MACON-BIBB COUNTY COMMISSION

MEETING SCHEDULE

Tuesday, April 1, 2014

Government Center

4:00 P.M.  Pre-Commission Meeting *(Large Conference Room)*
6:00 P.M.  Regular Commission Meeting *(Commission Chamber)*
Tuesday, April 1, 2014
MACON-BIBB COUNTY PRE-COMMISSION MEETING

4:00 P.M.
Government Center
Large Conference Room

1. CALL TO ORDER

Subject: A. Mayor Robert A. B. Reichert
Meeting: Apr 1, 2014 - MACON-BIBB COUNTY PRE-COMMISSION MEETING
Category: 1. CALL TO ORDER
Access: Public
Type: Procedural

2. DISCUSSION OF DEPARTMENT HEAD APPOINTMENTS

Subject: A. Mayor Robert A. B. Reichert
Meeting: Apr 1, 2014 - MACON-BIBB COUNTY PRE-COMMISSION MEETING
Category: 2. DISCUSSION OF DEPARTMENT HEAD APPOINTMENTS
Access: Public
Type: Discussion

Subject: B. Ordinance to adopt the organizational chart
Meeting: Apr 1, 2014 - MACON-BIBB COUNTY PRE-COMMISSION MEETING
Category: 2. DISCUSSION OF DEPARTMENT HEAD APPOINTMENTS
Access: Public
Type: Action

3. REVIEW AGENDA FOR TONIGHT’S COMMISSION MEETING

Subject: A. Mayor Robert A. B. Reichert
Meeting: Apr 1, 2014 - MACON-BIBB COUNTY PRE-COMMISSION MEETING
Category: 3. REVIEW AGENDA FOR TONIGHT’S COMMISSION MEETING
Access: Public
Type: Procedural

4. ADJOURNMENT
Tuesday, April 1, 2014
MACON-BIBB COUNTY COMMISSION REGULAR MEETING

6:00 P.M.
Government Center
Commission Chamber

1. CALL TO ORDER

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<th>Subject</th>
<th>A. Mayor Robert A. B. Reichert</th>
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2. PRAYER

3. PLEDGE OF ALLEGIANCE

4. APPROVAL OF MINUTES

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<th>A. Pre-Commission Meeting on March 18, 2014</th>
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Administrative File Attachments
3-18-2014 Pre Commission Meeting (3).pdf (142 KB)

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<th>Subject</th>
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File Attachments
3-18-2014 Regular Commission Meeting.pdf (184 KB)

5. INVITED GUESTS

6. PUBLIC COMMENTS ON AGENDA ITEMS
7. REPORTS FROM COMMITTEES AND DEPARTMENTS

A. Operations and Finance Committee
Meeting Apr 1, 2014 - MACON-BIBB COUNTY COMMISSION REGULAR MEETING
Category 7. REPORTS FROM COMMITTEES AND DEPARTMENTS
Access Public
Type Report

B. Economic and Community Development Committee
Meeting Apr 1, 2014 - MACON-BIBB COUNTY COMMISSION REGULAR MEETING
Category 7. REPORTS FROM COMMITTEES AND DEPARTMENTS
Access Public
Type Report

C. Public Safety Committee
Meeting Apr 1, 2014 - MACON-BIBB COUNTY COMMISSION REGULAR MEETING
Category 7. REPORTS FROM COMMITTEES AND DEPARTMENTS
Access Public
Type Report

D. Facilities and Engineering Committee
Meeting Apr 1, 2014 - MACON-BIBB COUNTY COMMISSION REGULAR MEETING
Category 7. REPORTS FROM COMMITTEES AND DEPARTMENTS
Access Public
Type Report

8. CONSENT AGENDA

9. OLD BUSINESS

A. Authorization for Mayor to name representatives for General Obligation or Revenue Bond Funds
Meeting Apr 1, 2014 - MACON-BIBB COUNTY COMMISSION REGULAR MEETING
Category 9. OLD BUSINESS
Access Public
Type Action
Recommended The Committee of the Whole recommends adoption.

File Attachments
Outstanding General Obligation Bonds.pdf (237 KB)

B. Approval of Development Authority of Bibb County 2012 Bond Funds
**Meeting**
Apr 1, 2014 - MACON-BIBB COUNTY COMMISSION REGULAR MEETING

**Category**
9. OLD BUSINESS

**Access**
Public

**Type**
Action

**Recommended Action**
The Committee of the Whole recommends adoption.

**File Attachments**
Bond Funds from DABC Revenue Bonds.pdf (259 KB)

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**Subject**
C. An Ordinance to provide local preference for Procurement Services

**Meeting**
Apr 1, 2014 - MACON-BIBB COUNTY COMMISSION REGULAR MEETING

**Category**
9. OLD BUSINESS

**Access**
Public

**Type**
Action

**Recommended Action**
The Committee of the Whole recommends adoption.

**File Attachments**
Local Preference in Procurement of Consulting Services.pdf (158 KB)

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**Subject**
D. A Resolution making an appointment to the Macon-Bibb County Urban Development Authority

**Meeting**
Apr 1, 2014 - MACON-BIBB COUNTY COMMISSION REGULAR MEETING

**Category**
9. OLD BUSINESS

**Access**
Public

**Type**
Action

**Recommended Action**
The Committee of the Whole recommends adoption.

**File Attachments**
Urban Development Authority Appointment.pdf (73 KB)

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**Subject**
E. A Resolution regarding an Anti-Salvaging Policy

**Meeting**
Apr 1, 2014 - MACON-BIBB COUNTY COMMISSION REGULAR MEETING

**Category**
9. OLD BUSINESS

**Access**
Public

**Type**
Action

**Recommended Action**
The Committee of the Whole recommends adoption.

**File Attachments**
Subject: F. Confirmation of Department Heads
Meeting: Apr 1, 2014 - MACON-BIBB COUNTY COMMISSION REGULAR MEETING
Category: 9. OLD BUSINESS
Access: Public
Type: Action

Subject: G. Ordinance to adopt the organizational chart
Meeting: Apr 1, 2014 - MACON-BIBB COUNTY COMMISSION REGULAR MEETING
Category: 9. OLD BUSINESS
Access: Public
Type: Action

10. NEW BUSINESS

Subject: A. An Ordinance for Franchise to Tri-County EMC
Meeting: Apr 1, 2014 - MACON-BIBB COUNTY COMMISSION REGULAR MEETING
Category: 10. NEW BUSINESS
Access: Public
Type: Action
Recommended Action: Refer to Operations and Finance Committee

File Attachments
2014 Reichert Franchise Ordinance with Tri-County EMC.pdf (135 KB)

Subject: B. An Ordinance for Franchise to Flint Electric Membership Cooperation
Meeting: Apr 1, 2014 - MACON-BIBB COUNTY COMMISSION REGULAR MEETING
Category: 10. NEW BUSINESS
Access: Public
Type: Action
Recommended Action: Refer to Operations and Finance Committee

File Attachments
2014 Reichert Franchise Ordinance with Flint Electric.pdf (135 KB)

11. GENERAL PUBLIC COMMENTS
12. ADJOURNMENT
13. New Category
MINUTES OF PRE-COMMISSION MEETING
MACON-BIBB COUNTY COMMISSION
March 18, 2014 – 5:00 P.M.
Government Center
(Large Conference Room)

The Pre-Commission meeting of the Macon-Bibb County Commission was held on March 18, 2014. The meeting started at 5:35 P.M. in the Large Conference Room at Government Center.

