28, 124 Terri Lane, Chickamauga, Ga., failure to appear (felony)

♦ Claybrooks, Terrence Desmond, 30, 333 Gallatin Pike S., Madison, Tenn., possession of methamphetamine, theft by bringing stolen property into the state (felony), improper lane change/failure to maintain lane, driving while license suspended or revoked (first offense)

♦ Malone Sr., Roy Michael, 63, 2001 Willow View Lane, Knoxville, Tenn., simple assault, financial transaction card theft; giving false name, address or birthdate to law enforcement officer

♦ Henderson, Michael Anthony, 20, 54 County Road 729, Bryant, Ala., theft of lost or mislaid property (felony)

♦ Bell, Amanda Brett, 25, 403 Camp Road, Chickamauga, Ga., improper lane change/failure to maintain lane, too fast for conditions, driving under the influence of alcohol

♦ Ruth, Thomas Lamar, 51, 31 Crestview, Rossville, Ga., failure to appear (felony)

♦ Brown, Eric Marshall, 36, 4946 Highway 151, LaFayette, Ga., possession of methamphetamine

♦ Williams, Flettrina Jeronda, 41, 1007 Magnolia Drive, Huntsville, Ala., theft by conversion (misdemeanor)

♦ Shadwill, Sydney Rae, 20, 603 S. Chattanooga St., LaFayette, Ga., false statements and writings/concealment of facts; purchase, possess, manufacture, distribute or sale marijuana

♦ Sharp, Josh Neil, 39, 4156 Highway 225 #80, Chatsworth, Ga., probation violation (felony)

♦ Andreoli, Joseph Michael, 48, 133 Highway 481, Summerville, Ga., driving under the influence of multiple

substances, removing/affixing tag with intent to conceal identity of vehicle

♦ Mitchell, Allison Elaine, 43, 30 N. Cedar St., Menlo, Ga., improper lane change/failure to maintain lane, driving under the influence of alcohol

♦ Covington, Cameron John, 27, 37 Fernwood Drive, Fort Oglethorpe, Ga., headlight requirements all vehicles except motorcycles, driving while license suspended or revoked (first offense)

♦ Dates, Michael Mondale, 44, 727 Henderson Ave., Rossville, Ga., disorderly conduct

♦ Staton, Donnie Lamar, 53, 907 Marion St., Rossville, Ga., aggravated assault (family violence act)

♦ Murphy, Dante Cameron, 21, 105 Pearl St. #8, Chickamauga, Ga., child molestation; sodomy (aggravated sodomy)

♦ Clegorn, Daniel Lamar, 36, 602 Magnolia St., LaFayette, Ga., simple assault (family violence) (x2), probation violation (felony)

♦ Goins, Edward Jerry, 59, 716 Walker Ave., Rossville, Ga., possession of methamphetamine, expired license plate, no insurance, driving while license suspended or revoked (first offense), hold for other agency

♦ Reynolds, Mark Stephen, 58, 2330 Highway 201, LaFayette, Ga., hold for other agency

♦ Sellers, Keith Daniel, 33, 833 Schmitt Road, kidnapping, aggravated assault, probation violation (felony)

♦ McGuire, Rebecca Darity, 48, 268 Dickeyville Road, Trion, Ga., theft by taking (felony)

♦ Morgan, Bradley Eugene, 40, 102 Hamilton Drive, Chickamauga, Ga., cruelty to children (third degree), battery (family violence) (first offense) (misdemeanor)

♦ Farmer, Tyler Dalton, 22, 284 James Farmer Drive, LaFayette, Ga., false statements and writings/concealment of facts, sell/distribute/display/provide to minor drug-related objects (second/subsequent offense)

♦ Mitchell, Zachary Seth, 34, 24 Dodson Lane, LaFayette, Ga., probation violation (felony), taillights/lenses required vehicles manufactured prior Jan. 1, 1954

♦ Humphrey, Joshua Shane, 31, 230 Old Osborn Road, Chickamauga, Ga., possession of methamphetamine, willful obstruction of law enforcement officers (misdemeanor), theft by shoplifting (misdemeanor)

♦ Vaughn, Valerie Hope, 29, 1521 Straight Gut Road, Chickamauga, Ga., no insurance, driving while license suspended or revoked (first offense), knowingly driving a motor vehicle on suspended,

canceled, revoked registration

♦ Reeves, Marc Alan, 49, 14 Wayne Lane, Chickamauga, Ga., possession of methamphetamine, possession and use of drug-related objects

♦ Smith, Toni Leigh, 14 Wayne Lane, Chickamauga, Ga., possession of methamphetamine, possession and use of drug-related objects

♦ Felisch, Mallory Rose, 34, 2319 14th Ave., Columbus, Ga., no insurance, possession of methamphetamine, possession and use of drug-related objects

♦ Cole, Adam Rhudy, 37, 229 W. Highway 136 Lot #120, LaFayette, Ga., contempt of civil court

♦ Humphrey, Krista Matta, 28, 100 Dunwoody Road, LaFayette, Ga., improper lane change/failure to maintain lane, driving under the influence of drugs, willful obstruction of law enforcement officers (felony)

♦ Gruetter, Heath Allen, 43, 118 Henderson Road, Rossville, Ga., criminal trespass (damage to property under \$500), battery

♦ Debord, Skylar Jordan, 1738 Dripping Springs Road, LaFayette, Ga., improper stopping/parking on roadway, driving while license suspended or revoked (first offense)

♦ Powell, Howard Wesley, 53, 3917 Chattanooga Valley Road, Flintstone, Ga., seat belts violation (adults), possess less than 1 ounce marijuana

♦ Brodie, Jason Daniel, 38, 5017 Rossville Blvd. A, Chattanooga, Tenn., possession of methamphetamine with intent to distribute

♦ Johnson, Khadijah Amore-Samone, 27, 904 Clifton Place, Chattanooga, Tenn., seat belts violation (adults), driver to exercise proper use of radios and mobile telephones, no insurance, improper lane change/failure to maintain lane, driving while license suspended or revoked (first offense)

♦ Burrage, James David, 47, 82 Wright Drive, (no city listed), Ga., improper lane change/failure to maintain lane, hit and run; duty of driver to stop or return to scene of accident, striking fixed object, driving while license suspended or revoked (first offense)

♦ Craven, Donald Allen, 27, 932 Hulana St., Rossville, Ga., cruelty to children (third degree) (x2), battery (family violence) (first offense) (misdemeanor)

♦ Wycoff, Samantha Danielle, 22, 932 Hulana St., Rossville, Ga., cruelty to children (third degree) (x2), simple battery (family violence)

♦ Allred, James William, 55, 172 Stanfield Drive, LaFayette, Ga., hold for court only

♦ Kisner, Brian Andrew, 75, 2221 N. Main St. #119,

LaFayette, Ga., willful obstruction of law enforcement officers (misdemeanor) (x2), fleeing/attempting to elude police, improper lane change/failure to maintain lane, no insurance, driving under the influence of alcohol, taillights/lenses required vehicles manufactured after Jan. 1, 1954

♦ Hedgepath, Aaron Blake, 29, 155 E. Varnell Church St., Cohutta, Ga., fugitive from justice, failure to appear (misdemeanor)

♦ McGlamery, Preston Gage, 25, 11620 Jenkins Road, Soddy Daisy, Tenn., driving while license suspended or revoked (first offense)

♦ Hardin, Linda Gail, 56, 2404 Bailey Ave., Chattanooga, Tenn., probation violation (felony)

♦ Tipton, Brittany Anne, 24, 5598 N. Marble Top Road, Chickamauga, Ga., probation violation (felony)

♦ Harwood, Allen Robert, 35, 710 Woody Lane, Rossville, Ga., failure to appear (felony)

♦ Heric, Nathan Kyle, 45, 770 Austin Lane, (no city listed), Ga., possess less than 1 ounce marijuana, failure to yield to emergency vehicle, speeding, driving under the influence of alcohol

♦ Kaiser, Ivy Lanette, 34, 1877 Highway 151, LaFayette, Ga., driving while license suspended or revoked (first offense)

♦ Sanders, Gary Steve, 64, 172 Shady Brook Lane, King, Ga., failure to appear (felony) (x2)

♦ Hester, Ashley Necco, 27, 3649 Tanaka Trail, Chattanooga, Tenn., possession of methamphetamine, loitering and prowling, burglary (building, structure, vehicle)

♦ Hall, Ciji Supree, 37, 10004 Highway 193, Chickamauga, Ga., possession of methamphetamine

♦ Pilkington, Charles Edward, 60, 83 Ken Visage Road, LaFayette, Ga., possession of methamphetamine, theft by taking (misdemeanor)

♦ Massengale, Melissa Renee, 41, 404 Cavender St., theft by taking (misdemeanor)

♦ Hodges, Georgia Danielle, 34, 276 N. Highway 192, Twin City, Ga., driving while license suspended or revoked (first offense), broken taillight lenses, willful obstruction of law enforcement officers (misdemeanor), hold for other agency

♦ Nave, Jason Lee, 43, 86 S. Hilltop Drive, Chickamauga, Ga., improper lane change/failure to maintain lane, driving under the influence of alcohol

♦ Sipes, Tamatha Suzanne, 49, 12 Steele St. A, LaFayette, Ga., criminal trespass (trespassing on property), possession and use of drug-related objects, possession of

methamphetamine, possession of a Schedule IV controlled substance; sale, distribution or possession of dangerous drugs (x3); purchase, possession, manufacture, distribution or sale of marijuana

♦ Garrison Jr., John Aaron, 25, 11427 Melanie Lane, Chattanooga, Tenn., improper lane change/failure to maintain lane, driving under the influence of alcohol

♦ Daniel, Leana Bobbette, 41, 256 N. Highway 341, Chickamauga, Ga., willful obstruction of law enforcement officers (misdemeanor), concealing identity of vehicle, no insurance, open container violation beer/ale/proter/stout/other similar beverages, driving while license suspended or revoked (first offense); knowingly driving a motor vehicle on suspended, canceled, revoked registration

♦ Smith, Tinikka Starr, 32, 1006 S. Chattanooga St., LaFayette, Ga., probation violation (felony), cruelty to children (third degree), battery (family violence) (first offense) (misdemeanor)

♦ Cook, Destanie Hope, 22, 277 Forest Way Drive,

LaFayette, Ga., concealing identity of vehicle, driving while license suspended or revoked (first offense)

♦ Loveless Jr., Howard David, 52, 410 Ross St., Rossville, Ga., discharge firearm while under the influence of alcohol or drugs

♦ Seals, Cameron Darrow, 24, 1164 Chippewa Drive, East Ridge, Tenn., failure to obey traffic control device, driving while license suspended or revoked (first offense)

♦ Ross, Christian Justin, 42, 100 Christopher Drive, Chickamauga, Ga., criminal trespass (family violence)

♦ Saint, Richard Allen, 57, 607 S. Seminole Drive, East Ridge, Tenn., driving under the influence of drugs, possession of methamphetamine, possession of a Schedule IV controlled substance, possess less than 1 ounce marijuana, drugs to be kept in original container, theft by bringing stolen property into state (felony)

Compiled by assistant editor Catherine Edgemon.

BALLINGER RECYCLING
1007 S. Chattanooga St. LaFayette, GA 30728

We buy Aluminum Cans, Copper, Brass, Stainless Steel, any kind of Aluminum. We also buy Automobile Batteries and Catalytic Converters.

706-638-4344

Sunday-Friday 9:00am-5:00pm • Closed Saturdays

Leaf Filter BACKED BY A YEAR-ROUND GLOG FREE GUARANTEE

15% OFF & 10% OFF

FINANCING THAT FITS YOUR BUDGET

CALL US TODAY FOR A FREE ESTIMATE 1-877-735-0477

Prepare for unexpected power outages with a Generac home standby generator

REQUEST A FREE QUOTE! 877-318-8496

FREE 7-Year Extended Warranty* A \$695 Value!

