

# FULTON COUNTY BOARD OF COMMISSIONERS

## RECESS MEETING

November 16, 2005

10 a.m.

Fulton County Government Center  
Assembly Hall  
141 Pryor Street SW  
Atlanta, Georgia 30303

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## POST AGENDA

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The minutes of this meeting are tentative and have not been ratified or approved by the Board of Commissioners, and this document is not binding on the County or any officer.

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Scheduled date for ratification: December 7, 2005

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**CALL TO ORDER:** Commission Chair Karen C. Handel

10:07 a.m.

**ROLL CALL:** Mark Massey, Clerk to the Commission

Karen C. Handel, Chair (District 1, At-Large)	<b>PRESENT</b>
Emma I. Darnell, Vice Chair (District 5)	<b>PRESENT</b>
Robert L. "Robb" Pitts, Commissioner (District 2, At-Large)	<b>PRESENT</b>
Lynne Riley, Commissioner (District 3)	<b>PRESENT</b>
Tom Lowe, Commissioner (District 4)	<b>PRESENT</b>
Nancy A. Boxill, Commissioner (District 6)	<b>PRESENT</b>
William "Bill" Edwards, Commissioner (District 7)	<b>PRESENT</b>

**INVOCATION:** Reverend Howard Creecy Jr., County Chaplain

**PLEDGE OF ALLEGIANCE:** Recited in unison

05-1316 ADOPTION OF THE NOVEMBER 16, 2005 CONSENT AGENDA

All matters listed on the Consent Agenda -- excluding \*Items 05-1330 and 05-1333 -- were considered routine by the County Commission and enacted by one motion.

\*Item 05-1330 was moved to the Recess Meeting Agenda for separate consideration as requested by Commissioner Pitts.

\*Item 05-1333 was held until the next Board meeting as requested by Commissioner Riley.

A motion was made by Commissioner Edwards and seconded by Commissioner Riley to approve the Consent Agenda as amended. The motion carried by a vote of 5-0-0. Commission Chair Handel and Commissioners Pitts, Riley, Boxill, and Edwards voted yes. Vice Chair Darnell and Commissioner Lowe did not vote.

The Consent Agenda consisted of the following items:

<b>CLERK TO THE COMMISSION</b>
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05-1317 CERTIFICATES, PROCLAMATIONS, AND RESOLUTIONS - FOR SPREADING ON THE MINUTES:

"Egbert L. J. Perry Appreciation Day"  
November 4, 2005 (Boxill)

"IMS Management Services, LLC Appreciation Day"  
November 4, 2005 (Boxill)

"National Adoption Day"  
November 19, 2005 (Darnell)

"Willie Mae James Appreciation Day"  
November 25, 2005 (Darnell)

05-1318 Request approval of the 2006 Board of Commissioners Regular and Recess Meetings Schedule.

POST AGENDA - RECESS MEETING - November 16, 2005

Voting Breakdown: 1<sup>st</sup> number = "yes" votes;  
2<sup>nd</sup> number = "no" votes;  
3<sup>rd</sup> number = "abstained" votes

**TAX COMMISSIONER**

**ALCOHOLIC BEVERAGE LICENSES FOR FINAL APPROVAL**

- 05-0441 Dollar Goods Inc. d/b/a Anatolia**  
(Public hearing conducted 4/6/05)  
10970 A State Bridge Rd., Alpharetta, Ga. 30022  
Consumption on the premises of wine and malt  
beverages. There is no legal reason why this  
application should not be approved and license  
granted.
- 05-0741 Double Happiness, Inc. d/b/a Splash Restaurant**  
(Public hearing conducted 6/15/05)  
11105 State Bridge Rd., Ste 3, Alpharetta, Ga. 30022  
Consumption on the premises of wine and malt  
beverages. There is no legal reason why this  
application should not be approved and license  
granted.
- 05-0814 Rising Wright Ventures d/b/a Metro Premium Wines of Georgia** (Public hearing conducted 7/6/05)  
6070 La Grange Blvd. SW, Atlanta, Ga. 30336  
Wholesale distributor of wine. There is no legal  
reason why this application should not be approved and  
license granted.
- 05-0868 Century Food LLC d/b/a Mirage Restaurant**  
(Public hearing conducted 7/20/05)  
6631 B Roswell Rd, Atlanta, Ga. 30328  
Consumption on the premises of wine and malt  
beverages. There is no legal reason why this  
application should not be approved and license  
granted.

- 05-0979 City Club North Inc. d/b/a The Ashford Club**  
(Public hearing conducted 8/17/05)  
5565 Glenridge Connector, Ste. 100, Atlanta, Ga. 30342. Consumption on the premises of wine, malt beverages, and distilled spirits. There is no legal reason why this application should not be approved and license granted.
- 05-1109 Yaps Enterprise Corp. d/b/a Nyonya Restaurant**  
(Public hearing conducted 9/21/05)  
7294 Roswell Rd., Atlanta, Ga. 30328  
Consumption on the premises of wine and malt beverages. There is no legal reason why this application should not be approved and license granted.
- 05-1194 Courtyard Management Corp. d/b/a The Market**  
(Public hearing conducted 10/5/05)  
12655 Deerfield Parkway, Ste B., Alpharetta, Ga. 30004  
Retail of wine and malt beverages. There is no legal reason why this application should not be approved and license granted.
- 05-1310 Pari Inc. d/b/a Skewers Bar & Grill**  
(Public hearing conducted 11/2/05)  
11950 Jones Bridge Rd., Ste. 112, Alpharetta, Ga. 30005. Consumption on the premises of wine, malt beverages, and distilled spirits. There is no legal reason why this application should not be approved and license granted.

**COUNTY MANAGER**

**COUNTY MANAGER**

**05-1319** Presentation of the following reports.

- 1) **CONTRACT COMPLIANCE**  
Minority and Female Business Enterprises  
Participation Report - November 2005
- 2) **FINANCE**  
Refund Report
- 3) **HUMAN SERVICES**  
Workforce Investment Act Report
- 4) **PUBLIC WORKS**  
Traffic Engineering Recommendations
- 5) **TAX SYSTEM**  
Tax System Report

**ATLANTA/FULTON LIBRARY**

**05-1320** Request approval to apply for and accept the Bill & Melinda Gates Computer Hardware and Software Grant to upgrade and enhance public access computers.  
Amount: \$180,000 (No County match required)

**CUSTOMER SERVICE**

**05-1321** Request approval of reimbursement to Mr. Raymond Goldsmith for vehicular damage from a pothole on Mount Vernon Road. Amount: \$547.83

**GENERAL SERVICES**

**05-1322** Request approval of the following Land Report items:

**1. An Option for a Temporary Easement** in the amount of **\$1,360.00** on property located on Coleman Street in Land Lot 86, 14<sup>th</sup> District, from **Fulton County to the City Of Atlanta**, in connection with the **City Of Atlanta's McDaniel Basin Sewer Separation Project**.