Commission Members Present

Mayor Robert A.B. Reichert
Commissioner Gary Bechtel
Commissioner Larry Schlesinger
Commissioner Elaine Lucas
Commissioner Mallory Jones, III

Commission Members Absent

Commissioner Ed DeFore
Commissioner Scotty Shepherd
Commissioner Virgil Watkins, Jr.
Commissioner Al Tillman

Staff Present

Judd Drake – County Attorney
Crystal Jones – Asst. County Attorney
Chris Johnson, Sr. Asst. County Attorney
Shelia Thurmond – Clerk of Commission
Steve Layson – Asst. County Manager (Infrastructure)
Charles Coney – Asst. Co. Mgr. (Operations)
Chris Floore – Asst. to Co. Mgr. - Public Affairs
Jean S. Howard – Asst. Clerk of Commission
Janice Ross – Training & Events Coordinator

Guests/Visitors

Jim Grubiak - General Counsel (ACCG)
Association County Commissioners of Georgia

Dave Wills – Government Relations Manager (ACCG)
Association County Commissioners of Georgia

News Media Present

Jim Gaines – The Telegraph
Shonti Tager- WPGA FOX 24

The Pre-Commission meeting was called to order by Mayor Robert A. B. Reichert.

The Mayor reviewed the agenda items for tonight's Regular Commission Meeting at 6:00 P.M. and stated that all items under New Business would be referred to a committee.
AGENDA ITEMS:

PRAYER – Rev. Rex Odom – Heritage at Bass United Methodist Church

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

A. Pre-Commission Meeting on March 4, 2014
B. Regular Commission Meeting on March 4, 2014
C. Special Called Meeting on March 11, 2014

INVITED GUESTS

Rev. Rex Odom – Heritage at Bass United Methodist Church

Dave Wills – ACCG (Association County Commissioners of Georgia)

Jim Grubiak – ACCG (Association County Commissioners of Georgia)

PUBLIC COMMENTS ON AGENDA ITEMS

REPORTS FROM COMMITTEES AND DEPARTMENTS

Mayor Reichert asked Committee Chairs to be prepared to give their Committee reports tonight.

A. Operations and Finance
B. Economic and Community Development
C. Public Safety
D. Facilities and Engineering

CONSENT AGENDA

A. Resolution recognizing March 2014 as Purchasing Month

OLD BUSINESS

A. Resolution to obtain certification as a Workers Compensation Self-Insurer

B. Resolution authorizing the execution of an agreement with Reeves Construction Company to resurface the intersection of Jeffersonville Road and Millerfield Road
C. Ordinance appropriating $500,000 to Superior Court for Special Litigation
D. Ordinance appropriating funds to Clerk of Superior Court
E. Ordinance appropriating funds to provide equipment for the jail
F. Ordinance appropriating funds to State Court Clerk's Office
G. Ordinance appropriating funds from 2012 SPLOST Fund
H. Ordinance appropriating funds from Urban Development Authority 2013 Bond Fund
I. Ordinance appropriating funds to FY 2014 Airport Fund for taxiway lighting
J. Ordinance appropriating funds to Facilities Management for uniform purchases
K. Ordinance appropriating funds to Debt Service to pay taxable revenue - Convention Center Hotel Project
L. Resolution expressing support of the Alternative "B" Ocmulgee National Monument Boundary Expansion adding an additional 1500 to 1800 acres
M. Resolution regarding the Cherry Blossom Music Festival in Downtown Macon to allow alcoholic beverages between bars downtown
N. Ordinance adopting business regulations regarding the operation of Ambulance Services to have a paramedic and cardiac technician in ambulances

NEW BUSINESS

A. Resolution regarding an Anti-Salvaging Policy
   To Be Referred To: Facilities and Engineering Committee

B. Resolution for the re-appointment of Kathryn Gerhardt to the Urban Development Authority
   To Be Referred To: Economic and Community Development

GENERAL PUBLIC COMMENTS

ANNOUNCEMENTS

ADJOURNMENT

There being no further business, the meeting was adjourned at 5:46 P.M.

Shelia Thurmond, CCC
Clerk of Commission
MINUTES OF REGULAR COMMISSION MEETING
MACON-BIBB COUNTY COMMISSION
March 18, 2014 – 6:00 P.M.
Government Center
(Commission Chamber)

The Regular Commission meeting of the Macon-Bibb County Commission was held on March 18, 2014 at 6:00 P.M. in the Commission Chamber at Government Center.

Commission Members Present

Mayor Robert A.B. Reichert
Mayor Pro Tem Bert Bivins, III
Commissioner Gary Bechtel
Commissioner Larry Schlesinger
Commissioner Elaine Lucas

Commissioner Mallory Jones, III
Commissioner Ed DeFore
Commissioner Scotty Shepherd
Commissioner Virgil Watkins
Commissioner Al Tillman

Staff Present

Dale Walker – County Manager
Judd Drake – County Attorney
Chris Johnson – Sr. Asst. County Attorney
Crystal Jones – Asst. County Attorney
Shelia Thurmond – Clerk of Commission
Steve Layson – Asst. County Manager - Infrastructure
Chris Floore – Asst. to Co. Mgr. - Public Affairs
Julie Moore – Asst. to Co. Mgr. - Strategic Planning & Budget
Jean S. Howard – Asst. Clerk of Commission
Janice Ross – Training & Events Coordinator
Kevin Barrere – Public Affairs

Guests in Attendance

Lonnie Miley – President SEIU
Sarah Hunt
Dr. Lindsay Holliday
Adah Roberts
Macon-Bibb County Public Works Employees
Anthony Collins - Public Works
Macon-Bibb County Purchasing Employees
James Jackson
Priscilla Brown

News Media Present

Jim Gaines – The Telegraph
Shonti Tager– FOX 24 WXGA
Ron Wildman – 58 WPGA
Sean Franklin – 41 WMGT

CALL TO ORDER

The meeting was called to order by Mayor Robert A. B. Reichert.
PRAYER

The prayer was rendered by Rev. Rex Odom of Heritage at Bass United Methodist Church.