Special Financing Available. *In quality, consumers must request a quote, purchase, install and use a generator with a patching device. Call for full details and restrictions.

AMBERWOOD APARTMENTS

**** NOW LEASING ****

706-638-7567

1 and 2 Bedroom Apartments
Water, Sewage and Garbage provided
Playground, Washer/dryer connections, Abundant closet space, Appliances, Basketball Court On-site Management and Maintenance Staff

This Institution Is An Equal Opportunity Employer
TDD: 706-638-0135 (V) 1-800-255-0056 (T/AA)
amberwoodapartments@lafayette.com

PUBLIC NOTICE
WALKER COUNTY
PLANNING COMMISSION MEETING
Thursday, September 16th, 2021 at 6:00 P.M.
Walker County Civic Center
Rock Spring, GA 30739

The Walker County Planning Commission will meet and review the following request:

New Business:

Variance:

1. Randall Morgan requests a variance for property located at 230 Lisbon Road Chickamauga, GA 30707. Tax map & parcel number 0-280-007A

Preliminary Plat Approval:

1. Hawks Ridge Holding LLC requests a preliminary plat approval for property located at 180 Hutcheson Drive Rossville, GA 30741. Tax & map parcel number 0-119-002.

Rezone:

1. Jerry Johnson (Terri Johnson Trustee) requests a rezone from R-2 (Residential) to C-1 (Commercial) for property located at 16 Blue Bird Lane Rossville, GA 30741. Tax map & parcel number 0-124-009.

2. Estate of Marion H. Hutcheson II requests a rezone from A-1 (Agricultural) to R-2 (Residential) for property located at 2563 Happy Valley Road Rossville, GA 30741. Tax map & parcel number 0-102-004.

The second hearing on the Jerry Johnson rezone request will be held on September 23, 2021 at 7:00PM and the Estate of Marion H. Hutcheson II will have its second hearing on October 14, 2021 at 7:00PM both at the Walker County Courthouse Annex III located at 201 S. Main Street LaFayette, GA 30728.

For further information please call Walker County Planning & Development at 706-638-4048.

Fort Oglethorpe woman sentenced to prison for embezzlement, tax fraud

From staff reports

Alice Sue Smith of Fort Oglethorpe has been sentenced to three years, seven months in prison to be followed by three years of supervised release for stealing from her employer and filing false tax returns.

According to Acting U.S. Attorney Erskine, the criminal information and other information presented in court, Smith was the bookkeeper and office manager at Chattanooga Coin Inc. ("CCI") from 2004 to 2018.

From 2009 to 2018, she forged the signatures of CCI's owners on approximately

1,400 checks that she then cashed.

Smith also created fictitious check stubs in CCI's financial records to cover up her fraud. In total, she stole approximately \$1.24 million from CCI over nearly a decade. She also failed to report the embezzled funds and other legitimate income on her income tax returns.

"When employees take advantage of their positions of trust to steal from small, family-owned businesses, real victims suffer serious financial harm," Acting U.S. Attorney Kurt R. Erskine said. "As in this case, there are real and significant

consequences for employees who are caught stealing from their employers."

In addition to her sentence, the court also ordered her to pay restitution to CCI and the United States totaling approximately \$1.48 million. She was convicted of wire fraud and filing a false tax return on Feb. 11, 2021, after pleading guilty.

"Smith let her greed blind her to responsibilities her company entrusted her with," said Chris Hacker, special agent in charge of FBI Atlanta. "For that she will be held accountable."

The Federal Bureau of Investigation and IRS Criminal

Investigation (IRS-CI) investigated the case with assistance from the Rossville Police Department.

"This sentencing sends a clear message that stealing from your employer is not okay," said Demetrius Hardeman, assistant special agent in charge, IRS-CI Atlanta Field Office. "No one should ever feel they have the right to take what is not theirs. IRS-CI will continue to work diligently, in concert with the FBI and U.S. Attorney's Office, to ensure everyone pays their fair share." Assistant U.S. Attorneys Michael Qin and Russell Phillips prosecuted this case.

MULLIS

From A1

Mullis said, "Their liberal agenda would doom the working class. They have tried to shove their socialist policies down our throats, costs us the MLB Allstar Game, and treat China with kid-gloves. We must bring an end to the disastrous policies of the radical left."

Mullis represents Georgia Senate

District 53, which includes Catoosa, Dade, and Walker counties and portions of Chattooga County.

He is chairman of the Senate Rules Committee.

He said his introduction of the following legislation in January 2022:

♦ A bill to permanently ban government-mandated vaccine passports.

♦ A bill to permanently ban Critical Race Theory (CRT) from being taught in any school that receives public funding.

♦ A bill to ban public contracts from

being awarded to Chinese government-owned businesses.

♦ A bill to make Georgia a Constitutional Carry state.

"The good people of Georgia and the 53rd District will not tolerate government overreach into our lives," Mullis said. "We demand freedom, not mandates."

"I look forward to introducing these pieces of legislation and continuing to fight for the America First policies of Donald Trump, and for the hardworking citizens of Georgia."



Walker County Planning Commission

Minutes
September 16, 2021
Walker County Civic Center
6:00 PM

ATTENDEES:

Planning Commission Members

Terry Newberry
Todd Holt
Susan Tankersley
Elliott Pierce
Michael Hicks
Daryl Brooks
Jack Mullinax
Michael Haney
Stan Porter

Walker County Planning Staff

David Brown, Director of Codes, Inspections & Planning
Kristy Parker, Planning Commission Secretary

I. CALL TO ORDER:

Chairman Michael Haney called the meeting to order at 6:00 P.M. Chairman Haney asked if there was a motion to open the public meeting. Stan Porter made a motion to open the meeting. Susan Tankersley seconded the motion. All members voted to approve moving forward with the meeting.

III. NEW BUSINESS:

A. Rezone:

1. Mr. John Beard came forward on behalf of the Marion Hutcheson Estate. He stated that this has been before the Planning Commission before, and he feels like the property has been properly rezoned. He stated that they along with Gateway would like to show that they are a good neighbor, so they are willing to go through the zoning process again. Mr. Beard talked about the change and area and felt like the Gateway Development would be a good fit for that property. Josh Mandell then came forward and explained the Gateway development that they are looking at building. Chairman Haney then asked if anyone in the audience was there against that would like to speak. Keshia Parker came forward and discussed the concerns that the neighborhood has regarding this development. She spoke about the impact on the schools, traffic and taxes. Ms. Parker also provided a list of names from the neighborhood of people not in favor of the development. Mike Baker, Ed Ledford, Shannon Greg, Bobby Walston, Jenny Barrett, Bob Guffey, Paul Wells all came forward to speak against the rezone with concerns of traffic issues, crime, and overpopulated schools. Mr. Steven Myers then came forward to discuss the traffic study that was done for this project.

2. **Jerry Johnson (Terri Johnson trustee):** Teresa Tatum came forward and said that she would be representing Ms. Johnson due to her mobility issues. No one had any questions, so Chairman Haney asked if anyone was against this rezone request. Wendall Cornett came forward and stated that this was on a back road and did not understand why anyone would want is zoned commercial. He also stated that he had asked for his property to be rezoned to commercial beside this and he was denied so why would this be approved. Ms. Tatum came back up and stated that there was commercial to the front and north of this property.

*Chairman Haney stated that he would like to make an amendment to the agenda and move item D. Amendment to the Land Development Regulations to the next item on the agenda. He then asked if there was a motion to amend the agenda. Daryl Brooks made a motion to amend the agenda as stated. Terry Newberry seconded the motion. All in favor and amending the agenda approved.

B. Amendment to Land Development Regulations:

The draft on Ordinance O-02-21 was read by Chairman Haney. He asked if there were any comments. Perry Lamb came forward and was concerned about the 500’ setback from another residential structure. Karen Bradley came forward and was concerned about the more than four on a private drive and who is going to maintain the drive. Daryl Brooks stated that the Planning Commission had already voted to leave the private drive at a maximum of four homes on the five acres each so why was this being heard again. If the Planning Commission is not going to be heard then what the point in them being there. Chairman Haney said that this must be brought back before the Planning Commission again. Niki Christopher came forward and expressed concern about private drives crossing or running through other people’s property and being junked up and no upkeep. Gary Williams came forward and stated that he had concerns about the why the Planning Commission was not looking at the whole section of this ordinance and just parts of it. He also had concerns about the 500’setback. Michael Brewer came forward and stated that he was not in favor of the more than five on a private drive.

C. Variance:

1. **Randall Morgan** came forward and stated that he would like to place a modular home on their property for his mother-in-law. Susan Tankersley asked if this was due to a medical issue. Mr. Morgan stated that yes it was. He said that his mother-in-law nor her husband can no longer drive and are both in bad health. Chairman Haney then asked if there was a motion. Elliott Pierce made a motion to approve. Stan Porter seconded the motion. Vote was unanimous. Motion to approve carried.

D. Preliminary Plat Approval:

1. **Hawks Ridge Holdings LLC:** Jack Mullinax stated that he would be recusing himself from this vote. Ben Hageman came forward with copies of the plat. He stated that these would all be single family homes. He said that they had added an extra entrance into the property. He also showed pictures of the proposed playground. Chairman Haney asked if there was a motion. Todd Holt made a motion to approve. Daryl Brooks seconded the motion. Seven members voted in favor to approve. Jack Mullinax recused himself. Vote to approve carried.

*Chairman Haney stated that they would now go back to item B. Amendments to Land Development Regulations. On item 1. Sec. 22-26(2)(b)(2) Chairman Haney asked if there were any changes that the board would like to make or leave it as written. Michael Hicks stated that he would like to change the word conditional use if build on a permanent foundation. Elliott Pierce stated that he would like to keep the conditional use but add a second section that if you had a tiny home built on a permanent foundation and you sold the whole property then the buyer would not have to ask for a conditional use variance. Michael Hicks stated that if you do that then we need to add something as an accessory dwelling. Jack Mullinax stated that in Section 22-401(3) that he feels like those seven parcels on a private drive is too many and needs to remain the same. Stan Porter also agreed that it needs to stay the same. Jack Mullinax stated that he would on this section make a motion to leave it as four on a private drive with five acres each. Stan Porter seconded the motion. Every member vote to approve the motion to leave this section as no more than four on a private drive at five acres each.

*Chairman Haney stated that they would now move back up to the rezone requests. On the Jerry Johnson rezone from R-2 to C-1. Chairman Haney asked if there was a motion. Terry Newberry made a motion to deny the request. Jack Mullinax seconded the motion to deny. Vote was unanimous. Motion to deny carried.

*Chairman Haney then went back to the rezone for the Marion Hutcheson Estate. Chairman Haney reminded everyone that this was just a vote on the rezone. He stated that the board could vote in favor, against, table or no recommendation. Jack Mullinax stated that in February of 2020 he made a motion to deny this same request and he will also make the same motion to deny today. Todd Holt seconded the motion to deny. All members voted in favor of denying the rezone request. Motion to deny carried.

IV. ADJOURNMENT:

Susan Tankersley made a motion to adjourn. Terry Newberry seconded the motion. Motion carried. Meeting adjourned.

Date Submitted

Planning Commission Chairman

Date Submitted

Kristy Parker, Planning Commission Secretary

Date Submitted

David Brown, Director of Codes, Inspection & Planning

These minutes are also available in the Planning Office.