**2. A Consent and Subordination to Driveway and Parking Easement** on property located at the Dorothy C. Benson Senior Multipurpose Complex in Land Lots 72 and 88, 17<sup>th</sup> District, from **Fulton County to the Mt. Vernon Woods Community Association, Inc. and the Fulton County Facilities Corporation**, in connection with a joint **Driveway and Parking Easement Agreement**.

**3. Sewer Easement for Dedication** of property located in Land Lot 119, 1<sup>st</sup> District, 1<sup>st</sup> Section, from **Scott Meece**, in connection with the **Park Brooke Subdivision Project**.

**4. Sewer Easement for Dedication** of property located in Land Lot 299, 1<sup>st</sup> District, 2<sup>nd</sup> Section, from **Samuel D. Chontos**, in connection with the **Coleman Road Sewer Extension Project**.

**5. Sewer Easement for Dedication** of property located in Land Lot 299, 1<sup>st</sup> District, 2<sup>nd</sup> Section, from **Michael J. Hebberger**, in connection with the **Coleman Road Sewer Extension Project**.

**6. Sewer Easement for Dedication** of property located in Land Lot 1204, 2<sup>nd</sup> District, 2<sup>nd</sup> Section, from **Alireza T. Bathaei and Shahriar Zekavati**, in connection with the **Mid Broadwell Estate Subdivision Project**.

**7. Electric Utility Easement for Dedication** of property located in Land Lot 31, 17<sup>th</sup> District, from **Fulton County to Georgia Power**, in connection with the **Public Safety Radio Tower Project at Morgan Falls Park**.

## HEALTH AND WELLNESS

- 05-1323** Request approval of a reimbursable contract with WellCare of Georgia, Inc. to provide services to Medicaid-eligible members of the Care Management Organizations (CMO).
- 05-1324** Request approval of a contract with Healthy Families of Georgia to provide parenting skills training support to new parents and long-term home visit services to high-risk families. Amount: \$294,592 (100% grant funded)

## HUMAN SERVICES

- 05-1325** Request approval of contract amendment with the Atlanta Regional Commission allocating additional funding for the provision of Older Americans Act Services. Amount: \$88,474

## PARKS AND RECREATION

- 05-1326** Request approval to apply for and accept a grant from the Georgia Department of Transportation for replacement of an 80-foot bridge plus construction of an additional 1.5 miles of trail in Cochran Mill Park. Amount: \$351,138; County match: \$99,784 (in-kind) (design services and labor)
- 05-1327** Item removed after being assigned an agenda number.
- 05-1328** Item removed after being assigned an agenda number.

## PUBLIC WORKS

- 05-1329** Request approval of an agreement with the Georgia Department of Corrections to provide inmate work crews for Public Works projects. Amount: \$41,700 (Funds identified in existing budget)

*POST AGENDA - RECESS MEETING - November 16, 2005*  
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*3<sup>rd</sup> number = "abstained" votes*

**05-1330** Request approval of Memorandum of Understanding with Cobb County regarding wastewater issues.

**MOVED TO THE RECESS MEETING AGENDA FOR SEPARATE CONSIDERATION AS REQUESTED BY COMMISSIONER PITTS.**

A motion was made by Commission Chair Handel and seconded by Commissioner Pitts to approve. The motion carried by a vote of 5-0-0. Commission Chair Handel and Commissioners Pitts, Riley, Boxill, and Edwards voted yes. Vice Chair Darnell was present but did not vote. Commissioner Lowe did not vote.

**05-1331** Request approval of Memorandum of Understanding with South Fulton Community Improvement District (SFCID), Coweta County, City of Peachtree City, City of Senoia, Town of Tyrone, City of Union City, and City of Fairburn to address traffic congestion along the I-85/SR 74 corridor.

**05-1332** Request approval of Memorandum of Agreement with Cobb, Douglas, and Paulding counties and the Atlanta Regional Commission for development and planning of the Camp Creek Parkway/Thornton Road/C.H. James Corridor Study. Amount: \$37,500 (Funds identified in existing budget)

**05-1333** Request approval of a contract with KSS/North Fulton Beautiful, Inc. for maintenance on Medlock Bridge Road. Amount: \$110,000 (Funds identified in existing budget)

**HELD (DURING ADOPTION OF CONSENT AGENDA) UNTIL THE NEXT BOARD MEETING AS REQUESTED BY COMMISSIONER RILEY.**

**PURCHASING**

**05-1334** Request approval of Emergency Purchase Order.

**1. DEPARTMENT:** Public Works  
**SERVICE/COMMODITY:** T234-Stonewall Tell Road Over Camp Creek Bridge Replacement  
**BID #:** RFQ-05-EQ-STOCCKRS  
**TOTAL AMOUNT OF PURCHASE:** \$227,000  
**PRIME CONTRACTOR:** J. B. Trimble, Inc. (Atlanta, GA)  
**REQUESTED ACTION OF THE BOC:** Ratification of the County Manager's approval of the emergency purchase order #540 05SC4762K-RS to J. B. Trimble, Inc. in an amount not to exceed \$227,000 to design the bridge on Stonewall Tell Road over Camp Creek.  
**WORK:** Vendor is to design the bridge on Stonewall Tell Road over Camp Creek which is presently unsafe for vehicular traffic and is currently closed as a result of damage sustained during Hurricane Dennis. Work is to be completed within 90 days.

**SHERIFF**

**05-1335** Request approval of an Interagency Agreement with the U.S. Department of Justice to allow the Sheriff's Office to participate in the Federal Equitable Sharing Program.

**SUPERIOR COURT**

**05-1336** Request approval of contract renewal with Alternative Dispute Resolution to provide mediation services to the Fulton County Alternative Dispute Resolution Department. Amount: \$55,736 (100% grant funded)

\* \* \* **End of Consent Agenda Items** \* \* \*

05-1337 ADOPTION OF THE NOVEMBER 16, 2005 RECESS MEETING AGENDA

A motion was made by Commissioner Riley and seconded by Commissioner Edwards to approve the Recess Meeting Agenda as amended to remove Items 05-1307, 05-1348, and 05-1353 (numbers 2 and 3) and add a Proclamation (05-1339) and Items 05-1368 through 05-1371. The motion carried by a vote of 4-0-0. Commission Chair Handel and Commissioners Pitts, Riley, and Edwards voted yes. Commissioner Boxill was present but did not vote. Vice Chair Darnell and Commissioner Lowe did not vote.

05-1338 RATIFICATION OF MINUTES

Recess Meeting Minutes, October 19, 2005  
Regular Meeting Post Agenda, November 2, 2005

A motion was made by Commissioner Riley and seconded by Commissioner Edwards to ratify. The motion carried by a vote of 4-0-0. Commission Chair Handel and Commissioners Pitts, Riley, and Edwards voted yes. Commissioner Boxill was present but did not vote. Vice Chair Darnell and Commissioner Lowe did not vote.