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

A. Pre-Commission Meeting on March 4, 2014
B. Regular Commission Meeting on March 4, 2014
C. Special Called Meeting on March 11, 2014

On motion of Commissioner Larry Schlesinger, seconded by Commissioner Elaine Lucas, and carried unanimously, the minutes of the Pre-Commission, Regular, and Special Commission meetings held on March 4th and March 11th were approved as presented.

Unanimous approval by Commissioners Bert Bivins, Ill, Gary Bechtel, Larry Schlesinger, Elaine Lucas, Mallory Jones, Ill, Ed DeFore, Scotty Shepherd, Virgil Watkins, Jr., and Al Tillman.

INVITED GUESTS

Rev. Rex Odom of Heritage at Bass United Methodist Church
Rev. Odom was invited to render the prayer for tonight's Regular Commission Meeting.

Jim Grubiak – General Counsel – Association County Commissioners of Georgia

Dave Wills – Government Relations Manager – Association County Commissioners of Georgia

PUBLIC COMMENTS ON AGENDA ITEMS

None

REPORTS FROM COMMITTEES AND DEPARTMENTS

Operations and Finance Committee

Committee Chairman Gary Bechtel reported his committee met on Tuesday, March 11th and approved the following: a Resolution to obtain certification as a Workers Compensation Self-Insurer with the Georgia State Board of Workers’ Compensation; a Resolution authorizing an agreement with Reeves Construction for resurfacing and milling at Jeffersonville Road and Millerfield Road project, a Resolution recognizing the month of March 2014 as Purchasing Month; an Ordinance to appropriate $500,000 from Fund Balance to Superior Court to fund Special Litigation occurring prior to June 30, 2014; an Ordinance to appropriate $14,500 from FY 2014 General Fund Balance to Clerk of Superior
Court for salaries, dues, and travel; an Ordinance to appropriate $3,800 from FY 2014 Commissary Fund Balance to provide equipment for the jail; an Ordinance to appropriate $3,500 from FY 2014 General Fund Balance to the State Court Clerk's Office for temporary workers; an Ordinance to appropriate $1,245,881 from the 2012 SPLOST Fund Balance to account for activity in FY 2014; an Ordinance appropriating funds from the Macon-Bibb County Urban Development Authority 2013 Bond Fund Balance to create FY 2014 Budget; an Ordinance to appropriate $13,000 from FY 2014 General Fund Balance to the FY 2014 Airport Fund to provide for the match to secure an FAA Grant for taxiway lights; an Ordinance to appropriate $7,700 from FY 2014 General Fund Balance to Facilities Management for uniform purchases; and an Ordinance to appropriate $2,250 from FY 2014 General Fund Balance to Debt Service to pay taxable revenue on the 2007 UDA Bond for the Convention Center Hotel Project.

**Economic and Community Development Committee**

Committee Chairman Larry Schlesinger reported his committee met on Tuesday, March 11th and approved the following: a Resolution authorizing the Macon Georgia International Cherry Blossom Festival, Inc. to hold the Cherry Blossom Festival in Downtown Macon, Georgia on Saturday, March 29, 2014, and to permit festival-goers to carry and consume alcoholic beverages in and about the designated streets of downtown Macon; a Resolution to express support of the Alternative "B" OcMulgee National Monument Boundary Expansion, and to endorse the Park and Preserve Concept to protect and eventually connect and consolidate land between Macon and Hawkinsville. He also stated his committee heard a presentation from the Economic and Community Development Department regarding the demolition of houses in Macon-Bibb County.

**Public Safety Committee**

Committee Chairman Scotty Shepherd reported his committee met on Tuesday, February 25th and approved an Ordinance to adopt business regulations regarding the operation of ambulance services. The Ordinance states an ambulance must provide equipment and personnel capable of providing advanced life-support on emergency calls. Chairman Shepherd stated Mid-Georgia Ambulance Service, the provider of ambulance service in our area, is fully aware of this Ordinance and is in agreement with it. He also stated that in another meeting, the creation of a Fire Civil Service Board, required by the Charter, was discussed. He stated he was working with the Fire Chief and other Fire Department personnel on this matter.

**Facilities and Engineering**

Committee Chairman Al Tillman reported his Committee met on Tuesday, March 11th and discussed the Beaumont Heights Subdivision roads. It has been determined the roads in this subdivision had never been accepted as County roads as the developer failed to complete the Punch List necessary for County acceptance. Commissioner Tillman further stated Mr. Fortson, County Engineer, stated he would like the opportunity to look at the costs associated with repairing the roads to bring them to County standards and report his findings back to the Commission. Once the costs are determined, it would then be determined what costs would be necessary to bill property owners. He stated it was the consensus of the Committee to allow Mr. Layson and Mr. Fortson to investigate the costs and report back to the Committee.
CONSENT AGENDA

A. Resolution recognizing the month of March 2014 as Purchasing Month


Purchasing Department employees Nyesha Daley, Wynetta Williams, Doreen Eidman, Delia Bridges, and Nan Tharpe were recognized and applauded.

OLD BUSINESS

A. Resolution to obtain certification as a Workers’ Compensation Self-Insurer

- Clerk read by caption: A Resolution of the Macon-Bibb County Commission to obtain certification as a Workers’ Compensation Self-Insurer with the Georgia State Board of Workers’ Compensation; and for other purposes.


B. Resolution authorizing the execution of an agreement with Reeves Construction Company

- Clerk read by caption: A Resolution of the Macon-Bibb County Commission authorizing the Mayor to execute an agreement with Reeves Construction Company for the Jeffersonville Road at Millerfield Road milling and resurfacing project, and for other purposes.


C. Ordinance appropriating funds to Superior Court for Special Litigation

- Clerk read by caption: An Ordinance of the Commission of Macon-Bibb County, Georgia to appropriate $500,000 from Fund Balance to Superior Court to fund Special Litigation occurring prior to June 30, 2014.

Discussion: Commissioner Tillman asked if the $500,000 was an open check or an amount in the event needed. Mayor Reichert and Commissioner Bechtel agreed this was an amount up to $500,000 for this Fiscal Year in case it was needed.

D. Ordinance appropriating funds to Clerk of Superior Court

- Clerk read by caption: An Ordinance of the Commission of Macon-Bibb County, Georgia to appropriate $14,600 from FY 2014 General Fund Balance to Clerk of Superior Court to fund salary, dues, and travel.

Discussion: Commissioner Tillman asked for clarification on the funds use and wanted to emphasize that they were not for salary increases. Mayor Reichert and Commissioner Bechtel agreed these were funds not expended during the first six months of the budget last year and were being rolled over to the second six months of the budget of this fiscal year.