WALKER COUNTY
PLANNING & DEVELOPMENT
AGENDA ITEM

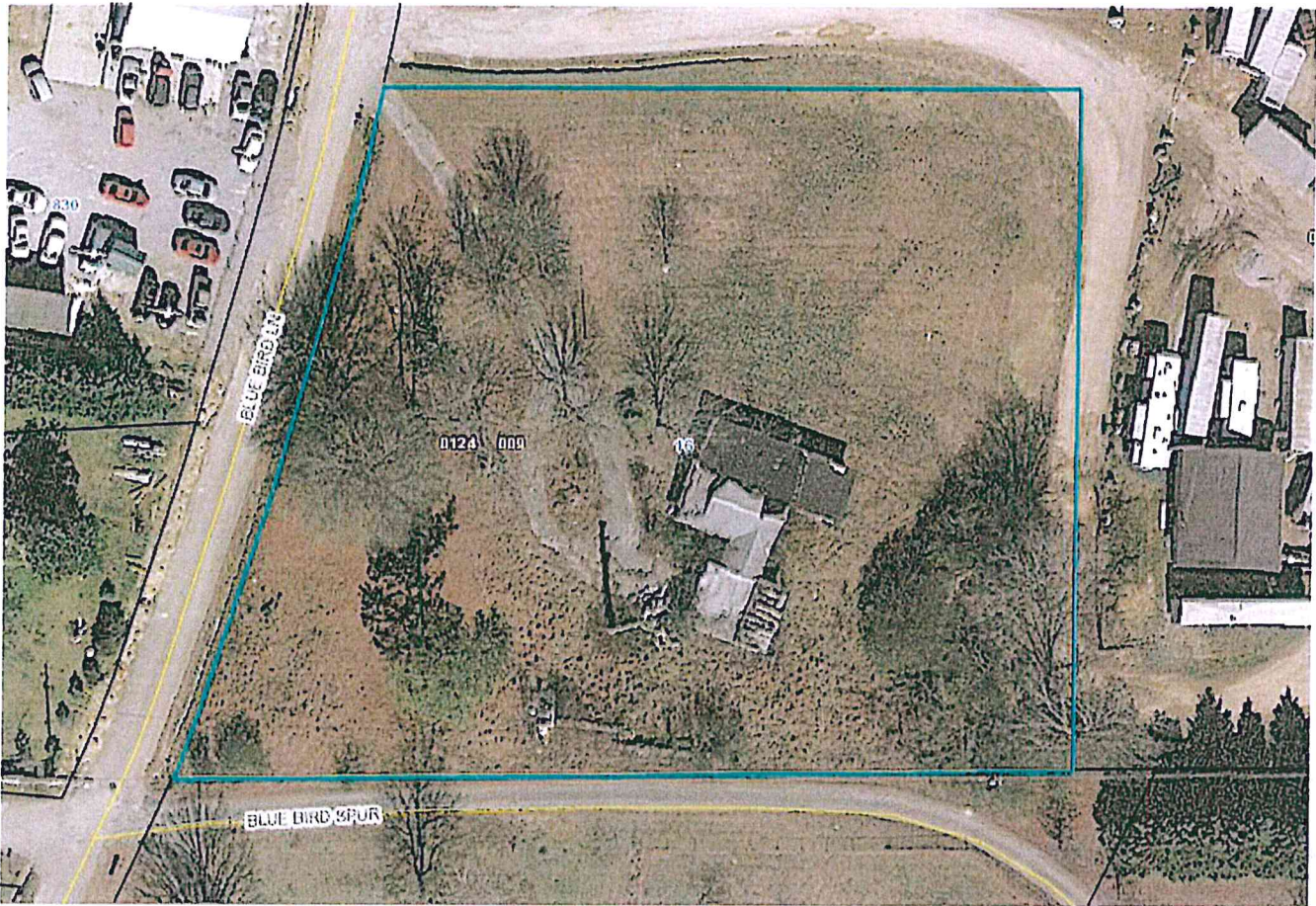
Owner: Jerry Johnson
Petitioner: Terri Johnson (Trustee)
Location of Property: 16 Blue Bird Lane
Rossville, GA. 30741

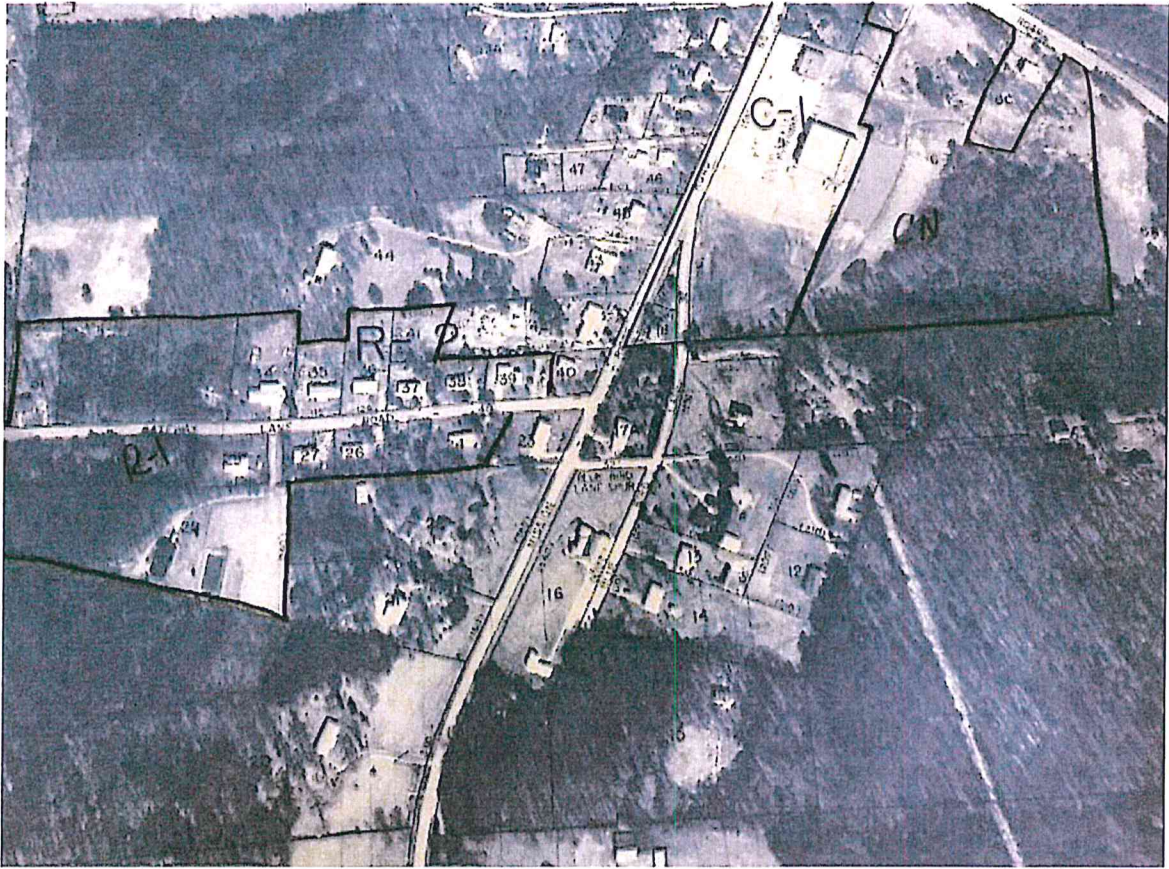
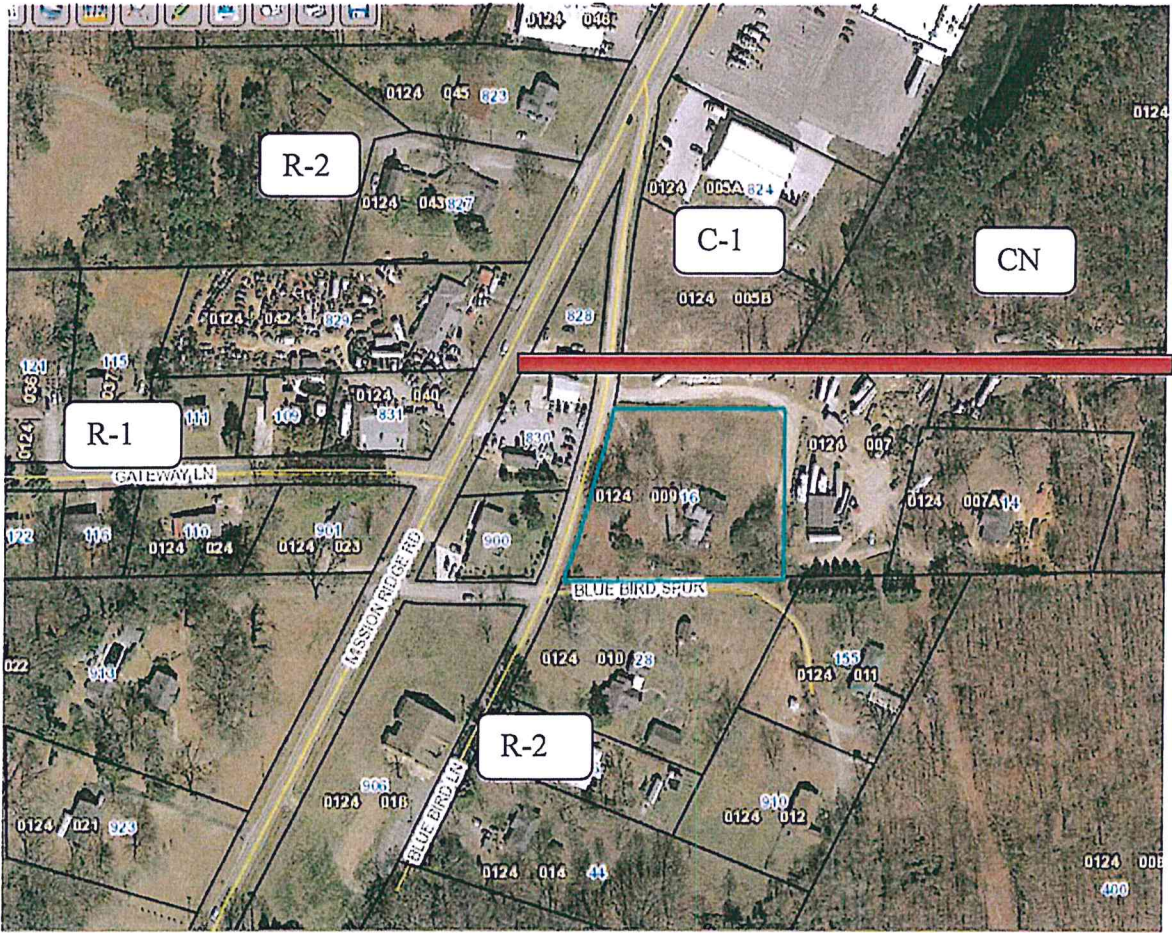
Tax map & parcel number 0-124-009

Date Applied: 8/17/2021
PC Meeting Date: 9/16/2021
Present Zoning: R-2 (Residential)

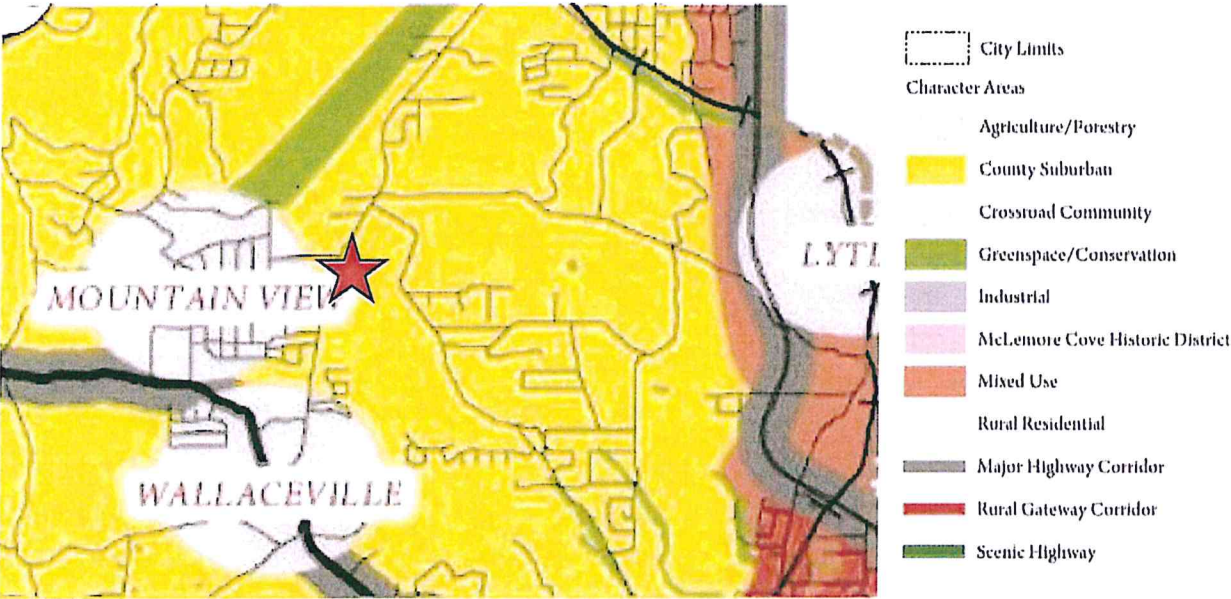
APPLICANT'S INTENT:	The property owner would like to rezone the property to C-1 (Commercial)
DETAILS OF REQUEST:	The property is currently for sale and the interested buyers are asking the property to be rezoned too commercial.