05-1339 PRESENTATION OF CERTIFICATES, PROCLAMATIONS, AND RESOLUTIONS

Proclamation recognizing "Pam Clemmons Appreciation Day." (Lowe)

**PROCLAMATION NOT PRESENTED.**

Proclamation recognizing "Monica Kaufman Appreciation Day." (Handel)

**ADDED UPON THE ADOPTION OF THE RECESS MEETING AGENDA.**

**PROCLAMATION PRESENTED.**

**05-1340 PUBLIC COMMENT**

**RULES:** Citizens are allowed to voice County-related requests, concerns, opinions, etc. during the Public Comment portion of the Commission meeting. Before speaking, each participant must fill out a speaker card, located at the entryway, the podium, and the media and court reporter tables. Speaker cards must be submitted to the Clerk's staff, who will accept them on a first-come, first-served basis. Once Public Comment begins, speaker cards will no longer be accepted. **Speakers will be granted up to two minutes each, and Public Comment will not exceed 30 minutes.** Those who could not speak during Public Comment will be allowed to speak first at a subsequent Board meeting. For more information or to arrange a speaking date, speak with a member of the Clerk's Staff.

**SIX SPEAKERS:** Ms. Wyann W. Jackson (termination of swim coaches at Welcome All Park); Mr. Ed McBrayer (Beltline TAD); Mr. Michael Dudich (Beltline TAD); East Point Councilman Greg Fann (reduction in workforce); Mr. Curtis Bryant (Welcome All Park); and Ms. Carla Mannings (Welcome All Park swim team)

<b>PRESENTATIONS TO THE BOARD</b>
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**05-1341** Presentation by Mr. Emmet J. Bondurant, Chair of the Fulton County Blue Ribbon Criminal Justice Commission.

**PRESENTATION CONDUCTED.**

**05-1342** Presentation by Superior Court Chief Judge Doris Downs and Sheriff Myron Freeman regarding proposal for the lease or purchase of the former Atlanta Municipal Court and Detention Center.

**HEARD WITH ITEM 05-1314.**

**PRESENTATION CONDUCTED.**

*POST AGENDA - RECESS MEETING - November 16, 2005*  
*Voting Breakdown: 1<sup>st</sup> number = "yes" votes;*  
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*3<sup>rd</sup> number = "abstained" votes*

A motion was made by Commission Chair Handel and seconded by Vice Chair Darnell to send a letter to the Atlanta Mayor and City Council expressing the Board's interest in discussing the potential sale or lease of the former Atlanta Municipal Court and Detention Center properties as recommended by the Blue Ribbon Commission; to request Sheriff Freeman and Chief Judge Downs to provide the Board and the County Manager a detailed cost analysis by November 30, 2005, and begin a long-term feasibility study; and to accept a friendly amendment by Commissioner Pitts to approve his Resolution (05-1314). The motion carried by a unanimous vote of 7-0-0. Commission Chair Handel, Vice Chair Darnell, and Commissioners Pitts, Riley, Lowe, Boxill, and Edwards voted yes.

<b>ENVIRONMENT AND COMMUNITY DEVELOPMENT – UNFINISHED BUSINESS</b>
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05-1181 2005ZM 0065 FCN Abbotts Bridge Road

E & CD DEPT. Recommendation: Approval

CLUP: N/A

Application of the Fulton County Board of Commissioners, by Michael Katzin, by the General Services Department, seeks a zoning modification in an O-I (Office Institutional) zoning classification, to case number 2000Z 0062 to modify condition **1.a** to remove language "restricting 18,000 square feet open for service"; property located in land lots 197, 198, 230, and 231 of the 1<sup>st</sup> district, 1<sup>st</sup> section, Fulton County, Georgia.

A. A motion was made by Commission Chair Handel and seconded by Commissioner Riley to approve. (NO VOTE TAKEN)

B. A substitute motion was made by Commissioner Pitts and seconded by Commissioner Edwards to fund the recommended fixtures, furnishings, and equipment for the M. L. King, Jr. and Ocee libraries. (NO VOTE TAKEN)

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C. A substitute motion was made by Commissioner Lowe and seconded by Commission Chair Handel to approve the Library Director's recommended funding of the fixtures, furnishings, and equipment for the M. L. King, Jr. and Ocee libraries and to approve the related zoning (2005ZM 0065). (NO VOTE TAKEN)

D. A substitute motion was made by Commissioner Boxill and seconded by Vice Chair Darnell that the remaining project funds in the CIP account that have been designated for the Ocee Library be put in the 2005 General Fund's Library account, and that those dollars be spent in the proportions of \$616,000 for the Ocee Library and \$86,000 for the M. L. King, Jr. Library. (NO VOTE TAKEN)

E. A substitute motion was made by Commissioner Lowe and seconded by Commission Chair Handel to permit the expenditure of the funds for both libraries as previously stated [in motion D] and to approve the amendment to the zoning. (NO VOTE TAKEN BECAUSE THE MOTION WAS RULED OUT OF ORDER BY THE COUNTY ATTORNEY)

F. A substitute motion was made by Commissioner Lowe and seconded by Commission Chair Handel to approve the zoning (2005ZM 0065). The motion carried by a vote of 4-3-0. Commission Chair Handel and Commissioners Pitts, Riley, and Lowe voted yes. Vice Chair Darnell and Commissioners Boxill and Edwards voted no.

G. A motion was made by Commissioner Riley and seconded by Commission Chair Handel to call the question on motion F. The motion carried by a vote of 6-1-0. Commission Chair Handel, Vice Chair Darnell, and Commissioners Pitts, Riley, Lowe, and Edwards voted yes. Commissioner Boxill voted no.

H. A motion was made by Commission Chair Handel and seconded by Commissioner Riley to allocate the funding as recommended by the Library Director (\$616,000 for the Ocee Library and \$86,000 for the M. L. King, Jr. Library). The motion carried by a vote of 6-1-0. Commission Chair Handel and Commissioners Pitts, Riley, Lowe, Boxill, and Edwards voted yes. Vice Chair Darnell voted no.

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**COUNTY MANAGER – NEW BUSINESS**

**FINANCE**

**05-1343** Presentation of the 2006 Proposed Budget.

**BUDGET RECEIVED BY THE BOARD.**

The Board instructed the Clerk to poll the Commissioners regarding times for budget workshops.

**05-1344** Request approval of the Fifth (5<sup>th</sup>) Amendment to the Defined Contribution Plan to provide for automatic rollover for amounts greater than \$1,000 and less than \$5,000, as required by Internal Revenue Code Section 401(a).

A motion was made by Commissioner Boxill and seconded by Commissioner Edwards to approve. The motion carried by a unanimous vote of 7-0-0. Commission Chair Handel, Vice Chair Darnell, and Commissioners Pitts, Riley, Lowe, Boxill, and Edwards voted yes.

**HEALTH AND WELLNESS**

**05-1345** Request approval of the collaborative agreement with the West End Health Center pending attorney review.

A motion was made by Vice Chair Darnell and seconded by Commissioner Edwards to approve. The motion carried by a unanimous vote of 7-0-0. Commission Chair Handel, Vice Chair Darnell, and Commissioners Pitts, Riley, Lowe, Boxill, and Edwards voted yes.

## HUMAN SERVICES

- 05-1346 Presentation of Aging Update Report.  
(Pursuant to a Commissioner's request)

### PRESENTATION CONDUCTED.

Vice Chair Darnell requested Staff to continue its efforts in disseminating information about the Medicare Part D Prescription Drug Program to citizens who qualify for it, and to work with the County's press officer to use electronic media as an additional means to circulate information.