E. Ordinance appropriating funds to provide equipment for the jail

- Clerk read by caption: An Ordinance of the Commission of Macon-Bibb County, Georgia to appropriate $3,800 from FY 2014 Commissary Fund Balance to provide equipment for the jail.


F. Ordinance appropriating funds to State Court Clerk’s Office

- Clerk read by caption: An Ordinance of the Commission of Macon-Bibb County, Georgia to appropriate $3,500 from FY 2014 General Fund Balance to State Court Clerk’s Office for temporary workers.


G. Ordinance appropriating funds from 2012 SPLOST Fund

- Clerk read by caption: An Ordinance of the Commission of Macon-Bibb County, Georgia to appropriate $1,245,881 from 2012 SPLOST Fund Balance to account for activity in FY 2014.


H. Ordinance appropriating funds from Urban Development Authority 2013 Bond Fund

- Clerk read by caption: An Ordinance of the Commission of Macon-Bibb County, Georgia to appropriate (See attached Exhibit “A”) from MBC-UDA
2013 Bond Fund Balance to create FY 2014 Budget.

Approval by Commissioners Gary Bechtel, Larry Schlesinger, Elaine Lucas, Mallory Jones, III, Ed DeFore, Scotty Shepherd, Virgil Watkins, Jr., and Al Tillman. Mayor Pro Tem Bivins voted no. The vote was 8-1.

I. Ordinance appropriating funds to FY 2014 Airport Fund

- **Clerk read by caption:** An Ordinance of the Commission of Macon-Bibb County, Georgia to appropriate $13,000 from FY 2014 General Fund Balance to the FY 2014 Airport Fund to provide for the match amount to secure an FAA Grant for "Taxiway Lights."


J. Ordinance appropriating funds to Facilities Management

- **Clerk read by caption:** An Ordinance of the Commission of Macon-Bibb County, Georgia to appropriate $7,700 from FY 2014 General Fund Balance to Facilities Management to provide for uniform purchases.


K. Ordinance appropriating funds to Debt Service to pay taxable revenue

- **Clerk read by caption:** An Ordinance of the Commission of Macon-Bibb County, Georgia to appropriate $2,250 from FY 2014 General Fund Balance to Debt Service to pay taxable revenue on the 2007 UDA Bond (Convention Center Hotel Project)


L. Resolution expressing support of the Alternative "B" Ocmulgee National Monument Boundary Expansion

- **Clerk read by caption:** A Resolution of the Macon-Bibb County Commission to express support of the Alternative "B" Ocmulgee National Monument Boundary Expansion, and to endorse the Park and Preserve Concept to protect and eventually connect and consolidate lands between Macon and Hawkinsville.

M. Resolution regarding the Cherry Blossom Music Festival in Downtown Macon

- Clerk read by caption: A Resolution of the Macon-Bibb County Commission authorizing the Macon Georgia International Cherry Blossom Festival, Inc. to hold the Cherry Blossom Music Festival in Downtown Macon, Georgia, on Saturday, March 29, 2014; to permit festival-goers to carry and consume alcoholic beverages in and about the designated streets of downtown Macon; and for other purposes.

Unanimous approval by Commissioners Bert Bivins, Ill, Gary Bechtel, Larry Schlesinger, Elaine Lucas, Mallory Jones, Ill, Ed DeFore, Scotty Shepherd, Virgil Watkins, Jr., and Al Tillman.

N. Ordinance adopting business regulations regarding the operation of Ambulance Services

- Clerk read by caption: An Ordinance of the Macon-Bibb County Commission to adopt business regulations regarding the operation of ambulance services; to provide an adoption and effective date; and to provide for other lawful purposes.

Unanimous approval by Commissioners Bert Bivins, Ill, Gary Bechtel, Larry Schlesinger, Elaine Lucas, Mallory Jones, Ill, Ed DeFore, Scotty Shepherd, Virgil Watkins, Jr., and Al Tillman.

NEW BUSINESS

A. Resolution regarding an Anti-Salvaging Policy

- Referred to Facilities and Engineering Committee

B. Resolution making an appointment to the Urban Development Authority

- Referred to Economic and Community Development Committee

GENERAL PUBLIC COMMENTS

Lonnie Miley, SEIU President – spoke in support of the appointment of Public Works Director, Richard Powell, as the new Public Works Director in the upcoming Departmental Directors selection process.

Sarah Hunt – expressed concern on the recent appointment made to the Macon-Bibb County Planning and Zoning Commission. She also stated drainage problems at Overcoming Church of God in Christ needed to be addressed and corrected. Ms. Hunt stated it would be beneficial to have information on the Affordable Care Act on the Commissions’ website and other media outlets to inform citizens of what’s available to them. She also stated scammers were putting
out erroneous information on the Affordable Care Act to take advantage of people on the income level qualifying them for coverage.

Rev. James Jackson and Priscilla Brown — asked for assistance in cleaning and preventing dumping at 2153 and 2131 Beech Avenue.

Anthony Collins — expressed his concern for Public Works employees and their families if the Public Works Department was privatized. Mr. Collins also expressed support for Richard Powell to be appointed as the new Public Works Director.

ANNOUNCEMENTS

None

ADJOURNMENT

There being no further business, and on motion duly made and seconded, unanimously, the meeting was adjourned at 6:38 P.M.


Shelia Thurmond, CCC
Clerk of Commission
A RESOLUTION OF THE MACON-BIBB COUNTY COMMISSION, TO AUTHORIZE THE MAYOR TO APPOINT COUNTY REPRESENTATIVES OR PROJECT SUPERINTENDENTS, CITY REPRESENTATIVES OR PROJECT SUPERINTENDENTS, CUSTODIANS OF FUNDS, PERSONS AUTHORIZED TO MAKE INVESTMENTS, AND OTHER PERSONS NECESSARY TO ACT ON BEHALF OF MACON-BIBB COUNTY WITH REGARD TO (A) ALL OUTSTANDING GENERAL OBLIGATION BONDS ISSUED BY BIBB COUNTY OR THE CITY OF MACON, (B) ALL REVENUE BONDS OF ANY PUBLIC AUTHORITY THE PAYMENT OF WHICH IS SECURED BY AN INTERGOVERNMENTAL CONTRACT WHICH OBLIGATED THE CITY OF MACON OR BIBB COUNTY TO PROVIDE MONEY FOR THE PAYMENT OF SUCH BONDS OR REQUIRED THE CITY OF MACON OR BIBB COUNTY TO AUTHORIZE THE EXPENDITURE OF BOND PROCEEDS OR THE INVESTMENT OF FUNDS, (C) ALL LEASE OR LEASE PURCHASE AGREEMENTS BETWEEN THE CITY OF MACON OR BIBB COUNTY AND THE GEORGIA MUNICIPAL ASSOCIATION, (D) ALL INTERGOVERNMENTAL CONTRACTS, NOTES OR OBLIGATIONS; AND FOR OTHER PURPOSES.