Projected Area:





Future Land Use Map:



CHARACTER AREA DESCRIPTIONS		
County Suburban		
 Residential development in the Mountain View area	Quality Community Objectives - Traditional neighborhood - Infill development - Sense of place - Housing opportunities	Implementation Measures More detailed sub-area planning: - Preserve traditional and historic features while adapting for current use New or revised local development regulations: - Tree preservation, rehabilitation, infill guidelines and emphasis, recommend conservation subdivision and walkable communities Incentives: - Homestead Exemptions Public Investments: - Walker County Transit, beautification projects, community center, recreation areas, playgrounds. Infrastructure Improvements: - Improve existing water and sewer, provide high speed internet
Description Post WWII housing. Area where typical types of suburban residential subdivision development have occurred. Are within proximity to a public water network. Low pedestrian orientation, little or no transit, high open space, high to moderate degree of building separation, predominantly residential. Post- WWII. Development Strategies/Policies: - Retrofit to meet traditional neighborhood development principles. - Creating walkable neighborhood local points by locating schools, community centers, commercial activity centers at suitable locations - Use traffic calming improvements, sidewalks, interconnections - Accessory housing units, or new well-designed, small-scale infill multifamily residences to increase density and income diversity.	Land Uses Residential Commercial Park/Recreation/Conservation Public/Institutional	

CONSIDERATION OF ZONING CRITERIA

1. **Existing land uses and zoning of nearby property:** The zoning of the nearby property is currently zoned R-1 (Residential), C-1 (Commercial), CN (Commercial Neighborhood) & R-2 (Residential)
 2. **Suitability of the subject property for the zone purposed:** No.
 3. **Extent to which property values of the subject property are diminished by the zoning restrictions:** None.
 4. **Extent to which the destruction of property values of the subject property promotes the health, safety, morals, or general welfare of the public:** None that we know of.
 5. **Relative gain to the public as compared to the hardship imposed upon the individual property owner:** None
 6. **Whether the subject property has reasonable economic use as currently zoned:** No.
 7. **Length of time the property has been vacant as zoned considered in the context of land development in the vicinity of the property:** According to tax records this property has been in the same family since 1970
 8. **Whether the proposed zoning will be a use that is suitable in view of the use and development of adjacent and nearby property:** It would not be.
 9. **Whether the proposed zoning will adversely affect the existing use or usability of adjacent or nearby property:** It would.
 10. **Whether the zoning proposal is in conformity with the policies and intent of the Comprehensive Plan:** The Future Land Use Map shows country suburban.
 11. **Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.** Commercial traffic could be a burden on the two roads into this property. Blue Bird Lane is a 17' wide road with a 25' right-of-way and Blue Bird Lane Spur is a 16' wide road with a 24' right-of-way.
 12. **Whether there is other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal:** This property does not touch commercial and the adjoining property had applied to change to commercial and was denied.
-



Department of Justice (DOJ)
Office of Justice Programs

Office of the Assistant Attorney General

Washington, D.C. 20531

Commissioner Shannon Whitfield
Walker County Commissioners
101 S. Duke St.
LaFayette, GA 30728-3601

Dear Commissioner Whitfield:

On behalf of Attorney General William P. Barr, it is my pleasure to inform you that the Office of Justice Programs (OJP), U.S. Department of Justice (DOJ), has approved the application by Walker County Commissioners for an award under the OJP funding opportunity entitled "Adult Drug Court and Veterans Treatment Courts: Adult Drug Courts." The approved award amount is \$398,163. These funds are for the project entitled Lookout Mountain Judicial Circuit Enhancement.

The award document, including award conditions, is enclosed. The entire document is to be reviewed carefully before any decision to accept the award. Also, the webpage entitled "Legal Notices: Special circumstances as to particular award conditions" (ojp.gov/funding/Explore/LegalNotices-AwardReqs.htm) is to be consulted prior to an acceptance. Through that "Legal Notices" webpage, OJP sets out -- by funding opportunity -- certain special circumstances that may or will affect the applicability of one or more award requirements. Any such legal notice pertaining to award requirements that is posted through that webpage is incorporated by reference into the award.

Please note that award requirements include not only award conditions, but also compliance with assurances and certifications that relate to conduct during the period of performance for the award. Because these requirements encompass financial, administrative, and programmatic matters, as well as other important matters (e.g., specific restrictions on use of funds), it is vital that all key staff know the award requirements, and receive the award conditions and the assurances and certifications, as well as the application as approved by OJP. (Information on all pertinent award requirements also must be provided to any subrecipient of the award.)

Should Walker County Commissioners accept the award and then fail to comply with an award requirement, DOJ will pursue appropriate remedies for non-compliance, which may include termination of the award and/or a requirement to repay award funds.

Please direct questions regarding this award as follows:

- For program questions, contact NiKisha Love, Program Manager at (202) 616-8241; and
- For financial questions, contact the Customer Service Center of OJP's Office of the Chief Financial Officer at (800) 458-0786, or at ask.ocfo@usdoj.gov.

We look forward to working with you.

Sincerely,

Katharine T. Sullivan
Principal Deputy Assistant Attorney General

Encl.



Department of Justice (DOJ)
Office of Justice Programs
Office of Civil Rights

Washington, DC 20531

Commissioner Shannon Whitfield
Walker County Commissioners
101 S. Duke St.
LaFayette, GA 30728-3601

Dear Commissioner Whitfield:

Congratulations on your recent award. The Office for Civil Rights (OCR), Office of Justice Programs (OJP), U.S. Department of Justice (DOJ) has been delegated the responsibility for ensuring that recipients of federal financial assistance from the OJP, the Office of Community Oriented Policing Services (COPS), and the Office on Violence Against Women (OVW) are not engaged in discrimination prohibited by law. Several federal civil rights laws, such as Title VI of the Civil Rights Act of 1964 and Title IX of the Education Amendments of 1972, require recipients of federal financial assistance to give assurances that they will comply with those laws. In addition to those civil rights laws, many grant program statutes contain nondiscrimination provisions that require compliance with them as a condition of receiving federal financial assistance. For a complete review of these civil rights laws and nondiscrimination requirements, in connection with OJP and other DOJ awards, see <https://ojp.gov/funding/Explore/LegalOverview/CivilRightsRequirements.htm>

Under the delegation of authority, the OCR investigates allegations of discrimination against recipients from individuals, entities, or groups. In addition, the OCR conducts limited compliance reviews and audits based on regulatory criteria. These reviews and audits permit the OCR to evaluate whether recipients of financial assistance from the Department are providing services in a non-discriminatory manner to their service population or have employment practices that meet equal-opportunity standards.

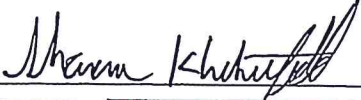
If you are a recipient of grant awards under the Omnibus Crime Control and Safe Streets Act or the Juvenile Justice and Delinquency Prevention Act and your agency is part of a criminal justice system, there are two additional obligations that may apply in connection with the awards: (1) complying with the regulation relating to Equal Employment Opportunity Programs (EEOs); and (2) submitting findings of discrimination to OCR. For additional information regarding the EEO requirement, see 28 CFR Part 42, subpart E, and for additional information regarding requirements when there is an adverse finding, see 28 C.F.R. §§ 42.204(c), .205(c)(5). Please submit information about any adverse finding to the OCR at the above address.

We at the OCR are available to help you and your organization meet the civil rights requirements that are associated with OJP and other DOJ grant funding. If you would like the OCR to assist you in fulfilling your organization's civil rights or nondiscrimination responsibilities as a recipient of federal financial assistance, please do not hesitate to let us know.

Sincerely,

Michael L. Alston
Director

cc: Grant Manager
Financial Analyst

 Department of Justice (DOJ) Office of Justice Programs Bureau of Justice Assistance	Grant	PAGE 1 OF 17
1. RECIPIENT NAME AND ADDRESS (Including Zip Code) Walker County Commissioners 101 S. Duke St. LaFayette, GA 30728-3601	4. AWARD NUMBER: 2020-DC-BX-0109	
2a. GRANTEE IRS/VENDOR NO. 586000966	5. PROJECT PERIOD: FROM 10/01/2020 TO 09/30/2023 BUDGET PERIOD: FROM 10/01/2020 TO 09/30/2023	
	6. AWARD DATE	7. ACTION Initial
2b. GRANTEE DUNS NO. 010126969	8. SUPPLEMENT NUMBER 00	9. PREVIOUS AWARD AMOUNT \$ 0
3. PROJECT TITLE Lookout Mountain Judicial Circuit Enhancement	10. AMOUNT OF THIS AWARD \$ 398,163	
	11. TOTAL AWARD \$ 398,163	
12. SPECIAL CONDITIONS THE ABOVE GRANT PROJECT IS APPROVED SUBJECT TO SUCH CONDITIONS OR LIMITATIONS AS ARE SET FORTH ON THE ATTACHED PAGE(S).		
13. STATUTORY AUTHORITY FOR GRANT This project is supported under FY20(BJA - Drug Courts) 34 USC 10611; Pub. L. No. 116-93, 133 Stat 2317, 2409		
14. CATALOG OF DOMESTIC FEDERAL ASSISTANCE (CFDA Number) 16.585 - Drug Court Discretionary Grant Program		
15. METHOD OF PAYMENT GPRS		
AGENCY APPROVAL		GRANTEE ACCEPTANCE
16. TYPED NAME AND TITLE OF APPROVING OFFICIAL Katharine T. Sullivan Principal Deputy Assistant Attorney General	18. TYPED NAME AND TITLE OF AUTHORIZED GRANTEE OFFICIAL Shannon Whitfield CHAIRMAN/CEO	
17. SIGNATURE OF APPROVING OFFICIAL 	19. SIGNATURE OF AUTHORIZED RECIPIENT OFFICIAL 	19A. DATE
AGENCY USE ONLY		
20. ACCOUNTING CLASSIFICATION CODES FISCAL FUND BUD. DIV. YEAR CODE ACT. OFC. REG. SUB. POMS AMOUNT X B DC 80 00 00 398163		21. VDCUGT2780



Department of Justice (DOJ)
Office of Justice Programs
Bureau of Justice Assistance

AWARD CONTINUATION
SHEET
Grant

PAGE 2 OF 17

PROJECT NUMBER 2020-DC-BX-0109

AWARD DATE

SPECIAL CONDITIONS

1. Requirements of the award; remedies for non-compliance or for materially false statements

The conditions of this award are material requirements of the award. Compliance with any assurances or certifications submitted by or on behalf of the recipient that relate to conduct during the period of performance also is a material requirement of this award.