## INTERGOVERNMENTAL AFFAIRS

- 05-1347 Request approval of the 2006 Legislative Package.

### PACKAGE PRESENTED.

A. A motion was made by Commissioner Edwards and seconded by Commissioner Riley to support legislation requiring the Metropolitan Atlanta Regional Transit Authority (MARTA) to obtain the approval of the three local governing authorities that provide it with operating revenue before it can enter into reciprocal agreements with any transit provider that either operates within MARTA's jurisdiction or purports to connect with MARTA rail or bus lines. The motion carried by a vote of 5-2-0. Vice Chair Darnell and Commissioners Pitts, Riley, Boxill, and Edwards voted yes. Commission Chair Handel and Commissioner Lowe voted no.

B. A motion was made by Commission Chair Handel and seconded by Commissioner Edwards to support legislation to prohibit the transfer of tax executions to third-party purchasers. The motion carried by a unanimous vote of 7-0-0. Commission Chair Handel, Vice Chair Darnell, and Commissioners Pitts, Riley, Lowe, Boxill, and Edwards voted yes.

C. A motion was made by Commissioner Edwards and seconded by Commission Chair Handel to support

legislation to increase the daily amount the Georgia Department of Corrections pays to the County if an inmate is kept in the County jail after being sentenced to confinement in the state penal system. The motion carried by a unanimous vote of 7-0-0. Commission Chair Handel, Vice Chair Darnell, and Commissioners Pitts, Riley, Lowe, Boxill, and Edwards voted yes.

D. A motion was made by Commissioner Riley and seconded by Commissioner Lowe to support legislation revamping the application process for notaries public. The motion carried by a unanimous vote of 7-0-0. Commission Chair Handel, Vice Chair Darnell, and Commissioners Pitts, Riley, Lowe, Boxill, and Edwards voted yes.

E. A motion was made by Commissioner Lowe and seconded by Commission Chair Handel to support legislation making the issuance of license plates for government vehicles not require renewal. The motion carried by a unanimous vote of 7-0-0. Commission Chair Handel, Vice Chair Darnell, and Commissioners Pitts, Riley, Lowe, Boxill, and Edwards voted yes.

F. A motion was made by Commissioner Pitts and seconded by Commissioner Edwards to support legislation repealing the Fulton County Budget Law. The motion carried by a vote of 4-3-0. Vice Chair Darnell and Commissioners Pitts, Boxill, and Edwards voted yes. Commission Chair Handel and Commissioners Riley and Lowe voted no.

G. A motion was made by Commissioner Boxill and seconded by Commissioner Edwards to support curtailing cuts to grants-in-aid to local health departments. The motion carried by a vote of 6-1-0. Vice Chair Darnell and Commissioners Pitts, Riley, Lowe, Boxill, and Edwards voted yes. Commission Chair Handel voted no.

Vice Chair Darnell requested a meeting with Intergovernmental Affairs Director Diane Hutchins regarding senior transportation.

**OFFICE OF HOUSING**

**05-1348** Request approval of a policy on affordable housing sustainability for residential developments receiving governmental assistance.

**REMOVED AS REQUESTED BY THE COUNTY MANAGER.**

**REGISTRATION AND ELECTIONS**

**05-1349** Presentation of the November 8, 2005 Election Update.

**PRESENTATION CONDUCTED.**

**PURCHASING**

**05-1350** Request approval of Lowest Responsible Bidders.

**1. DEPARTMENT:** General Services  
**SERVICE/COMMODITY:** Ballasts, Lamps, Light Fixtures, and Related Supplies  
**BID #:** 05ITB45348YA-AA  
**TOTAL AMOUNT OF PURCHASE:** \$120,000  
**PRIME CONTRACTORS:** Sunshine Lighting (Brooklyn, NY) and Production Dynamics (Lilburn, GA)  
**REQUESTED ACTION OF THE BOC:** Award of contracts to Sunshine Lighting in the amount of \$33,156 and Production Dynamics in the amount of \$86,844 to provide ballasts, lamps, light fixtures, and related supplies from date of award through one (1) year later.

**2. DEPARTMENT:** Police  
**SERVICE/COMMODITY:** Pursuit Tires  
**BID #:** 05ITB45880YB  
**TOTAL AMOUNT OF PURCHASE:** \$90,000  
**PRIME CONTRACTORS:** Quick Fleet Tire Sales Inc. (Atlanta, GA) \$60,000 and Hill Tire Company (Forest Park, GA) \$30,000  
**REQUESTED ACTION OF THE BOC:** Request approval of the award of contracts to Quick Fleet Tire Sales Inc. and Hill Tire Co. to provide pursuit tires for the year

2006 in an amount not to exceed \$90,000 for the period January 1, 2006, through December 31, 2006.

**3. DEPARTMENT:** Public Works

**SERVICE/COMMODITY:** T042 Rico Tatum Road over Cedar Branch and T181 McClure Road over Line Creek bridge replacements

**BID #:** 05ITB47012K-NH

**TOTAL AMOUNT OF PURCHASE:** \$1,298,000

**PRIME CONTRACTOR:** J. M. Wilkerson Construction Company (Marietta, GA)

**REQUESTED ACTION OF THE BOC:** Approval of a contract with J. M. Wilkerson Construction Company in an amount not to exceed \$1,298,000 to construct the Rico Tatum over Cedar Creek and the McClure Road over Line Creek bridges for a period not to exceed 180 available days from date of notice to proceed.

A motion was made by Commissioner Lowe and seconded by Commissioner Riley to approve numbers 1-3. The motion carried by a vote of 6-0-0. Commission Chair Handel and Commissioners Pitts, Riley, Lowe, Boxill, and Edwards voted yes. Vice Chair Darnell did not vote.

**05-1351** Request approval of Change Order greater than 10 percent.

**1. BID#** 05ITB20040103YA

**RESPONSIBLE DEPARTMENT:** Fire

**PROJECT:** Gasoline & Diesel

**PRIME CONTRACTOR:** S. A. White (Marietta, GA)

**REQUESTED ACTION OF THE BOC:** To approve change order #2 of General Services 2004 bid for gasoline & diesel fuel (Bid #20040103YA) in an amount not to exceed \$65,000 to S. A. White Company.

**ACTION:** Approval of Change Order No. 2

**REFERENCE:** Fulton County Procedure 800-6, II Item No. 5, Owner Requested Change that is directly related to an integral part of the scope of the project.