WHEREAS, GA. L. 2012, P. 5595, as amended by GA.L.2013, p. (together, the “Act”) restructured the governmental and corporate powers, duties and functions vested in the City of Macon and Bibb County under a new charter which became effective on January 1, 2014, establishing a single county-wide government with powers and jurisdiction throughout the territorial limits of Bibb County, superseded and replacing the governments of the City of Macon and the Bibb County under the name Macon-Bibb County, the governing body for which is the Macon-Bibb County Commission (the “Commission”); and

WHEREAS, Section 4 of the Act provides that all contracts, orders, leases, bonds, and other obligations or instruments entered into by the City of Macon or Bibb County or for their benefit prior to the effective date of the charter shall continue in effect according to the terms thereof as obligations and rights of Macon-Bibb County; and

WHEREAS, Section 21 of the Act provides that the Commission, as the governing authority of Macon-Bibb County, shall be the successor to the previously existing governing authorities of the City of Macon and Bibb County for all purposes relating to bonded indebtedness previously incurred by the City of Macon and Bibb County, including the enforcement of rights and remedies of bondholders; and

WHEREAS, there are (a) outstanding general obligation sales tax bonds issued by the City of Macon and Bibb County (b) outstanding revenue bonds issued by public authorities the security for payment of which are intergovernmental contracts or leases entered into between the City of Macon and such public authorities or Bibb County and such public authorities, (c) multi-
year lease or lease purchase agreements between the City of Macon or Bibb County and the Georgia Municipal Association, (d) notes between Bibb County and the Georgia Environmental Finance Authority, all the benefits and burdens of which bonds, intergovernmental contracts, leases, notes and similar obligations are now vested in Macon-Bibb County, a list of which obligations are attached to this resolution and made a part hereof as Exhibit A; and

WHEREAS, it is necessary and desirable that the Commission authorize the Mayor to take such actions to name such project superintendents, authorized Bibb County or City of Macon representatives or agents described in the public documents authorizing such obligations who are or may be required to lawfully approve and sign requisitions for the expenditure of funds, approve plans and specifications for projects, name custodians of funds, make investments, and perform all other duties for which an agent or representative may be required as described in the bond resolutions, indentures, contracts, leases, and other documents executed and delivered by or for the City of Macon or Bibb County in connection with all outstanding obligations listed on Exhibit A.

NOW, THEREFORE, BE IT RESOLVED by the Macon-Bibb County Commission, and it is hereby so resolved by authority of the same, as follows:

1. The Mayor is authorized to appoint project superintendents, authorized Bibb County or City of Macon representatives or agents described in the public documents authorizing any of the obligations described on Exhibit A who are or may be required to lawfully approve and sign requisitions for the expenditure of funds, approve plans and specifications for projects, name custodians of funds, make investments, and perform all other duties for which an agent or representative may be required as described in the bond resolutions, indentures, contracts, leases, and other documents executed and delivered by or for the City of Macon or Bibb County in connection with such outstanding obligations.

2. The Mayor is authorized to change the title of such positions so as to make it clear that the persons appointed are representatives or agents of Macon-Bibb County and is further authorized to appoint replacements for any such representatives or agents named in any documents executed or delivered by the City of Macon or Bibb County with regard to any of the obligations described in Exhibit A and to approve all requisitions or other documents authorized or signed by any officers or agents of
Macon-Bibb County after the effective date of the charter but before the appointment of any such replacement.

3. The Mayor, the Clerk of Commission, the County Manager, Finance Director, County Attorney and other proper officials of Macon-Bibb County are authorized and directed to take such further actions and to make such certifications to public authorities and other governmental bodies, financial institutions, and other persons as may be required for the proper appointment or replacement of representatives or agents as authorized by this resolution.

4. All resolutions of the City of Macon or Bibb County which conflict with the provisions of this resolution are repealed to the extent of such conflict.

SO RESOLVED this ___ day of March, 2014.

ROBERT A.B. REICHERT, MAYOR

Attest:  

SHELIA THURMOND, CLERK OF COMMISSION

[SEAL]
### Macon Issues

- **$7,860,000 Macon-Bibb County Urban Development Authority (Georgia) Revenue Bonds (City of Macon Projects), Series 2002A**
- **$4,165,000 Macon-Bibb County Urban Development Authority (Georgia) Taxable Revenue Bonds (City of Macon Projects), Series 2002B**
- **$3,600,000 Macon-Bibb County Industrial Authority (Georgia) Airport Improvement Revenue and Refunding Bonds (Atlantic Southeast Airline, Inc. Project), Series 2002**
- **$10,945,000 Macon-Bibb County Urban Development Authority (Georgia) Revenue Bonds (Convention Center Hotel Public Contribution Project), Series 2007**
- **$18,000,000 City of Macon (Georgia) General Obligation Sales Tax Bonds, Series 2012**

### Bibb County Issues

- **$11,700,000 Macon-Bibb County Urban Development Authority (Georgia) Revenue and Refunding Bonds (Bibb County Public Facilities Project), Series 2002A**
- **$1,210,000 Macon-Bibb County Urban Development Authority (Georgia) Taxable Revenue Bonds (Riverside Drive Project), Series 2002B**
- **$6,240,000 Macon-Bibb County Urban Development Authority (Georgia) Revenue Bonds (Bibb County Public Projects), Series 2009**
- **$11,500,000 Macon-Bibb County Industrial Authority (Georgia) Adjustable Rate Refunding and Improvement Revenue Bonds (Bass Pro and Sofkee Park Projects), Series 2009**
- **$11,175,000 Macon-Bibb County Urban Development Authority (Georgia) Refunding Revenue Bonds (Bibb County Projects), Series 2010**
- **$20,000,000 Bibb County (Georgia) General Obligation Sales Tax Bonds, Series 2012**
- **$5,000,000 Development Authority of Bibb County Revenue Bonds (Urban Development Concepts Project), Series 2012**
A RESOLUTION OF THE MACON-BIBB COUNTY COMMISSION APPROVING A REQUEST BY URBAN DEVELOPMENT CONCEPTS, LLC TO DRAW UP TO $417,500.00 IN ADDITIONAL BOND FUNDS FROM $5,000,000.00 DEVELOPMENT AUTHORITY OF BIBB COUNTY REVENUE BONDS (NEWTOWN MACON/ URBAN DEVELOPMENT CONCEPTS PROJECT) SERIES 2012 FOR PRE-CONSTRUCTION DESIGN AND ENGINEERING EXPENSES RELATED TO THE RENOVATION OF THE FORMER LAMAR DRUG STORE PROPERTY LOCATED AT 552-580 CHERRY STREET FOR A RESIDENTIAL AND MIXED USE DEVELOPMENT; AND FOR OTHER PURPOSES.