Limited Exceptions. In certain special circumstances, the U.S. Department of Justice ("DOJ") may determine that it will not enforce, or enforce only in part, one or more requirements otherwise applicable to the award. Any such exceptions regarding enforcement, including any such exceptions made during the period of performance, are (or will be during the period of performance) set out through the Office of Justice Programs ("OJP") webpage entitled "Legal Notices: Special circumstances as to particular award conditions" (ojp.gov/funding/Explore/LegalNotices-AwardReqs.htm), and incorporated by reference into the award.

By signing and accepting this award on behalf of the recipient, the authorized recipient official accepts all material requirements of the award, and specifically adopts, as if personally executed by the authorized recipient official, all assurances or certifications submitted by or on behalf of the recipient that relate to conduct during the period of performance.

Failure to comply with one or more award requirements -- whether a condition set out in full below, a condition incorporated by reference below, or an assurance or certification related to conduct during the award period -- may result in OJP taking appropriate action with respect to the recipient and the award. Among other things, the OJP may withhold award funds, disallow costs, or suspend or terminate the award. DOJ, including OJP, also may take other legal action as appropriate.

Any materially false, fictitious, or fraudulent statement to the federal government related to this award (or concealment or omission of a material fact) may be the subject of criminal prosecution (including under 18 U.S.C. 1001 and/or 1621, and/or 34 U.S.C. 10271-10273), and also may lead to imposition of civil penalties and administrative remedies for false claims or otherwise (including under 31 U.S.C. 3729-3730 and 3801-3812).

Should any provision of a requirement of this award be held to be invalid or unenforceable by its terms, that provision shall first be applied with a limited construction so as to give it the maximum effect permitted by law. Should it be held, instead, that the provision is utterly invalid or -unenforceable, such provision shall be deemed severable from this award.



Department of Justice (DOJ)
Office of Justice Programs
Bureau of Justice Assistance

AWARD CONTINUATION
SHEET
Grant

PAGE 3 OF 17

PROJECT NUMBER 2020-DC-BX-0109

AWARD DATE

SPECIAL CONDITIONS

2. Applicability of Part 200 Uniform Requirements

The Uniform Administrative Requirements, Cost Principles, and Audit Requirements in 2 C.F.R. Part 200, as adopted and supplemented by DOJ in 2 C.F.R. Part 2800 (together, the "Part 200 Uniform Requirements") apply to this FY 2020 award from OJP.

The Part 200 Uniform Requirements were first adopted by DOJ on December 26, 2014. If this FY 2020 award supplements funds previously awarded by OJP under the same award number (e.g., funds awarded during or before December 2014), the Part 200 Uniform Requirements apply with respect to all funds under that award number (regardless of the award date, and regardless of whether derived from the initial award or a supplemental award) that are obligated on or after the acceptance date of this FY 2020 award.

For more information and resources on the Part 200 Uniform Requirements as they relate to OJP awards and subawards ("subgrants"), see the OJP website at <https://ojp.gov/funding/Part200UniformRequirements.htm>.

Record retention and access: Records pertinent to the award that the recipient (and any subrecipient ("subgrantee") at any tier) must retain -- typically for a period of 3 years from the date of submission of the final expenditure report (SF 425), unless a different retention period applies -- and to which the recipient (and any subrecipient ("subgrantee") at any tier) must provide access, include performance measurement information, in addition to the financial records, supporting documents, statistical records, and other pertinent records indicated at 2 C.F.R. 200.333.

In the event that an award-related question arises from documents or other materials prepared or distributed by OJP that may appear to conflict with, or differ in some way from, the provisions of the Part 200 Uniform Requirements, the recipient is to contact OJP promptly for clarification.

3. Compliance with DOJ Grants Financial Guide

References to the DOJ Grants Financial Guide are to the DOJ Grants Financial Guide as posted on the OJP website (currently, the "DOJ Grants Financial Guide" available at <https://ojp.gov/financialguide/DOJ/index.htm>), including any updated version that may be posted during the period of performance. The recipient agrees to comply with the DOJ Grants Financial Guide.

4. Reclassification of various statutory provisions to a new Title 34 of the United States Code

On September 1, 2017, various statutory provisions previously codified elsewhere in the U.S. Code were editorially reclassified (that is, moved and renumbered) to a new Title 34, entitled "Crime Control and Law Enforcement." The reclassification encompassed a number of statutory provisions pertinent to OJP awards (that is, OJP grants and cooperative agreements), including many provisions previously codified in Title 42 of the U.S. Code.

Effective as of September 1, 2017, any reference in this award document to a statutory provision that has been reclassified to the new Title 34 of the U.S. Code is to be read as a reference to that statutory provision as reclassified to Title 34. This rule of construction specifically includes references set out in award conditions, references set out in material incorporated by reference through award conditions, and references set out in other award requirements.



Department of Justice (DOJ)
Office of Justice Programs
Bureau of Justice Assistance

AWARD CONTINUATION
SHEET
Grant

PAGE 4 OF 17

PROJECT NUMBER 2020-DC-BX-0109

AWARD DATE

SPECIAL CONDITIONS

5. Required training for Point of Contact and all Financial Points of Contact

Both the Point of Contact (POC) and all Financial Points of Contact (FPOCs) for this award must have successfully completed an "OJP financial management and grant administration training" by 120 days after the date of the recipient's acceptance of the award. Successful completion of such a training on or after January 1, 2018, will satisfy this condition.

In the event that either the POC or an FPOC for this award changes during the period of performance, the new POC or FPOC must have successfully completed an "OJP financial management and grant administration training" by 120 calendar days after -- (1) the date of OJP's approval of the "Change Grantee Contact" GAN (in the case of a new POC), or (2) the date the POC enters information on the new FPOC in GMS (in the case of a new FPOC). Successful completion of such a training on or after January 1, 2018, will satisfy this condition.

A list of OJP trainings that OJP will consider "OJP financial management and grant administration training" for purposes of this condition is available at <https://www.ojp.gov/training/fmts.htm>. All trainings that satisfy this condition include a session on grant fraud prevention and detection.

The recipient should anticipate that OJP will immediately withhold ("freeze") award funds if the recipient fails to comply with this condition. The recipient's failure to comply also may lead OJP to impose additional appropriate conditions on this award.

6. Requirements related to "de minimis" indirect cost rate

A recipient that is eligible under the Part 200 Uniform Requirements and other applicable law to use the "de minimis" indirect cost rate described in 2 C.F.R. 200.414(f), and that elects to use the "de minimis" indirect cost rate, must advise OJP in writing of both its eligibility and its election, and must comply with all associated requirements in the Part 200 Uniform Requirements. The "de minimis" rate may be applied only to modified total direct costs (MTDC) as defined by the Part 200 Uniform Requirements.

7. Requirement to report potentially duplicative funding

If the recipient currently has other active awards of federal funds, or if the recipient receives any other award of federal funds during the period of performance for this award, the recipient promptly must determine whether funds from any of those other federal awards have been, are being, or are to be used (in whole or in part) for one or more of the identical cost items for which funds are provided under this award. If so, the recipient must promptly notify the DOJ awarding agency (OJP or OVW, as appropriate) in writing of the potential duplication, and, if so requested by the DOJ awarding agency, must seek a budget-modification or change-of-project-scope grant adjustment notice (GAN) to eliminate any inappropriate duplication of funding.



Department of Justice (DOJ)
Office of Justice Programs
Bureau of Justice Assistance

AWARD CONTINUATION
SHEET
Grant

PAGE 5 OF 17

PROJECT NUMBER 2020-DC-BX-0109

AWARD DATE

SPECIAL CONDITIONS

8. Requirements related to System for Award Management and Universal Identifier Requirements

The recipient must comply with applicable requirements regarding the System for Award Management (SAM), currently accessible at <https://www.sam.gov/>. This includes applicable requirements regarding registration with SAM, as well as maintaining the currency of information in SAM.

The recipient also must comply with applicable restrictions on subawards ("subgrants") to first-tier subrecipients (first-tier "subgrantees"), including restrictions on subawards to entities that do not acquire and provide (to the recipient) the unique entity identifier required for SAM registration.

The details of the recipient's obligations related to SAM and to unique entity identifiers are posted on the OJP web site at <https://ojp.gov/funding/Explore/SAM.htm> (Award condition: System for Award Management (SAM) and Universal Identifier Requirements), and are incorporated by reference here.

This condition does not apply to an award to an individual who received the award as a natural person (i.e., unrelated to any business or non-profit organization that he or she may own or operate in his or her name).



PROJECT NUMBER 2020-DC-BX-0109

AWARD DATE

SPECIAL CONDITIONS

9. Employment eligibility verification for hiring under the award

1. The recipient (and any subrecipient at any tier) must--

A. Ensure that, as part of the hiring process for any position within the United States that is or will be funded (in whole or in part) with award funds, the recipient (or any subrecipient) properly verifies the employment eligibility of the individual who is being hired, consistent with the provisions of 8 U.S.C. 1324a(a)(1) and (2).

B. Notify all persons associated with the recipient (or any subrecipient) who are or will be involved in activities under this award of both--

(1) this award requirement for verification of employment eligibility, and

(2) the associated provisions in 8 U.S.C. 1324a(a)(1) and (2) that, generally speaking, make it unlawful, in the United States, to hire (or recruit for employment) certain aliens.

C. Provide training (to the extent necessary) to those persons required by this condition to be notified of the award requirement for employment eligibility verification and of the associated provisions of 8 U.S.C. 1324a(a)(1) and (2).

D. As part of the recordkeeping for the award (including pursuant to the Part 200 Uniform Requirements), maintain records of all employment eligibility verifications pertinent to compliance with this award condition in accordance with Form I-9 record retention requirements, as well as records of all pertinent notifications and trainings.

2. Monitoring

The recipient's monitoring responsibilities include monitoring of subrecipient compliance with this condition.

3. Allowable costs

To the extent that such costs are not reimbursed under any other federal program, award funds may be obligated for the reasonable, necessary, and allocable costs (if any) of actions designed to ensure compliance with this condition.

4. Rules of construction

A. Staff involved in the hiring process

For purposes of this condition, persons "who are or will be involved in activities under this award" specifically includes (without limitation) any and all recipient (or any subrecipient) officials or other staff who are or will be involved in the hiring process with respect to a position that is or will be funded (in whole or in part) with award funds.

B. Employment eligibility confirmation with E-Verify

For purposes of satisfying the requirement of this condition regarding verification of employment eligibility, the recipient (or any subrecipient) may choose to participate in, and use, E-Verify (www.e-verify.gov), provided an appropriate person authorized to act on behalf of the recipient (or subrecipient) uses E-Verify (and follows the proper E-Verify procedures, including in the event of a "Tentative Nonconfirmation" or a "Final Nonconfirmation") to confirm employment eligibility for each hiring for a position in the United States that is or will be funded (in whole or in part) with award funds.

C. "United States" specifically includes the District of Columbia, Puerto Rico, Guam, the Virgin Islands of the United States, and the Commonwealth of the Northern Mariana Islands.

D. Nothing in this condition shall be understood to authorize or require any recipient, any subrecipient at any tier, or



PROJECT NUMBER 2020-DC-BX-0109

AWARD DATE

SPECIAL CONDITIONS

any person or other entity, to violate any federal law, including any applicable civil rights or nondiscrimination law.