**REASON:** To increase the contract by 65,000.

**JUSTIFICATION:** Increase the contract amount.

**IMPACT:** To continue to provide gasoline & diesel fuel for the Fire Department.

**FUNDING:** 300/310/P015/1452

*POST AGENDA - RECESS MEETING - November 16, 2005*

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*2<sup>nd</sup> number = "no" votes;*

*3<sup>rd</sup> number = "abstained" votes*

Award History	Boc item	Date	DOLLAR AMOUNT
Original Contract Amount \$	04-0927	08/18/2004	\$125,000
Change Order #1	04-1141	05/18/2005	\$114,000
Change Order #2			<b>\$ 65,000</b>
Change Order #3			
<b>This Change Order (52%)</b>			<b>\$ 65,000</b>
<b><u>Total of All Change Orders</u></b>			<b><u>\$179,000</u></b>
Total Revised Amount			\$304,000

A motion was made by Commissioner Boxill and seconded by Commissioner Lowe to approve. The motion carried by a vote of 6-0-0. Commission Chair Handel and Commissioners Pitts, Riley, Lowe, Boxill, and Edwards voted yes. Vice Chair Darnell did not vote.

**05-1352** Request approval of Recommended Proposals.

**1. DEPARTMENT:** Parks and Recreation

**SERVICE/COMMODITY:** Master Planning Services for Cedar Grove Park, Old National Park, Welcome All Park & Natatorium, and Newtown Park

**RFP #:**05RFP46027A-TD

**TOTAL AMOUNT OF PURCHASE:** \$71,956

**PRIME CONTRACTORS:** Altamira Design & Common Sense, Inc. (Atlanta, GA) \$24,200 and W. K. Dickson (Atlanta, GA) \$47,756

**REQUESTED ACTION OF THE BOC:** Approval of contract to Altamira Design & Common Sense, Inc. and W. K. Dickson for master planning services for Cedar Grove Park, Old National Park, Welcome All Park & Natatorium, and Newtown Park from date of award through a one (1) year period in the total amount of \$71,956.

A motion was made by Commissioner Boxill and seconded by Commissioner Edwards to approve. The motion carried by a vote of 5-0-0. Commissioners Pitts, Riley, Lowe, Boxill, and Edwards voted yes. Commission Chair Handel was present but did not vote. Vice Chair Darnell did not vote.

Commissioner Riley requested that Newtown Park be referenced in the contract.

**05-1353** Request approval to Amend Existing Contracts.

**1. DEPARTMENT:** General Services  
**SERVICE/COMMODITY:** Door Repair including Overhead Doors with Preventive and Predictive Maintenance  
**BID/RFP#:** 2005005YA  
**TOTAL AMOUNT OF PURCHASE:** \$113,000  
**PRIME CONTRACTOR:** Overhead Door Company of Atlanta, (Atlanta, GA)  
**REQUESTED ACTION OF THE BOC:** Request approval to amend the existing contract with Overhead Door Company of Atlanta from \$160,000 to \$273,000, an increase of \$113,000, to cover increased requirements through March 27, 2006.  
**WORK:** Increased requirements for door repair including overhead doors with preventive and predictive maintenance.  
**FUNDING:** Funding is available for 2005 in the amount of \$40,000 in account 100-520-5221-1116. Funding in the amount of \$30,000 in account 100-520-5220-1116 and \$43,000 in account 100-520-5221-1116 is pending approval of the 2006 budget.

Award History	Boc item	Date	DOLLAR AMOUNT
Original Contract Amount \$	05-0172	1-19-05	\$160,000
<b>This Amendment (70.63%)</b>			<b>\$113,000</b>
<b><u>Total of All Amendments</u></b>			<b><u>\$113,000</u></b>
Total Revised Amount			\$273,000

A motion was made by Commissioner Lowe and seconded by Commissioner Edwards to approve number 1. The motion carried by a vote of 6-0-0. Commission Chair Handel and Commissioners Pitts, Riley, Lowe, Boxill, and Edwards voted yes. Vice Chair Darnell did not vote.

**2. DEPARTMENT:** Information Technology  
**SERVICE/COMMODITY:** Kronos Time Management Software  
**TOTAL AMOUNT OF PURCHASE:** \$397,000  
**PRIME CONTRACTOR:** Kronos Corporation (Alpharetta, GA)  
**REQUESTED ACTION OF THE BOC:** Approval to amend contract with Kronos Corporation to provide a countywide timekeeping application, in an amount

not to exceed \$397,000 to include yearly renewal options on the anniversary date of its commencement date at the option of either party.

**NUMBER 2 WAS REMOVED AS REQUESTED BY THE COUNTY MANAGER.**

**3. DEPARTMENT:** Information Technology  
**SERVICE/COMMODITY:** Visual Healthnet Software Application  
**TOTAL AMOUNT OF PURCHASE:** \$418,526  
**PRIME CONTRACTOR:** Mitchell and McCormick (Stone Mountain, GA)  
**REQUESTED ACTION OF THE BOC:** Approval to amend contract with Mitchell and McCormick to provide Fulton County with a new case management system for health agencies in an amount not to exceed \$418,526 for the period from date of award through December 31, 2006.

**NUMBER 3 WAS REMOVED AS REQUESTED BY THE COUNTY MANAGER.**

**05-1354** Request approval to Renew Existing Contracts.

**1. DEPARTMENT:** Human Services  
**SERVICE/COMMODITY:** Office Supplies  
**BID #:** 2005ITB39229YC  
**TOTAL AMOUNT OF PURCHASE:** \$154,000  
**PRIME CONTRACTOR:** Quick Delivery (Kennesaw, GA)  
**REQUESTED ACTION OF THE BOC:** To approve the only renewal option with Quick Delivery to provide Office Supplies in the amount of \$154,000 from January 1, 2006, through December 31, 2006.

<b>AWARD HISTORY</b>	<b>BOC ITEM #</b>	<b>DATE</b>	<b>Amount \$</b>
Original Award Amount	05-0620	May 18, 2005	\$172,000
<b>This Renewal</b>			<b>\$154,000</b>
<b><u>Total of all Renewals</u></b>			<b><u>\$154,000</u></b>
Total Revised Amount			\$326,000

**POST AGENDA - RECESS MEETING - November 16, 2005**  
**Voting Breakdown:** 1<sup>st</sup> number = "yes" votes;  
2<sup>nd</sup> number = "no" votes;  
3<sup>rd</sup> number = "abstained" votes

**2. DEPARTMENT:** Information Technology  
**SERVICE/COMMODITY:** CAMA/OASIS Maintenance Agreements  
**BID/RFP#:** Sole Source  
**TOTAL AMOUNT OF PURCHASE:** \$127,352  
**PRIME CONTRACTOR:** Cole, Layer, Trumble (Dayton, OH)  
**REQUESTED ACTION OF THE BOC:** Approval of a twelve (12) month maintenance agreement with COLE, LAYER, TRUMBLE to continue utilizing the current system, as well as receiving software fixes, enhancements and new releases, to complement existing software in an amount not to exceed \$127,352. Yearly renewals are exercised at the option of Fulton County.