WHEREAS, Urban Development Concepts, LLC (UDC), a limited liability company whose sole member is NewTown Macon, Inc., a Georgia non-profit corporation, is requesting approval to draw up to $417,500.00 of funds from the $5,000,000.00 Development Authority of Bibb County Revenue Bonds (NewTown Macon/Urban Development Concepts Project) Series 2012 Bond Fund (the "Series 2012 Bond Fund") for pre-construction design and engineering expenses of the former Lamar Drug Store property located at 552-580 Cherry Street; and

WHEREAS, on November 25, 2013, the Bibb County Board of Commissioners authorized UDC to use $382,500.00 for the transitional purchase of this property as part of NewTown Macon's downtown revitalization plan; and

WHEREAS, UDC has a contract to sell the property to Millworks Holdings, LLC with a closing date of no later than June 24, 2014; and

WHEREAS, UDC has agreed to financially structure the Millwork Holdings, LLC purchase and renovation project pursuant to the guidelines of the Series 2012 Bond Fund, including, but not limited to, requiring Millwork Holdings, LLC to provided sufficient funds to meet the minimum 10% equity funding requirement for the project and the 40% conventional bank loan requirement for the project; and

WHEREAS, on February 25, 2014, NewTown Macon/UDC Board approved the request to fund the pre-construction design and engineering expenses with bond funds as an increase of the purchase price to be paid by Millworks Holdings, LLC; and
WHEREAS, the total bond draw of $800,000.00 would become a permanent loan to Millworks Holdings, LLC in the final funding structure; and

WHEREAS, Hal Baskin, with NewTown Macon/Urb Development Concepts, LLC, advises that the purpose of funding the pre-construction design and engineering at this time is to have the project shovel ready at the time of the June closing; and

WHEREAS, Hal Baskin further advises that the pre-construction design and engineering funding will accelerate the beginning of construction by six months and move the completion of the project forward as well; and

WHEREAS, Hal Baskin, with NewTown Macon/Urb Development Concepts, LLC has submitted the following projected final financial structure:

<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
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</thead>
<tbody>
<tr>
<td>Owner's Equity</td>
<td>$600,000.00</td>
<td>10.00%</td>
</tr>
<tr>
<td>Bank Loan</td>
<td>$4,600,000.00</td>
<td>76.67%</td>
</tr>
<tr>
<td>DABC Bond Loan</td>
<td>$800,000.00</td>
<td>13.33%;</td>
</tr>
</tbody>
</table>

WHEREAS, the Macon-Bibb County Commission believes that approving this request by UDC is in the best interest of the citizens of Macon-Bibb County.

NOW, THEREFORE, BE IT RESOLVED by the Macon-Bibb County Commission and it is hereby so resolved by the authority of the same that the request by Urban Development Concepts, LLC (UDC), as set forth in Exhibit A attached hereto and incorporated herein by reference, to draw up to $417,500 in funds from the Series 2014 Bond Fund for pre-construction design and engineering expenses related the renovation of the former Lamar Drug Store property located at 552-580 Cherry Street for a residential and mixed used development is hereby approved,

BE IT FURTHER RESOLVED by the Macon-Bibb County Commission that this request is approved subject to UDC adhering to its duties and responsibilities outlined in the Management Agreement dated as of June 1, 2012 between the Development Authority of Bibb County and UDC, and;
BE IT FURTHER RESOLVED by the Macon-Bibb County Commission that the Mayor is authorized to take any and all actions necessary for effectuating the terms of said Resolution.

SO RESOLVED this ___ day of ______________, 2014.

________________________
ROBERT A. B. REICHERT, MAYOR

ATTEST:
SHEILA THURMOND, CLERK OF COMMISSION

(SEAL)
March 3, 2014
Mr. Charles Conoy
Macon Bibb Finance
Macon, Georgia

Dear Mr. Conoy,

Urban Development Concepts, LLC (UDC) is requesting approval to draw up to $417,500.00 of funds from DABC 2012 Bond Fund for pre-construction design and engineering expenses of property at 552-580 Cherry Street.

UDC was approved on November 25, 2013 to use $382,500.00 for the transitional purchase of this strategic property in our downtown revitalization plan. UDC has a contract to sell the property to Millworks Holdings, LLC with closing no later than June 24, 2014. Millworks Holdings, LLC would financially structure their purchase and renovation project within the guidelines of the DABC 2012 Bond Fund including minimum 10% equity and 40% conventional bank loan.

On February 25, 2014, NewTown Macon/UDC Board approved the request to fund the pre-construction design and engineering expenses with bond funds as an increase of the purchase price to be paid by Millworks Holdings LLC. The total bond draw of $800,000.00 would become a permanent loan to Millworks Holdings LLC in the final funding structure.

The purpose of funding the pre-construction design and engineering at this time is to have the project shovel ready at the time of the June closing. This will accelerate the beginning of construction by six months and move the completion of the project forward as well.

Thank you for your assistance in the funding of this transaction.

Hal Baskin
Urban Development Concepts LLC
Lamar Drug Store - 552 Cherry Street

<table>
<thead>
<tr>
<th>Bond Amount Invested</th>
<th>$382,500</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of Apartments</td>
<td>30-40</td>
</tr>
<tr>
<td>Commercial Spaces</td>
<td>5,000 sqft-15,000 sqft</td>
</tr>
</tbody>
</table>

Project Financial Structure

- Owners Equity: $600,000.00 (10.00%)
- Bank Loan: $4,600,000.00 (76.67%)
- DABC Bond Loan: $800,000.00 (13.33%)
- Totals: $6,000,000.00 (100.00%)

Project Update

- Property was foreclosed by Hamilton State Bank and placed on the market for sale.
- UDC closed on the transitional purchase for $425,000 on December 11, 2013.
- Funding of the transitional purchase was $42,500 UDC cash and a $382,500 bond loan.
- UDC has a contract to sell the property to Millworks Holdings LLC for $425,000 plus all holding costs up to $50,000 with sale closing by June 24, 2014.
- Millworks Holdings, LLC has requested a bond loan total of $800,000.00.
- The intent of Millworks Holdings LLC is to pursue Historic Tax Credits that would be used to reduce total debt of project.
Development Authority of Bibb County Series 2012 Bonds

Summary Information

Amount: $5,000,000.00 bonds issued by DABC at June 1, 2012

Purpose: Provide gap style partial financing for the acquisition and substantial rehabilitation of residential and mixed use property developments in downtown Macon.

Management: Projects under Management Agreement with Urban Development Concepts LLC., a subsidiary of NewTown Macon.