E. Nothing in this condition, including in paragraph 4.B., shall be understood to relieve any recipient, any subrecipient at any tier, or any person or other entity, of any obligation otherwise imposed by law, including 8 U.S.C. 1324a(a)(1) and (2).

Questions about E-Verify should be directed to DHS. For more information about E-Verify visit the E-Verify website (<https://www.e-verify.gov/>) or email E-Verify at E-Verify@dhs.gov. E-Verify employer agents can email E-Verify at E-VerifyEmployerAgent@dhs.gov.

Questions about the meaning or scope of this condition should be directed to OJP, before award acceptance.

10. Requirement to report actual or imminent breach of personally identifiable information (PII)

The recipient (and any "subrecipient" at any tier) must have written procedures in place to respond in the event of an actual or imminent "breach" (OMB M-17-12) if it (or a subrecipient) -- (1) creates, collects, uses, processes, stores, maintains, disseminates, discloses, or disposes of "personally identifiable information (PII)" (2 CFR 200.79) within the scope of an OJP grant-funded program or activity, or (2) uses or operates a "Federal information system" (OMB Circular A-130). The recipient's breach procedures must include a requirement to report actual or imminent breach of PII to an OJP Program Manager no later than 24 hours after an occurrence of an actual breach, or the detection of an imminent breach.

11. All subawards ("subgrants") must have specific federal authorization

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements for authorization of any subaward. This condition applies to agreements that -- for purposes of federal grants administrative requirements -- OJP considers a "subaward" (and therefore does not consider a procurement "contract").

The details of the requirement for authorization of any subaward are posted on the OJP web site at <https://ojp.gov/funding/Explore/SubawardAuthorization.htm> (Award condition: All subawards ("subgrants") must have specific federal authorization), and are incorporated by reference here.

12. Specific post-award approval required to use a noncompetitive approach in any procurement contract that would exceed \$250,000

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements to obtain specific advance approval to use a noncompetitive approach in any procurement contract that would exceed the Simplified Acquisition Threshold (currently, \$250,000). This condition applies to agreements that -- for purposes of federal grants administrative requirements -- OJP considers a procurement "contract" (and therefore does not consider a subaward).

The details of the requirement for advance approval to use a noncompetitive approach in a procurement contract under an OJP award are posted on the OJP web site at <https://ojp.gov/funding/Explore/NoncompetitiveProcurement.htm> (Award condition: Specific post-award approval required to use a noncompetitive approach in a procurement contract (if contract would exceed \$250,000)), and are incorporated by reference here.



Department of Justice (DOJ)
Office of Justice Programs
Bureau of Justice Assistance

AWARD CONTINUATION
SHEET
Grant

PAGE 8 OF 17

PROJECT NUMBER 2020-DC-BX-0109

AWARD DATE

SPECIAL CONDITIONS

13. Unreasonable restrictions on competition under the award; association with federal government

SCOPE. This condition applies with respect to any procurement of property or services that is funded (in whole or in part) by this award, whether by the recipient or by any subrecipient at any tier, and regardless of the dollar amount of the purchase or acquisition, the method of procurement, or the nature of any legal instrument used. The provisions of this condition must be among those included in any subaward (at any tier).

1. No discrimination, in procurement transactions, against associates of the federal government

Consistent with the (DOJ) Part 200 Uniform Requirements -- including as set out at 2 C.F.R. 200.300 (requiring awards to be "manage[d] and administer[ed] in a manner so as to ensure that Federal funding is expended and associated programs are implemented in full accordance with U.S. statutory and public policy requirements") and 200.319(a) (generally requiring "[a]ll procurement transactions [to] be conducted in a manner providing full and open competition" and forbidding practices "restrictive of competition," such as "[p]lacing unreasonable requirements on firms in order for them to qualify to do business" and taking "[a]ny arbitrary action in the procurement process") -- no recipient (or subrecipient, at any tier) may (in any procurement transaction) discriminate against any person or entity on the basis of such person or entity's status as an "associate of the federal government" (or on the basis of such person or entity's status as a parent, affiliate, or subsidiary of such an associate), except as expressly set out in 2 C.F.R. 200.319(a) or as specifically authorized by USDOJ.

2. Monitoring

The recipient's monitoring responsibilities include monitoring of subrecipient compliance with this condition.

3. Allowable costs

To the extent that such costs are not reimbursed under any other federal program, award funds may be obligated for the reasonable, necessary, and allocable costs (if any) of actions designed to ensure compliance with this condition.

4. Rules of construction

A. The term "associate of the federal government" means any person or entity engaged or employed (in the past or at present) by or on behalf of the federal government -- as an employee, contractor or subcontractor (at any tier), grant recipient or -subrecipient (at any tier), agent, or otherwise -- in undertaking any work, project, or activity for or on behalf of (or in providing goods or services to or on behalf of) the federal government, and includes any applicant for such employment or engagement, and any person or entity committed by legal instrument to undertake any such work, project, or activity (or to provide such goods or services) in future.

B. Nothing in this condition shall be understood to authorize or require any recipient, any subrecipient at any tier, or any person or other entity, to violate any federal law, including any applicable civil rights or nondiscrimination law.



PROJECT NUMBER 2020-DC-BX-0109

AWARD DATE

SPECIAL CONDITIONS

14. Requirements pertaining to prohibited conduct related to trafficking in persons (including reporting requirements and OJP authority to terminate award)

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements (including requirements to report allegations) pertaining to prohibited conduct related to the trafficking of persons, whether on the part of recipients, subrecipients ("subgrantees"), or individuals defined (for purposes of this condition) as "employees" of the recipient or of any subrecipient.

The details of the recipient's obligations related to prohibited conduct related to trafficking in persons are posted on the OJP web site at <https://ojp.gov/funding/Explore/ProhibitedConduct-Trafficking.htm> (Award condition: Prohibited conduct by recipients and subrecipients related to trafficking in persons (including reporting requirements and OJP authority to terminate award)), and are incorporated by reference here.

15. Determination of suitability to interact with participating minors

SCOPE. This condition applies to this award if it is indicated -- in the application for the award (as approved by DOJ)(or in the application for any subaward, at any tier), the DOJ funding announcement (solicitation), or an associated federal statute -- that a purpose of some or all of the activities to be carried out under the award (whether by the recipient, or a subrecipient at any tier) is to benefit a set of individuals under 18 years of age.

The recipient, and any subrecipient at any tier, must make determinations of suitability before certain individuals may interact with participating minors. This requirement applies regardless of an individual's employment status.

The details of this requirement are posted on the OJP web site at <https://ojp.gov/funding/Explore/Interact-Minors.htm> (Award condition: Determination of suitability required, in advance, for certain individuals who may interact with participating minors), and are incorporated by reference here.

16. Compliance with applicable rules regarding approval, planning, and reporting of conferences, meetings, trainings, and other events

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable laws, regulations, policies, and official DOJ guidance (including specific cost limits, prior approval and reporting requirements, where applicable) governing the use of federal funds for expenses related to conferences (as that term is defined by DOJ), including the provision of food and/or beverages at such conferences, and costs of attendance at such conferences.

Information on the pertinent DOJ definition of conferences and the rules applicable to this award appears in the DOJ Grants Financial Guide (currently, as section 3.10 of "Postaward Requirements" in the "DOJ Grants Financial Guide").

17. Requirement for data on performance and effectiveness under the award

The recipient must collect and maintain data that measure the performance and effectiveness of work under this award. The data must be provided to OJP in the manner (including within the timeframes) specified by OJP in the program solicitation or other applicable written guidance. Data collection supports compliance with the Government Performance and Results Act (GPRA) and the GPRA Modernization Act of 2010, and other applicable laws.

18. OJP Training Guiding Principles

Any training or training materials that the recipient -- or any subrecipient ("subgrantee") at any tier -- develops or delivers with OJP award funds must adhere to the OJP Training Guiding Principles for Grantees and Subgrantees, available at <https://ojp.gov/funding/Implement/TrainingPrinciplesForGrantees-Subgrantees.htm>.

 Department of Justice (DOJ) Office of Justice Programs Bureau of Justice Assistance	AWARD CONTINUATION SHEET Grant	PAGE 10 OF 17
PROJECT NUMBER 2020-DC-BX-0109 AWARD DATE		
SPECIAL CONDITIONS 19. Effect of failure to address audit issues The recipient understands and agrees that the DOJ awarding agency (OJP or OVW, as appropriate) may withhold award funds, or may impose other related requirements, if (as determined by the DOJ awarding agency) the recipient does not satisfactorily and promptly address outstanding issues from audits required by the Part 200 Uniform Requirements (or by the terms of this award), or other outstanding issues that arise in connection with audits, investigations, or reviews of DOJ awards. 20. Potential imposition of additional requirements The recipient agrees to comply with any additional requirements that may be imposed by the DOJ awarding agency (OJP or OVW, as appropriate) during the period of performance for this award, if the recipient is designated as "high-risk" for purposes of the DOJ high-risk grantee list. 21. Compliance with DOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 42 The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements of 28 C.F.R. Part 42, specifically including any applicable requirements in Subpart E of 28 C.F.R. Part 42 that relate to an equal employment opportunity program. 22. Compliance with DOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 54 The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements of 28 C.F.R. Part 54, which relates to nondiscrimination on the basis of sex in certain "education programs." 23. Compliance with DOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 38 The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements of 28 C.F.R. Part 38 (as may be applicable from time to time), specifically including any applicable requirements regarding written notice to program beneficiaries and prospective program beneficiaries. Currently, among other things, 28 C.F.R. Part 38 includes rules that prohibit specific forms of discrimination on the basis of religion, a religious belief, a refusal to hold a religious belief, or refusal to attend or participate in a religious practice. Part 38, currently, also sets out rules and requirements that pertain to recipient and subrecipient ("subgrantee") organizations that engage in or conduct explicitly religious activities, as well as rules and requirements that pertain to recipients and subrecipients that are faith-based or religious organizations. The text of 28 C.F.R. Part 38 is available via the Electronic Code of Federal Regulations (currently accessible at https://www.ecfr.gov/cgi-bin/ECFR?page=browse), by browsing to Title 28-Judicial Administration, Chapter 1, Part 38, under e-CFR "current" data.		



Department of Justice (DOJ)
Office of Justice Programs
Bureau of Justice Assistance

AWARD CONTINUATION
SHEET
Grant

PAGE 11 OF 17

PROJECT NUMBER 2020-DC-BX-0109

AWARD DATE

SPECIAL CONDITIONS

24. Restrictions on "lobbying"

In general, as a matter of federal law, federal funds awarded by OJP may not be used by the recipient, or any subrecipient ("subgrantee") at any tier, either directly or indirectly, to support or oppose the enactment, repeal, modification, or adoption of any law, regulation, or policy, at any level of government. See 18 U.S.C. 1913. (There may be exceptions if an applicable federal statute specifically authorizes certain activities that otherwise would be barred by law.)

Another federal law generally prohibits federal funds awarded by OJP from being used by the recipient, or any subrecipient at any tier, to pay any person to influence (or attempt to influence) a federal agency, a Member of Congress, or Congress (or an official or employee of any of them) with respect to the awarding of a federal grant or cooperative agreement, subgrant, contract, subcontract, or loan, or with respect to actions such as renewing, extending, or modifying any such award. See 31 U.S.C. 1352. Certain exceptions to this law apply, including an exception that applies to Indian tribes and tribal organizations.

Should any question arise as to whether a particular use of federal funds by a recipient (or subrecipient) would or might fall within the scope of these prohibitions, the recipient is to contact OJP for guidance, and may not proceed without the express prior written approval of OJP.