Award History	Boc item	Date	DOLLAR AMOUNT
Original Award Amount \$	02-0936	08-21-02	\$121,302.50
1 <sup>st</sup> Renewal	03-1167	09-17-03	\$127,352.75
2 <sup>nd</sup> Renewal	04-1047	09-15-04	\$121,302.50
<b>3<sup>rd</sup> Renewal</b>			<b>\$127,352.00</b>
4 <sup>th</sup> Renewal			
<b>This Renewal</b>			<b>\$127,352.00</b>
<b><u>Total of All Renewals</u></b>			<b><u>\$382,057.25</u></b>
Total Revised Amount			\$503,359.75

**3. DEPARTMENT:** Information Technology  
**SERVICE/COMMODITY:** Online Computer Based Training  
**BID/RFP#:** 20030011YB  
**TOTAL AMOUNT OF PURCHASE:** \$119,500  
**PRIME CONTRACTOR:** Vixio Technology (Atlanta, GA)  
**REQUESTED ACTION OF THE BOC:** Approval of the second of two one (1) year renewal options with Vixio Technology to provide employee training on various computer applications, products, and skills for the period of January 1, 2006, through December 31, 2006.

Award History	Boc item	Date	DOLLAR AMOUNT
Original Award Amount \$	03-1398	11/19/03	\$119,500
1 <sup>st</sup> Renewal	04-0927	09/15/04	\$119,500
2 <sup>nd</sup> Renewal			<b>\$119,500</b>
3 <sup>rd</sup> Renewal			
4 <sup>th</sup> Renewal			
<b>This Renewal</b>			<b>\$119,500</b>
<b><u>Total of All Renewals</u></b>			<b><u>\$239,000</u></b>
Total Revised Amount			\$358,500

**4. DEPARTMENT:** Information Technology

**SERVICE/COMMODITY:** American Management System Upgrade

**BID/RFP#:** Sole Source

**TOTAL AMOUNT OF PURCHASE:** \$1,955,000

**PRIME CONTRACTOR:** GGI-AMS Financial Services  
(Norcross, GA)

**REQUESTED ACTION OF THE BOC:** Approval of the third of five (5) one-year renewal options with AMS to upgrade, convert, and implement the financial, purchasing and personnel software packages to an integrated web-enabled server-based platform in an amount not to exceed \$1,955,000 for the period of March 1, 2006, through March 1, 2007.

Award History Implementation Award History	Boc item #	Date	DOLLAR AMOUNT
Original Award Amount \$	03-0906	07-16-03	\$500,000
1 <sup>st</sup> Renewal	04-0501	04/21/04	\$875,360
2 <sup>nd</sup> Renewal	05-0287	02-16-05	\$900,000
3 <sup>rd</sup> Renewal			<b>\$1,100,000</b>
4 <sup>th</sup> Renewal			
<b>This Renewal</b>			<b>\$1,100,000</b>
<b><u>Total of All Renewals</u></b>			<b><u>\$2,875,360</u></b>
Total Revised Amount			\$3,375,360

POST AGENDA - RECESS MEETING - November 16, 2005

Voting Breakdown: 1<sup>st</sup> number = "yes" votes;

2<sup>nd</sup> number = "no" votes;

3<sup>rd</sup> number = "abstained" votes

Award History Maintenance Award History	Boc item #	Date	DOLLAR AMOUNT
Original Award Amount \$	03-0404	03-19-03	\$134,742.19
1 <sup>st</sup> Renewal	04-0501	04-21-04	\$270,000.00
2 <sup>nd</sup> Renewal	05-0505	04-20-05	\$356,782.00
3 <sup>rd</sup> Renewal			<b>\$855,000.00</b>
4 <sup>th</sup> Renewal			
<b>This Renewal</b>			<b>\$855,000.00</b>
<b><u>Total of All Renewals</u></b>			<b><u>\$1,481,782.00</u></b>
Total Revised Amount			\$1,616,524.19

**5. DEPARTMENT:** Information Technology

**SERVICE/COMMODITY:** Historical Archiving Services

**BID/RFP#:** Sole Source

**TOTAL AMOUNT OF PURCHASE:** \$11,948

**PRIME CONTRACTOR:** Atlanta Historical Society (Atlanta, GA)

**REQUESTED ACTION OF THE BOC:** Approval of the first of four (4) one-year renewal options with the Atlanta Historical Society to provide archival repository services to include the preservation, maintenance and research support services for County records in an amount not to exceed \$11,948 for the period January 1, 2006, through December 31, 2006.

Award History	Boc item	Date	DOLLAR AMOUNT
Original Award Amount \$	04-1250	11-17-04	\$11,600
1 <sup>st</sup> Renewal			<b>\$11,948</b>
2 <sup>nd</sup> Renewal			
3 <sup>rd</sup> Renewal			
4 <sup>th</sup> Renewal			
<b>This Renewal</b>			<b>\$11,948</b>
<b><u>Total of All Renewals</u></b>			\$11,948
Total Revised Amount			\$23,548

POST AGENDA - RECESS MEETING - November 16, 2005

Voting Breakdown: 1<sup>st</sup> number = "yes" votes;

2<sup>nd</sup> number = "no" votes;

3<sup>rd</sup> number = "abstained" votes

**6. DEPARTMENT:** Information Technology  
**SERVICE/COMMODITY:** Tax System Software Upgrade  
**BID/RFP#:** Sole Source  
**TOTAL AMOUNT OF PURCHASE:** \$885,000  
**PRIME CONTRACTOR:** Cole, Layer, Trumble (Dayton, OH)  
**REQUESTED ACTION OF THE BOC:** Approval of the third (3rd) of six (6) one-year renewal options with COLE, LAYER, TRUMBLE to continue upgrades to the CAMA and OASIS software programs in an amount not to exceed \$885,000 for the period June 19, 2006, through June 18, 2007.

Award History	Boc item	Date	DOLLAR AMOUNT
Original Award Amount \$	03-0653	5-21-03	\$200,000
1 <sup>st</sup> Renewal	04-0251	2-18-04	\$565,000
2 <sup>nd</sup> Renewal	04-1249	11-17-04	\$785,000
3 <sup>rd</sup> Renewal			<b>\$885,000</b>
4 <sup>th</sup> Renewal			
<b>This Renewal</b>			<b>\$885,000</b>
<b><u>Total of All Renewals</u></b>			<b><u>\$2,235,000</u></b>
Total Revised Amount			\$2,435,000

**7. DEPARTMENT:** Public Works  
**SERVICE/COMMODITY:** Lab Testing Wastewater Services  
**BID #:** 2005079YC  
**TOTAL AMOUNT OF PURCHASE:** \$160,000  
**PRIME CONTRACTOR:** Analytical Environmental Services (Atlanta, GA)  
**REQUESTED ACTION OF THE BOC:** To approve the only renewal option with Analytical Environmental Services to provide lab testing wastewater services in the amount of \$160,000 from January 1, 2006, through December 31, 2006.

AWARD HISTORY	BOC ITEM #	DATE	Amount \$
Original Award Amount	05-0620	May 18, 2005	\$160,000
<b>This Renewal</b>			<b>\$160,000</b>
<b><u>Total of all Renewals</u></b>			<b><u>\$160,000</u></b>
Total Revised Amount			\$320,000

POST AGENDA - RECESS MEETING - November 16, 2005  
Voting Breakdown: 1<sup>st</sup> number = "yes" votes;  
2<sup>nd</sup> number = "no" votes;  
3<sup>rd</sup> number = "abstained" votes

**8. DEPARTMENT:** Sheriff  
**SERVICE/COMMODITY:** Inmate Medical Health Services  
**BID/RFP#:** 04RFP707B  
**TOTAL AMOUNT OF PURCHASE:** \$9,897,160.37  
**PRIME CONTRACTOR:** Correctional Medical Associates Inc. (Atlanta, GA)  
**REQUESTED ACTION OF THE BOC:** Approval of the second (2nd) of two one (1) year renewal options with Correctional Medical Associates Inc. to provide medical health services in an amount not to exceed \$9,897,160.37 for the period January 1, 2006, through December 31, 2006.