Borrower's Equity Requirements:

In each project the developer/borrower is required to have a bank loan of at least forty percent (40%) and an equity position composed of his own money equal to at least ten percent (10%) of the cost of such project.

Such minimums may be changed to higher or lower percentages with the consent of the Board of Bibb County Commissioners.

Funds Committed to Date:

- Issuance Costs $ 81,500.00
- Capitalized Interest $ 67,986.34
- 377 Cotton Avenue $ 60,000.00
- Dannenberg Building $1,969,940.00
- Lofts at 401 Cherry $ 470,000.00
- Lofts at Poplar $ 393,500.00
- Sports Hall of Fame $ 125,000.00
- Lamar Drug Building $ 800,000.00
  Total in Projects $3,974,926.34

Additional conditional commitments
- And June 2014 interest $ 760,800.00
  Total $4,735,726.34
AN ORDINANCE OF THE MACON-BIBB COUNTY COMMISSION TO AMEND SEC. 19-10 (B) OF THE CODE OF ORDINANCES FOR MACON-BIBB COUNTY, GEORGIA, SO AS TO PROVIDE A LOCAL PREFERENCE IN THE PROCUREMENT OF CONSULTING SERVICES TO QUALIFIED MACON-BIBB COUNTY PERSONS, FIRMS, OR CORPORATIONS; TO PROVIDE AN ADOPTION AND EFFECTIVE DATE; AND TO PROVIDE FOR OTHER LAWFUL PURPOSES.

WHEREAS, Macon-Bibb County has an interest in the development and support of locally owned businesses which may employ local residents and purchase materials, supplies, and equipment from other local businesses, both of which increase local tax revenues and promote economic growth in Macon-Bibb County; and

WHEREAS, promoting local economic development by encouraging businesses to locate within Macon-Bibb County and directing Macon-Bibb County funds for the benefit of local taxpayers, to include local businesses, is a legitimate purpose of local legislation; and

WHEREAS, in procuring consultants, providing a preference to local Macon-Bibb County persons and firms could reasonably be expected to achieve the above objectives and is anticipated to be of benefit to Macon-Bibb County; and

WHEREAS, the Macon-Bibb County Commission finds that it is in the best interest of the citizens of Macon-Bibb County to provide a preference in the procurement of consulting services to qualified Macon-Bibb County persons, firm, or corporations.

NOW, THEREFORE, BE IT ORDAINED by the Macon-Bibb County Commission and it is hereby so ordained by the authority of the same:

Section 1.

That section 19-10 (b) of the Code of Ordinances of Macon-Bibb County, Georgia is hereby amended by adding the underlined text to read as follows:

“(b) All procurements of consultants, regardless of dollar amount, must be approved by resolution of mayor and commission after a review of the experience and qualifications of the proposed consultant to successfully perform the tasks for which the contract, procurement or appointment is made. Competitive procurement for such consultants shall be made when required by the mayor or resolution of mayor and commission. For purposes of this section, consultant shall include professionals and advisors (other than Macon-Bibb County employees and attorneys) whose
services are procured to give advice or provide professional services or to develop specific programs or design specific guidelines or policies. In the procurement of consulting services, preference shall be given to qualified Macon-Bibb County persons, firms, or corporations whenever practicable provided that the local preference established in this section shall in no way be construed to inhibit, limit or restrict the right and obligation of Macon-Bibb County to consider costs and to compare the experience and qualifications of the proposed consultant to successfully perform the tasks for which the contract, procurement, or appointment is made.”

Section 2.

This Ordinance, to the extent necessary, shall be codified in a manner consistent with the laws of the State of Georgia and Macon-Bibb County.

Section 3.

(a) It is hereby declared to be the intention of the Macon-Bibb County Commission that all sections, paragraphs, sentences, clauses, and phrases of this Ordinance are and were, upon their enactment, believed by the Macon-Bibb County Commission to be fully valid, enforceable, and constitutional.

(b) It is hereby declared to be the intention of the Macon-Bibb County Commission that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Chapter is severable from every other section, paragraph, sentence, clause or phrase of this Ordinance. It is hereby further declared to be the intention of the Macon-Bibb County Commission that, to the greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this Ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Ordinance.

(c) In the event that any phrase, clause, sentence, paragraph or section of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the Macon-Bibb County Commission that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or sections of the Ordinance and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs, and sections of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

Section 4.

All Ordinances or parts of Ordinances in conflict with this Ordinance are, to the extent of such conflict, hereby repealed.
Section 5.

This Ordinance shall become effective immediately upon its approval by the Mayor.

SO ORDAINED this _____ day of ________________ , 2014.

______________________________
ROBERT A.B. REICHERT, MAYOR

ATTEST:______________________________
SHELIA THURMOND, CLERK
A RESOLUTION OF THE MACON-BIBB COUNTY COMMISSION APPOINTING
KAY GERHARDT TO THE MACON-BIBB COUNTY URBAN DEVELOPMENT
AUTHORITY; AND FOR OTHER PURPOSES.

NOW, THEREFORE, BE IT RESOLVED by the Macon-Bibb County Commission,
and it is hereby so resolved by the authority of the same that pursuant to Section 3 of 1974 Ga.
Laws page 3093, Mayor Reichert’s appointment of Kay Gerhardt to the Macon-Bibb County
Urban Development Authority is hereby approved.

SO RESOLVED this _____ day of ________________, 2014.

________________________
ROBERT A.B. REICHERT, MAYOR

ATTEST:

________________________
Clerk of the Commission
A RESOLUTION OF THE MACON-BIBB COUNTY COMMISSION TO AMEND THE MACON-BIBB COUNTY GOVERNMENT POLICIES AND PROCEDURES MANUAL SO AS TO ADD AN ANTI-SALVAGING POLICY; AND FOR OTHER PURPOSES.

WHEREAS, individuals have been previously known to recover materials from various waste receptacles and operations of the Macon-Bibb County which were used or sold for personal gain; and

WHEREAS, said materials are the property of Macon-Bibb County and as such their removal was theft of property; and

WHEREAS, Macon-Bibb County wishes to preserve materials that can be safely removed or sorted from its facilities and operations for potential salvaging or recycling; and

WHEREAS, it is the desire of Macon-Bibb County to maintain a safe and healthy work environment for employees, commercial disposal staff and citizens; and

WHEREAS, this resolution will benefit and promote the health, safety, morals and welfare of the citizens of Macon-Bibb County;

NOW, THEREFORE, BE IT RESOLVED, by the Macon-Bibb County Commission that the existing Macon-Bibb County Government Policies and Procedures Manual be amended by adding a new Section 9.08 to read as follows:

9.08 Anti-salvaging

A. Except as shall be necessary for law enforcement purposes, no employees, as defined in Section 2.01 of the Macon-Bibb County Government Policies and Procedures Manual, shall rummage through, remove, salvage, scavenge, collect, pilfer, remove from or tamper with any item from any Macon-Bibb County Property. For purposes of this policy, Macon-Bibb County property includes:

1. Any solid waste container, whether located curbside, adjacent to or on Macon-Bibb County property;
2. All designated drop-off or collection points, whether located temporarily or permanently;
3. All solid waste that enters a Macon-Bibb County garbage trust, landfill, recycling trust or that crosses the Macon-Bibb County Public Works scales for the purpose of weighing prior to recycling or disposal;
4. All Macon-Bibb County operations.