25. Compliance with general appropriations-law restrictions on the use of federal funds (FY 2020) The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable restrictions on the use of federal funds set out in federal appropriations statutes. Pertinent restrictions that may be set out in applicable appropriations acts are indicated at <https://ojp.gov/funding/Explore/FY20AppropriationsRestrictions.htm>, and are incorporated by reference here. Should a question arise as to whether a particular use of federal funds by a recipient (or a subrecipient) would or might fall within the scope of an appropriations-law restriction, the recipient is to contact OJP for guidance, and may not proceed without the express prior written approval of OJP.

26. Reporting potential fraud, waste, and abuse, and similar misconduct

The recipient, and any subrecipients ("subgrantees") at any tier, must promptly refer to the DOJ Office of the Inspector General (OIG) any credible evidence that a principal, employee, agent, subrecipient, contractor, subcontractor, or other person has, in connection with funds under this award— (1) submitted a claim that violates the False Claims Act; or (2) committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct.

Potential fraud, waste, abuse, or misconduct involving or relating to funds under this award should be reported to the OIG by--(1) online submission accessible via the OIG webpage at <https://oig.justice.gov/hotline/contact-grants.htm> (select "Submit Report Online"); (2) mail directed to: U.S. Department of Justice, Office of the Inspector General, Investigations Division, ATTN: Grantee Reporting, 950 Pennsylvania Ave., NW, Washington, DC 20530; and/or (3) by facsimile directed to the DOJ OIG Investigations Division (Attn: Grantee Reporting) at (202) 616-9881 (fax).

Additional information is available from the DOJ OIG website at <https://oig.justice.gov/hotline>.



Department of Justice (DOJ)
Office of Justice Programs
Bureau of Justice Assistance

AWARD CONTINUATION
SHEET
Grant

PAGE 12 OF 17

PROJECT NUMBER 2020-DC-BX-0109

AWARD DATE

SPECIAL CONDITIONS

27. Restrictions and certifications regarding non-disclosure agreements and related matters

No recipient or subrecipient ("subgrantee") under this award, or entity that receives a procurement contract or subcontract with any funds under this award, may require any employee or contractor to sign an internal confidentiality agreement or statement that prohibits or otherwise restricts, or purports to prohibit or restrict, the reporting (in accordance with law) of waste, fraud, or abuse to an investigative or law enforcement representative of a federal department or agency authorized to receive such information.

The foregoing is not intended, and shall not be understood by the agency making this award, to contravene requirements applicable to Standard Form 312 (which relates to classified information), Form 4414 (which relates to sensitive compartmented information), or any other form issued by a federal department or agency governing the nondisclosure of classified information.

1. In accepting this award, the recipient--

a. represents that it neither requires nor has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and

b. certifies that, if it learns or is notified that it is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds, will provide prompt written notification to the federal agency making this award, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency.

2. If the recipient does or is authorized under this award to make subawards ("subgrants"), procurement contracts, or both--

a. it represents that--

(1) it has determined that no other entity that the recipient's application proposes may or will receive award funds (whether through a subaward ("subgrant"), procurement contract, or subcontract under a procurement contract) either requires or has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and

(2) it has made appropriate inquiry, or otherwise has an adequate factual basis, to support this representation; and

b. it certifies that, if it learns or is notified that any subrecipient, contractor, or subcontractor entity that receives funds under this award is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds to or by that entity, will provide prompt written notification to the federal agency making this award, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency.



Department of Justice (DOJ)
Office of Justice Programs
Bureau of Justice Assistance

AWARD CONTINUATION
SHEET
Grant

PAGE 13 OF 17

PROJECT NUMBER 2020-DC-BX-0109

AWARD DATE

SPECIAL CONDITIONS

28. Compliance with 41 U.S.C. 4712 (including prohibitions on reprisal; notice to employees)

The recipient (and any subrecipient at any tier) must comply with, and is subject to, all applicable provisions of 41 U.S.C. 4712, including all applicable provisions that prohibit, under specified circumstances, discrimination against an employee as reprisal for the employee's disclosure of information related to gross mismanagement of a federal grant, a gross waste of federal funds, an abuse of authority relating to a federal grant, a substantial and specific danger to public health or safety, or a violation of law, rule, or regulation related to a federal grant.

The recipient also must inform its employees, in writing (and in the predominant native language of the workforce), of employee rights and remedies under 41 U.S.C. 4712.

Should a question arise as to the applicability of the provisions of 41 U.S.C. 4712 to this award, the recipient is to contact the DOJ awarding agency (OJP or OVW, as appropriate) for guidance.

29. Encouragement of policies to ban text messaging while driving

Pursuant to Executive Order 13513, "Federal Leadership on Reducing Text Messaging While Driving," 74 Fed. Reg. 51225 (October 1, 2009), DOJ encourages recipients and subrecipients ("subgrantees") to adopt and enforce policies banning employees from text messaging while driving any vehicle during the course of performing work funded by this award, and to establish workplace safety policies and conduct education, awareness, and other outreach to decrease crashes caused by distracted drivers.

30. Requirement to disclose whether recipient is designated "high risk" by a federal grant-making agency outside of DOJ

If the recipient is designated "high risk" by a federal grant-making agency outside of DOJ, currently or at any time during the course of the period of performance under this award, the recipient must disclose that fact and certain related information to OJP by email at OJP.ComplianceReporting@ojp.usdoj.gov. For purposes of this disclosure, high risk includes any status under which a federal awarding agency provides additional oversight due to the recipient's past performance, or other programmatic or financial concerns with the recipient. The recipient's disclosure must include the following: 1. The federal awarding agency that currently designates the recipient high risk, 2. The date the recipient was designated high risk, 3. The high-risk point of contact at that federal awarding agency (name, phone number, and email address), and 4. The reasons for the high-risk status, as set out by the federal awarding agency.

31. The recipient agrees to submit to BJA for review and approval any curricula, training materials, proposed publications, reports, or any other written materials that will be published, including web-based materials and web site content, through funds from this grant at least thirty (30) working days prior to the targeted dissemination date. Any written, visual, or audio publications, with the exception of press releases, whether published at the grantee's or government's expense, shall contain the following statements: "This project was supported by Grant No. 2020-DC-BX-0109 awarded by the Bureau of Justice Assistance. The Bureau of Justice Assistance is a component of the Department of Justice's Office of Justice Programs, which also includes the Bureau of Justice Statistics, the National Institute of Justice, the Office of Juvenile Justice and Delinquency Prevention, the Office for Victims of Crime, and the SMART Office. Points of view or opinions in this document are those of the author and do not necessarily represent the official position or policies of the U.S. Department of Justice." The current edition of the DOJ Grants Financial Guide provides guidance on allowable printing and publication activities.

 Department of Justice (DOJ) Office of Justice Programs Bureau of Justice Assistance	AWARD CONTINUATION SHEET Grant	PAGE 14 OF 17
PROJECT NUMBER 2020-DC-BX-0109		AWARD DATE
SPECIAL CONDITIONS 32. The recipient agrees to comply with OJP grant monitoring guidelines, protocols, and procedures, and to cooperate with BJA and OCFO on all grant monitoring requests, including requests related to desk reviews, enhanced programmatic desk reviews, and/or site visits. The recipient agrees to provide to BJA and OCFO all documentation necessary to complete monitoring tasks, including documentation related to any subawards made under this award. Further, the recipient agrees to abide by reasonable deadlines set by BJA and OCFO for providing the requested documents. Failure to cooperate with BJA's/OCFO's grant monitoring activities may result in sanctions affecting the recipient's DOJ awards, including, but not limited to: withholdings and/or other restrictions on the recipient's access to grant funds; referral to the Office of the Inspector General for audit review; designation of the recipient as a DOJ High Risk grantee; or termination of an award(s). 33. Verification and updating of recipient contact information The recipient must verify its Point of Contact(POC), Financial Point of Contact (FPOC), and Authorized Representative contact information in GMS, including telephone number and e-mail address. If any information is incorrect or has changed, a Grant Adjustment Notice (GAN) must be submitted via the Grants Management System (GMS) to document changes. 34. The recipient agrees to cooperate with any assessments, national evaluation efforts, or information or data collection requests, including, but not limited to, the provision of any information required for the assessment or evaluation of any activities within this project. 35. Justification of consultant rate Approval of this award does not indicate approval of any consultant rate in excess of \$650 per day. A detailed justification must be submitted to and approved by the OJP program office prior to obligation or expenditure of such funds. 36. Recipient understands and agrees that it must submit quarterly Federal Financial Reports (SF-425) and semi-annual performance reports through GMS (https://grants.ojp.usdoj.gov), and that it must submit quarterly performance metrics reports through BJA's Performance Measurement Tool (PMT) website (https://bjapmt.ojp.gov/). For more detailed information on reporting and other requirements, refer to BJA's website. Failure to submit required reports by established deadlines may result in the freezing of grant funds and High Risk designation. 37. The grantee agrees to comply with the applicable requirements of 28 C.F.R. Part 38, the Department of Justice regulation governing "Equal Treatment for Faith Based Organizations" (the "Equal Treatment Regulation"). The Equal Treatment Regulation provides in part that Department of Justice grant awards of direct funding may not be used to fund any inherently religious activities, such as worship, religious instruction, or proselytization. Recipients of direct grants may still engage in inherently religious activities, but such activities must be separate in time or place from the Department of Justice funded program, and participation in such activities by individuals receiving services from the grantee or a sub-grantee must be voluntary. The Equal Treatment Regulation also makes clear that organizations participating in programs directly funded by the Department of Justice are not permitted to discriminate in the provision of services on the basis of a beneficiary's religion. Notwithstanding any other special condition of this award, faith-based organizations may, in some circumstances, consider religion as a basis for employment. See http://www.ojp.gov/about/ocr/equal_fbo.htm.		



PROJECT NUMBER 2020-DC-BX-0109

AWARD DATE

SPECIAL CONDITIONS

38. With respect to this award, federal funds may not be used to pay cash compensation (salary plus bonuses) to any employee of the award recipient at a rate that exceeds 110% of the maximum annual salary payable to a member of the federal government's Senior Executive Service (SES) at an agency with a Certified SES Performance Appraisal System for that year. (An award recipient may compensate an employee at a higher rate, provided the amount in excess of this compensation limitation is paid with non-federal funds.)

This limitation on compensation rates allowable under this award may be waived on an individual basis at the discretion of the OJP official indicated in the program announcement under which this award is made.

39. FFATA reporting: Subawards and executive compensation

The recipient must comply with applicable requirements to report first-tier subawards ("subgrants") of \$25,000 or more and, in certain circumstances, to report the names and total compensation of the five most highly compensated executives of the recipient and first-tier subrecipients (first-tier "subgrantees") of award funds. The details of recipient obligations, which derive from the Federal Funding Accountability and Transparency Act of 2006 (FFATA), are posted on the OJP web site at <https://ojp.gov/funding/Explore/FFATA.htm> (Award condition: Reporting Subawards and Executive Compensation), and are incorporated by reference here.

This condition, including its reporting requirement, does not apply to-- (1) an award of less than \$25,000, or (2) an award made to an individual who received the award as a natural person (i.e., unrelated to any business or non-profit organization that he or she may own or operate in his or her name).