Award History	Boc item	Date	DOLLAR AMOUNT
Original Award Amount \$	03-1289	10-15-03	\$9,897,160.37
1 <sup>st</sup> Renewal	04-1249	11-17-04	\$10,075,309.26
2 <sup>nd</sup> Renewal			<b>\$9,897,160.37</b>
3 <sup>rd</sup> Renewal			
4 <sup>th</sup> Renewal			
This Renewal			<b>\$9,897,160.37</b>
<u>Total of All Renewals</u>			<b>\$19,972,469.63</b>
Total Revised Amount			\$29,869,630.00

A motion was made by Commissioner Lowe and seconded by Commissioner Boxill to approve numbers 1-8. The motion carried by a vote of 6-0-0. Commission Chair Handel and Commissioners Pitts, Riley, Lowe, Boxill, and Edwards voted yes. Vice Chair Darnell was present but did not vote.

Commission Chair Handel clarified that funding for these contracts is pending the adoption of the 2006 budget.

**05-1355** Request approval of Revenue Generating Contract.

**1. DEPARTMENT:** Police  
**SERVICE/COMMODITY:** Wrecker Services  
**BID/RFP #:** 05ITB11125YB  
**TOTAL AMOUNT OF REVENUE:** \$38,150  
**PRIME CONTRACTOR:** A-Tow Atlanta Incorporated (Atlanta, GA)

*POST AGENDA - RECESS MEETING - November 16, 2005*

*Voting Breakdown: 1<sup>st</sup> number = "yes" votes;  
2<sup>nd</sup> number = "no" votes;  
3<sup>rd</sup> number = "abstained" votes*

**REQUESTED ACTION OF THE BOC:** Approval of a contract to A-Tow Atlanta Incorporated for wrecker services wherein Fulton County will receive \$38,150 for the period January 1, 2006, through December 31, 2006, with an option to renew for two (2) additional twelve-month periods.

A motion was made by Commissioner Lowe and seconded by Commissioner Edwards to approve. The motion carried by a vote of 6-0-0. Commission Chair Handel and Commissioners Pitts, Riley, Lowe, Boxill, and Edwards voted yes. Vice Chair Darnell was present but did not vote.

<b>COMMISSIONERS' ITEMS – UNFINISHED BUSINESS</b>
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**05-1104** Request approval of a Resolution to amend provisions of the Fulton County Code establishing local preference in contracting so as to provide uniformity in purchases. **(Darnell)** (*Held 9/21/05, 10/5/05, 10/19/05, 11/2/05*)

**REPLACED WITH ITEM 05-1370.**

**05-1314** Request approval of a Resolution to direct the County Manager to negotiate with the City of Atlanta regarding acquisition of the former Atlanta Municipal Court Building and the Atlanta City Jail. **(Pitts)** (*Held 11/2/05*)

**VOTED UPON WITH ITEM 05-1342.**

A motion was made by Commission Chair Handel and seconded by Vice Chair Darnell to send a letter to the Atlanta Mayor and City Council expressing the Board's interest in discussing the potential sale or lease of the former Atlanta Municipal Court and Detention Center properties as recommended by the Blue Ribbon Commission; to request Sheriff Freeman and Chief Judge Downs to provide the Board and the County Manager a detailed cost analysis by November 30, 2005, and begin a long-term feasibility study; and to accept a

friendly amendment by Commissioner Pitts to approve his Resolution (05-1314). The motion carried by a unanimous vote of 7-0-0. Commission Chair Handel, Vice Chair Darnell, and Commissioners Pitts, Riley, Lowe, Boxill, and Edwards voted yes.

<b>COMMISSIONERS' ITEMS – NEW BUSINESS</b>
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**05-1356** Request approval of a Resolution to approve the Beltline TAD. (Handel)

A. A motion was made by Commission Chair Handel and seconded by Commissioner Boxill to approve with the following condition: In the event that the Beltline TAD recognizes any increment in excess of that amount required to provide for debt service and coverage (the "excess increment"), and where such funds are not anticipated in future bond issuances, and where the City has determined that such funds may revert to the City's General Fund pursuant to Section 18 of the City Ordinance, the portion of the excess increment attributable to Fulton County ad valorem taxes shall revert to the County's General Fund. (NO VOTE TAKEN)

B. A substitute motion was made by Vice Chair Darnell and seconded by Commissioner Edwards to hold for no more than 30 days. (NO VOTE TAKEN)

C. A substitute motion was made by Commission Chair Handel and seconded by Commissioner Lowe to hold until the December 7, 2005 Board meeting. The motion carried by a unanimous vote of 7-0-0. Commission Chair Handel, Vice Chair Darnell, and Commissioners Pitts, Riley, Lowe, Boxill, and Edwards voted yes.

Commissioner Pitts requested the County Manager and Finance Director to provide a projection on what kind of four-year-cycle impact (years 2010, 2014, 2018, and 2022) the TAD would have on the County given a loss of revenue from Sandy Springs, Johns Creek, and Milton.

Commission Chair Handel requested the Board to add a discussion item regarding TADs to the budget workshop.

**05-1357** Request approval of a Resolution to direct the Department of Environment and Community Development to enhance the permitting process as it relates to approved development projects located within unincorporated Fulton County, to provide for an effective date, and for other purposes. (Riley)

A motion was made by Commissioner Riley and seconded by Commissioner Edwards to approve. The motion carried by a unanimous vote of 7-0-0. Commission Chair Handel, Vice Chair Darnell and Commissioners Pitts, Riley, Lowe, Boxill, and Edwards voted yes.

**05-1358** Discussion on the need for a sewage agreement with the City of Sandy Springs. (Lowe)

DISCUSSION CONDUCTED.

Commissioner Lowe requested the County Attorney to draft a sewage agreement between the County and the City of Sandy Springs.

**05-1359** Discussion on the future of negotiations with the City of Sandy Springs to include the entire Board of Commissioners and all elected officials of the City of Sandy Springs. (Lowe)

A motion was made by Commission Chair Handel and seconded by Vice Chair Darnell to dissolve the original Negotiating Team and appoint the County Manager, who will be assisted by the County Attorney, to be the County's representative for further negotiations, and, between now and December 7, 2005, the County Manager shall provide the Board with a list of items that have been discussed, along with his recommendations, so that the Board can consider taking a policy position. The motion carried by a unanimous vote of 7-0-0. Commission Chair Handel, Vice Chair Darnell, and Commissioners Pitts, Riley, Lowe, Boxill, and Edwards voted yes.