B. Said solid waste is hereby the property of Macon-Bibb County whether the actual property is owned or not and whether controlled or operated by Macon-Bibb County or by a contractor.
C. Such actions will be considered and are tantamount to theft. Any employee found to be in violation of this section will be deemed guilty of theft of government property and disciplinary action will follow as described in Section 4 of the Macon-Bibb County Government Policies and Procedures Manual.

NOW, THEREFORE, BE IT RESOLVED by the Macon-Bibb County Commission, and it is hereby so resolved by the authority of the same that the anti-salvaging policy for all employees is hereby adopted as fully set forth.

SO RESOLVED this _____ day of ________________, 2014.

ROBERT A. B. REICHERT, MAYOR

ATTEST:
    Clerk of the Commission
AN ORDINANCE OF THE MACON-BIBB COUNTY COMMISSION GRANTING A
FRANCHISE TO TRI-COUNTY EMC; AND TO PROVIDE FOR OTHER LAWFUL
PURPOSES.

WHEREAS, by virtue of Article IX, Section III, Paragraph II of the Constitution of
Georgia, Ga. Law 2012 page 5595, and Ga. Laws 2013, pages 3501, 3942, and by virtue of the
will of the people in a referendum held on July 31, 2013 there is to be a consolidated local
government known as "Macon-Bibb County"; and

WHEREAS, pursuant to Section 11(b)(8) of the Macon-Bibb County Charter, Macon-
Bibb County has the authority to grant franchises to public utility companies; and

WHEREAS, both Macon-Bibb County and the Tri-County EMC find the GMA
approved model franchise agreement to be acceptable for the establishment of a new ordinance
governing the Tri-County EMC's use of public rights-of-ways in Macon-Bibb County; and

WHEREAS, the amendments contained herein would benefit and promote the health,
safety, morals and welfare of the citizens of Macon-Bibb County.

NOW, THEREFORE, BE IT ORDEIGNED by the Macon-Bibb County
Commission and it is hereby so ordained by the authority of the same that:

Section 1.

The Ordinance Granting Franchise to Tri-County EMC attached hereto and made a part
hereof as Exhibit “A” is hereby adopted and enacted, but shall not be published within the Code
of Ordinances of Macon-Bibb County, Georgia.

Section 2.

The preamble of this Ordinance shall be considered to be and is hereby incorporated by
reference as if fully set out herein.

Section 3.

(a) It is hereby declared to be the intention of the Macon-Bibb County Commission that all
sections, paragraphs, sentences, clauses, and phrases of this Ordinance are and were, upon
their enactment, believed by the Macon-Bibb County Commission to be fully valid, enforceable, and
constitutional.

(b) It is hereby declared to be the intention of the Macon-Bibb County Commission that, to
the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of
this Chapter is severable from every other section, paragraph, sentence, clause or phrase of this
Ordinance. It is hereby further declared to be the intention of the Macon-Bibb County Commission that, to the greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this Ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Ordinance.

(c) In the event that any phrase, clause, sentence, paragraph or section of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the Macon-Bibb County Commission that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or sections of the Ordinance and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs, and sections of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

Section 4.

All Ordinances or parts of Ordinances in conflict with this Ordinance are, to the extent of such conflict, hereby repealed.

Section 5.

This Ordinance shall become effective upon the Mayor signing it.

SO ORDAINED this ___ day of ____________ , 2014.

ROBERT A.B. REICHERT, MAYOR

ATTEST:

Clerk of the Commission
AN ORDINANCE OF THE MACON-BIBB COUNTY COMMISSION GRANTING A FRANCHISE TO FLINT ELECTRIC MEMBERSHIP CORPORATION; AND TO PROVIDE FOR OTHER LAWFUL PURPOSES.

WHEREAS, by virtue of Article IX, Section III, Paragraph II of the Constitution of Georgia, Ga. Law 2012 page 5595, and Ga. Laws 2013, pages 3501, 3942, and by virtue of the will of the people in a referendum held on July 31, 2013 there is to be a consolidated local government known as “Macon-Bibb County”; and

WHEREAS, pursuant to Section 11(b)(8) of the Macon-Bibb County Charter, Macon-Bibb County has the authority to grant franchises to public utility companies; and

WHEREAS, both Macon-Bibb County and the Flint Electric Membership Corporation find the GMA approved model franchise agreement to be acceptable for the establishment of a new ordinance governing the Flint Electric Membership Corporation’s use of public rights-of-ways in Macon-Bibb County; and

WHEREAS, the amendments contained herein would benefit and promote the health, safety, morals and welfare of the citizens of Macon-Bibb County.

NOW, THEREFORE, BE IT ORDAINED by the Macon-Bibb County Commission and it is hereby so ordained by the authority of the same that:

Section 1.

The Ordinance Granting Franchise to Flint Electric Membership Corporation attached hereto and made a part thereof as Exhibit “A” is hereby adopted and enacted, but shall not be published within the Code of Ordinances of Macon-Bibb County, Georgia.

Section 2.

The preamble of this Ordinance shall be considered to be and is hereby incorporated by reference as if fully set out herein.

Section 3.

(a) It is hereby declared to be the intention of the Macon-Bibb County Commission that all sections, paragraphs, sentences, clauses, and phrases of this Ordinance are and were, upon their enactment, believed by the Macon-Bibb County Commission to be fully valid, enforceable, and constitutional.

(b) It is hereby declared to be the intention of the Macon-Bibb County Commission that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of
this Chapter is severable from every other section, paragraph, sentence, clause or phrase of this Ordinance. It is hereby further declared to be the intention of the Macon-Bibb County Commission that, to the greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this Ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Ordinance.

(c) In the event that any phrase, clause, sentence, paragraph or section of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the Macon-Bibb County Commission that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or sections of the Ordinance, and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs, and sections of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

Section 4.

All Ordinances or parts of Ordinances in conflict with this Ordinance are, to the extent of such conflict, hereby repealed.

Section 5.

This Ordinance shall become effective upon the Mayor signing it.

SO ORDAINED this _____ day of ________________, 2014.

ROBERT A.B. REICHERT, MAYOR

ATTEST: ____________________________
Clerk of the Commission