40. Regarding medication-assisted treatment (MAT), the award recipient understands and agrees to the following: 1) all clients in a BJA-funded drug court have a right to access MAT under the care and prescription of a physician to the extent MAT is clinically indicated; 2) BJA-funded drug courts must not deny any eligible client enrollment to the drug court program because of their use of FDA-approved medications for the treatment of substance abuse; 3) MAT must be permitted to be continued for as long as the prescriber determines that the FDA-approved medication is clinically beneficial; 4) while under no circumstances can a BJA-funded drug court program deny access to MAT under the care and prescription of a physician when it is clinically indicated, a judge retains judicial discretion to mitigate/reduce the risk of abuse, misuse, or diversion of these medications; and 5) federal funds shall not be used to support activities that violate the Controlled Substances Act, 21 U.S.C. §§ 801-904.
41. All BJA-funded adult drug courts must be operated based on the 10 key components for drug courts, which are found in BJA's and National Association of Drug Court Professionals' (NADCP) publication: Defining Drug Courts: The Key Components at <https://www.ncjrs.gov/pdffiles1/bja/205621.pdf>. During the grant period of performance, if BJA concludes that a funded drug court is not conforming to the 10 key components, it retains the right to place the award recipient on a corrective action plan to bring the drug court into conformance. Continued failure to maintain conformance to the key components may result in a hold placed on award funds or suspension/termination of the grant award agreement.
42. The recipient agrees to submit to BJA, by the termination of the award period, an electronic copy of the final evaluation report. The final evaluation report must be submitted to BJA as a "Special Report," via the OJP Grants Management System Progress Reports Module.



Department of Justice (DOJ)
Office of Justice Programs
Bureau of Justice Assistance

AWARD CONTINUATION
SHEET
Grant

PAGE 16 OF 17

PROJECT NUMBER 2020-DC-BX-0109

AWARD DATE

SPECIAL CONDITIONS

43. The recipient understands and agrees that no award or matching funds may be used to provide services for violent offenders as defined in 42 U.S.C. 3797u-2, a "violent offender" means a person who—(1) is charged with or convicted of an offense that is punishable by a term of imprisonment exceeding one year, during the course of which offense or conduct—(A) the person carried, possessed, or used a firearm or dangerous weapon; (B) there occurred the death of or serious bodily injury to any person; or (C) there occurred the use of force against the person of another, without regard to whether any of the circumstances described in subparagraph (A) or (B) is an element of the offense or conduct of which or for which the person is charged or convicted; or (2) has 1 or more prior convictions for a felony crime of violence involving the use or attempted use of force against a person with the intent to cause death or serious bodily harm.
44. The recipient may not obligate, expend or draw down funds until the Office of the Chief Financial Officer (OCFO) has approved the budget and budget narrative and a Grant Adjustment Notice (GAN) has been issued to remove this special condition.
45. Recipient may not obligate, expend, or drawdown funds until the Bureau of Justice Assistance, Office of Justice Programs has reviewed and approved the Budget Narrative portion of the application and has issued a Grant Adjustment Notice (GAN) informing the recipient of the approval.
46. The recipient may not obligate, expend, or draw down any award funds for indirect costs, unless and until either -- (1) the recipient submits to OJP a current, federally-approved indirect cost rate agreement, or (2) the recipient determines that it is eligible under the Part 200 Uniform Requirements to use the "de minimis" indirect cost rate described in 2 C.F.R. 200.414(f), and advises OJP in writing of both its eligibility and its election.

The financial review of the budget for this award is pending. If the OJP Office of the Chief Financial Officer (OCFO) determines as part of its financial review that the recipient already has submitted the documentation concerning indirect costs described above, this condition will be released through a Grant Adjustment Notice (GAN) upon completion of the OCFO final budget review.

If the OJP OCFO instead determines as part of its financial review that the recipient has not yet submitted the required documentation concerning indirect costs, this condition will not be released until OJP (including its OCFO) receives and reviews a satisfactory submission.

47. Withholding of funds: Disclosure of pending applications

The recipient may not obligate, expend, or draw down any award funds until: (1) it has provided to the grant manager for this OJP award either an "applicant disclosure of pending applications" for federal funding or a specific affirmative statement that no such pending applications (whether direct or indirect) exist, in accordance with the detailed instructions in the program solicitation, (2) OJP has completed its review of the information provided and of any supplemental information it may request, (3) the recipient has made any adjustments to the award that OJP may require to prevent or eliminate any inappropriate duplication of funding (e.g., budget modification, project scope adjustment), (4) if appropriate adjustments to a discretionary award cannot be made, the recipient has agreed in writing to any necessary reduction of the award amount in any amount sufficient to prevent duplication (as determined by OJP), and (5) a Grant Adjustment Notice has been issued to remove this condition.

	Department of Justice (DOJ) Office of Justice Programs Bureau of Justice Assistance	AWARD CONTINUATION SHEET Grant	PAGE 17 OF 17
PROJECT NUMBER 2020-DC-BX-0109		AWARD DATE	
<i>SPECIAL CONDITIONS</i> 48. Withholding of funds: Research and evaluation independence and integrity The recipient may not obligate, expend, or draw down any award funds until: (1) it has provided to the grant manager for this OJP award information regarding research and evaluation independence and integrity in accordance with the detailed instructions in the program solicitation, (2) OJP has completed its review of the information provided and of any supplemental information it may request, (3) the recipient has made (or agreed to) any adjustments to the award (including as to amount) that OJP may require to prevent, eliminate, mitigate, or otherwise adequately address any actual or apparent personal or financial conflict of interest on the part of the investigators or other staff/consultants engaged in the research/evaluation or organizational conflict of interest on the part of the recipient entity, and (4) a Grant Adjustment Notice has been issued to remove this condition. If this award is a "discretionary" award (i.e., not an award under a statutory "formula" program), the recipient understands and agrees that if it does not provide an adequate research and evaluation independence and integrity submission (as determined by OJP), or if it fails to implement (as determined by OJP) any safeguard included in its submission or required by OJP, this award may be terminated (without right of appeal), upon thirty (30) calendar days advance written notice by OJP. 49. Withholding of funds: Subrecipient monitoring policies The recipient's response to the Subrecipient Management and Monitoring question(s) of the Financial Management and System of Internal Controls Questionnaire indicates that the recipient may not have controls in place to monitor the activities of any subrecipient, as necessary, to ensure that the subaward is used for authorized purposes in compliance with Federal laws, regulations, and the terms and conditions of the subaward and that subaward performance goals are achieved. (See 2 CFR 200.331(d)). The recipient agrees to submit a copy of its subrecipient monitoring policies and procedures to the OJP program office. If the recipient anticipates that it will not make a subaward under this award then, instead of submitting subrecipient monitoring policies and procedures, the recipient agrees that it must advise OJP in writing that it does not intend to make a subaward under this award. The recipient may not obligate, expend, or draw down funds under this award until either-- (1) the OJP program office has received, and OJP has reviewed and approved, the subrecipient monitoring policies and procedures, or (2) the OJP program office has received and considered the recipient's written communication and has agreed (for purposes of federal grants administrative requirements) that no subawards are anticipated under this award -- and a Grant Adjustment Notice has been issued to remove this condition. The recipient understands and agrees that it is obligated to immediately notify the OJP grant manager in writing of any later change in its plan to make or not make a subaward under this award.			



Department of Justice (DOJ)
Office of Justice Programs
Bureau of Justice Assistance

Washington, D.C. 20531

Memorandum To: Official Grant File

From: Orbin Terry, NEPA Coordinator

Subject: Categorical Exclusion for Walker County Commissioners

None of the following activities will be conducted whether under the Office of Justice Programs federal action or a related third party action:

- (1) New construction.
- (2) Any renovation or remodeling of a property located in an environmentally or historically sensitive area, including property (a) listed on or eligible for listing on the National Register of Historic Places, or (b) located within a 100-year flood plain, a wetland, or habitat for an endangered species.
- (3) A renovation that will change the basic prior use of a facility or significantly change its size.
- (4) Research and technology whose anticipated and future application could be expected to have an effect on the environment.
- (5) Implementation of a program involving the use of chemicals.

Additionally, the proposed action is neither a phase nor a segment of a project that when reviewed in its entirety would not meet the criteria for a categorical exclusion. Consequently, the subject federal action meets the Office of Justice Programs' criteria for a categorical exclusion as contained in paragraph 4(b) of Appendix D to Part 61 of Title 28 of the Code of Federal Regulations.

 Department of Justice (DOJ) Office of Justice Programs Bureau of Justice Assistance	GRANT MANAGER'S MEMORANDUM, PT. I: PROJECT SUMMARY	
	Grant	
	PROJECT NUMBER 2020-DC-BX-0109	PAGE 1 OF 1
This project is supported under FY20(BJA - Drug Courts) 34 USC 10611; Pub. L. No. 116-93, 133 Stat 2317, 2409		
1. STAFF CONTACT (Name & telephone number) NiKisha Love (202) 616-8241		2. PROJECT DIRECTOR (Name, address & telephone number) Gretchen E. Neal LMJC DC Coordinator 101 South Duke Street LaFayette, GA 30728 (706) 639-0899
3a. TITLE OF THE PROGRAM Adult Drug Court and Veterans Treatment Courts: Adult Drug Courts		3b. POMS CODE (SEE INSTRUCTIONS ON REVERSE)
4. TITLE OF PROJECT Lookout Mountain Judicial Circuit Enhancement		
5. NAME & ADDRESS OF GRANTEE Walker County Commissioners 101 S. Duke St. LaFayette, GA 30728-3601		6. NAME & ADDRESS OF SUBGRANTEE
7. PROGRAM PERIOD FROM: 10/01/2020 TO: 09/30/2023		8. BUDGET PERIOD FROM: 10/01/2020 TO: 09/30/2023
9. AMOUNT OF AWARD \$ 398,163		10. DATE OF AWARD
11. SECOND YEAR'S BUDGET		12. SECOND YEAR'S BUDGET AMOUNT
13. THIRD YEAR'S BUDGET PERIOD		14. THIRD YEAR'S BUDGET AMOUNT
15. SUMMARY DESCRIPTION OF PROJECT (See instruction on reverse) The Bureau of Justice Assistance (BJA) FY20 Adult Drug Court (ADC) and Veterans Treatment Court (VTC) Discretionary Grant Program provides financial and technical assistance to states, state courts, local courts, units of local government, and federally recognized Indian tribal governments to implement and enhance the operations of adult drug courts and veterans treatment courts. BJA's ADC/VTC Program supports efforts by state, local, and tribal courts to address the needs of individuals in the criminal justice system with substance abuse issues. The focus is to reduce opioid, stimulant, and substance abuse. BJA allows award recipients to implement or enhance the most appropriate drug court model to accommodate the needs and available resources of their jurisdictions, so long as the model conforms to the 10 key components and the evidence-based program principles in the nationally-recognized drug court standards. The grant recipient has an operational adult drug court or is ready to fully implement a drug court. Funding will be used to launch a drug court; scale up the drug court program's capacity; provide access to or enhance treatment capacity or other critical support services; enhance court operations; expand or enhance court		

services; or improve the quality and/or intensity of services based on needs assessments. CA/NCF

Jerry Johnson
Applicant: Terri Johnson (trustee)

Map & Parcel: D-124-009 Rezone from: R-2 to: C-2706-996-

PLANNING COMMISSION RECOMMENDATION:

_____APPROVED AS SUBMITTED

_____APPROVED WITH CONDITIONS

_____TABLED

9-16-2021 DENIAL

COMMISSIONERS FINAL DECISION:

_____APPROVED AS SUBMITTED

_____APPROVED WITH CONDITIONS

_____TABLED

Sharon K. Winters DENIAL 9/23/2021

The following disclosure is required of the applicant(s) by Section 36-67A-3 of O.C.G.A. The following is for disclosure purposes only and does not disqualify the petition.

Within the past two years, have you made either campaign contributions totaling \$250.00 or more and/or given gifts having value of \$250.00 or more to a local government official who will be responsible for making a recommendation or decision on the application? YES () NO (). If so, then on a separate page, please furnish the following information.

- A) The name of the local government official(s) to whom cash contribution or gift was made.
- B) The dollar amount(s) and date(s) of each campaign made by the applicant to each local government official during the two years immediately preceding the filing of the application; and
- C) An enumeration and description of each gift having a value of \$250.00 or more made by the applicant to each local government official within the past two years:

Signature of Petitioner/Owner:

OWNER

DATE

PETITIONER

DATE