Commissioner Boxill requested the County Manager to give the Board a list of the services that the County will no longer be providing to Sandy Springs starting January 1, 2006.

05-1360 Request approval of a Resolution to amend Fulton County Policy and Procedure 800-9 concerning evaluation and award of County contracts. (Edwards)

HELD AS REQUESTED BY COMMISSIONER EDWARDS.

**BOARD APPOINTMENTS**

05-0009 DEVELOPMENT AUTHORITY OF FULTON COUNTY

Term = Four (4) years, staggered

Term below expired May 31, 2005:

Mr. Harold A. Dawson, Sr. (Edwards)

Commissioner Edwards nominated Mr. Harold A. Dawson, Sr. for reappointment to a term ending May 31, 2009.

A motion was made by Commissioner Edwards and seconded by Commissioner Lowe to approve. The motion carried by a unanimous vote of 7-0-0. Commission Chair Handel, Vice Chair Darnell, and Commissioners Pitts, Riley, Lowe, Boxill, and Edwards voted yes.

**TAX COMMISSIONER – UNFINISHED BUSINESS**

05-0637 IDK INC. DBA BABE'S PUB & POOL (ADULT ENTERTAINMENT LICENSE FOR FINAL APPROVAL)

304 Fulton Industrial Circle, Atlanta, GA 30336  
(Public Hearing conducted 5/18/05)

Adult entertainment. There is no legal reason why this application should not be approved and license granted. (Held 10/19/05, 11/2/05)

A motion was made by Commissioner Pitts and seconded by Commissioner Lowe to approve. The vote was 3-4-0. Commissioners Pitts, Riley, and Lowe voted yes. Commission Chair Handel, Vice Chair Darnell, and Commissioners Boxill and Edwards voted no. (THE MOTION DID NOT RECEIVE FOUR AFFIRMATIVE VOTES; THEREFORE, NO ACTION WAS TAKEN ON THE MOTION.)

05-1307 Request approval to write off uncollectible delinquent personal property taxes. (Held 11/2/05)

POST AGENDA - RECESS MEETING - November 16, 2005

Voting Breakdown: 1<sup>st</sup> number = "yes" votes;  
2<sup>nd</sup> number = "no" votes;  
3<sup>rd</sup> number = "abstained" votes

REMOVED AS REQUESTED BY THE TAX COMMISSIONER.

**TAX COMMISSIONER – NEW BUSINESS**

**ALCOHOLIC BEVERAGE LICENSES**  
**FOR PUBLIC HEARING ONLY**

**05-1361 Espetinho Brazilian Grill Inc. d/b/a Espetihno Brazilian Grill** 350 Northridge Rd., Atlanta, Ga. 30350  
Consumption on the premises of wine and malt beverages. There is no legal reason why this public hearing should not be conducted.

**PUBLIC HEARING CONDUCTED. NO SPEAKERS.**

**05-1362 Ko & Yim Enterprises, Inc. d/b/a KoKo's Diner** 9950 Jones Bridge Rd. Ste. 100, Alpharetta, Ga. 30022  
Consumption on the premises of wine and malt beverages. There is no legal reason why this public hearing should not be conducted.

**PUBLIC HEARING CONDUCTED. NO SPEAKERS.**

**05-1363 Atlanta Wines International, Inc. d/b/a Atlanta Wholesale Wines** One National Drive SE, Atlanta, Ga. 30336. Wholesale distribution of wine. There is no legal reason why this public hearing should not be conducted.

**PUBLIC HEARING CONDUCTED. NO SPEAKERS.**

**05-1364 Quik Thrift #939 d/b/a Charlie's Corner Market** 3939 Cascade-Palmetto Hwy, Fairburn, Ga. 30213  
Retail of malt beverages. There is no legal reason why this public hearing should not be conducted.

**PUBLIC HEARING CONDUCTED. NO SPEAKERS.**

**05-1365 Shiraz & Shaz Inc. d/b/a Shell Food Mart**  
8340 Roswell Rd, Atlanta, Ga. 30350

*POST AGENDA - RECESS MEETING - November 16, 2005*

*Voting Breakdown: 1<sup>st</sup> number = "yes" votes;*

*2<sup>nd</sup> number = "no" votes;*

*3<sup>rd</sup> number = "abstained" votes*

Retail of wine and malt beverages. There is no legal reason why this public hearing should not be conducted.

**PUBLIC HEARING CONDUCTED. NO SPEAKERS.**

**05-1366 VSD Enterprises Inc.**

9945 Jones Bridge Rd., Suites 107 & 108, Alpharetta, Ga. 30022. Retail of wine, malt beverages, and distilled spirits. There is no legal reason why this public hearing should not be conducted.

**PUBLIC HEARING CONDUCTED. NO SPEAKERS.**

<b>EXECUTIVE SESSION</b>
--------------------------

**05-1367** Executive session to discuss litigation. (County Attorney)

A motion was made by Commission Chair Handel and seconded by Commissioner Edwards to approve the proposed consent order to approve payment of attorneys' fees in the amount of \$80,000 and to approve the payment of personal damages to Mr. Frederick Harper in the amount of \$7,500, which will resolve the Harper vs. Fulton County case. The motion carried by a vote of 5-0-0. Commission Chair Handel, Vice Chair Darnell, and Commissioners Riley, Boxill, and Edwards voted yes. Commissioners Pitts and Lowe did not vote.

Present in Executive Session: Commission Chair Handel, Vice Chair Darnell, and Commissioners Pitts, Riley, Lowe, Boxill, and Edwards; County Manager Thomas Andrews; County Attorney O.V. Brantley; and Clerk to the Commission Mark Massey.

**ADDED UPON THE ADOPTION OF THE RECESS MEETING AGENDA**

**05-1368** COMMISSIONERS' ITEM - Request approval of a Resolution amending the Fulton County Personnel Regulation on Reduction in Force. (**Darnell**)

**HELD AS REQUESTED BY VICE CHAIR DARNELL.**

**05-1369** COMMISSIONERS' ITEM - Discussion of the Board of Tax Assessors' response regarding recognized challenges. (**Boxill**)

**DISCUSSION CONDUCTED.**

**05-1370** COMMISSIONERS' ITEM - Request approval of a Resolution to amend provisions of the Fulton County Code establishing local preference in contracting so as to provide uniformity in purchases. (**Darnell**) (*This Item replaces Item 05-1104 on page 20*)

**HEARD IN PLACE OF 05-1104.**

**A motion was made by Vice Chair Darnell and seconded by Commissioner Edwards to hold. The motion carried by a unanimous vote of 7-0-0. Commission Chair Handel, Vice Chair Darnell, and Commissioners Pitts, Riley, Lowe, Boxill, and Edwards voted yes.**

**05-1371** COMMISSIONERS' ITEM - Request approval of a proposed amendment to the Fulton County Zoning Subdivision Resolutions (2005z-0106). (**Edwards**)

**REMOVED AS REQUESTED BY COMMISSIONER EDWARDS.**

**ADJOURNMENT**

**A motion was made by Commission Chair Handel to adjourn. The meeting adjourned at 5:27 p.m.**