

MAYOR & COUNCIL MEETING
MONDAY, JANUARY 11, 1993
7:30 P.M.

A G E N D A

Meeting called to order.
Invocation and pledge to the flag.
Reading of past minutes.
Appoint Mayor Pro-tem
Appoint Liaisons to Boards
Presentation of Plaques to Outgoing Boardmembers
Nominations for New Boardmembers

Committee Reports

- A) Planning & Zoning Board
- B) Appeals Board
- C) Recreation Board
- D) Budget & Finance
- E) Solid Waste Task Force

Old Business

- A) Refinancing of 1989 Bond Issue
- B) Zoning Ordinance Amendment - Public Hearing
- C) Adoption of Personnel Manual
- D) Sidewalk Update
- E) Proposed SRF Loan - Council Member Bailey

New Business

- A) Solid Waste Management Issue - Diane Spivey
- B) Legislative Annexation Request - Barron Herman
- C) Annual Pooled Lease Ordinance
- D) DCA Regional Impact Regulations - Council Member Stanley
- E) Appoint Citizens News Column Committee

City Manager's Report

- A) CDBG Update

City Clerk's Report

Director of Golf's Report

Council Reports

Citizen's Comments

Adjournment

MAYOR & COUNCIL MEETING
MONDAY, JANUARY 11, 1993
7:30 P.M.

M I N U T E S

Notice posted at 12:00 noon on Friday, January 8, 1993 at City Hall.

In attendance: Mayor George Haggard and Council Members Thomas Morris, Steve Bailey, Roger Everett and Jim Stanley.

Meeting called to order at 7:38 p.m. by Mayor Haggard.

There was a silent invocation followed by the pledge to the flag led by Mayor Haggard.

Minutes

Council Member Bailey moves to approve last month's minutes as written. Second to the motion by Council Member Morris. Vote unanimous.

Appoint Mayor Pro-tem

Council Member Stanley moves to re-appoint Council Member Morris as Mayor Pro-tem. Second to the motion by Council Member Bailey. Vote unanimous.

Appoint Liaisons to Boards

Mayor Haggard states that he would like the Liaisons to remain the same as last year which are: Council Member Stanley - Planning & Zoning Board and Appeals Board, Council Member Bailey - Finance, Council Member Morris - Personnel and Task Force/Landfill Matters, Council Member Davis - Recreation Board, and Council Member Everett - Golf Course. Mayor Haggard asks if this is agreeable with the Council. There is a general consensus among the Council.

Presentation of Plaques to Outgoing Boardmembers

Mayor Haggard presents a plaque to Celia Southerland for her service on the Recreation Board and Keith Pugh for his service to the Planning & Zoning Board and Appeals Board.

Nominations for New Boardmembers

Mayor Haggard states that we have more nominations than we have vacancies. He states that we will keep the names of those who are not appointed on file as nominees for vacancies as they arise.

Mayor Haggard asks for nominations to replace Keith Pugh on the Planning & Zoning Board. Council Member Morris moves to appoint Bob Parris to replace Keith Pugh on the Planning & Zoning Board. Second to the motion by Council Member Bailey. Vote unanimous.

Mayor Haggard states that Gary Chapman has volunteered to continue serving on the Planning & Zoning Board. Council Member Stanley moves to re-appoint Gary Chapman to the Planning & Zoning Board. Second to the motion by Council Member Bailey. Vote unanimous.



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Mayor Haggard asks for nominations to replace Melinda Petruzzi on the Planning & Zoning Board. Council Member Stanley nominates Cliff London. Council Member Morris nominates Granville Betts. Council Member Everett nominates Dawn Burke. Council Member Stanley moves to appoint Cliff London to replace Melinda Petruzzi on the Planning & Zoning Board. Motion dies for lack of second. Council Member Morris moves to appoint Granville Betts to replace Melinda Petruzzi on the Planning & Zoning Board. Second to the motion by Council Member Bailey. Vote unanimous.

Mayor Haggard asks for nominations to replace Bob Parris on the Appeals Board. Council Member Bailey nominates Lee Frazee. Council Member Stanley nominates Cliff London. Council Member Bailey moves to appoint Lee Frazee to replace Bob Parris on the Appeals Board. Second to the motion by Council Member Morris. Vote unanimous.

Mayor Haggard states that Ed Phillips has volunteered to continue serving on the Appeals Board. Council Member Morris moves to re-appoint Ed Phillips to the Appeals Board. Second to the motion by Council Member Bailey. Vote unanimous.

Mayor Haggard asks for nominations to replace Keith Pugh on the Appeals Board. Council Member Stanley nominates Cliff London. Council Member Bailey nominates Dawn Burke. Council Member Everett states that Dawn Burke was not interested in serving on the Appeals Board. Council Member Bailey withdraws his nomination. Council Member Stanley moves to appoint Cliff London to replace Keith Pugh on the Appeals Board. Second to the motion by Council Member Bailey. Vote unanimous.

Mayor Haggard states that Neil Nichols has volunteered to continue serving on the Recreation Board. City Manager Kathy Williamson states that Bobbie Queen informed her that Mr. Nichols would continue to serve if they could not find anyone else and Mike Gheesling has volunteered to replace Mr. Nichols. She states that Merry Westberry has also volunteered to replace Celia Southerland on the Recreation Board. Council Member Stanley moves to appoint Merry Westberry and Mike Gheesling to replace Neil Nichols and Celia Southerland on the Recreation Board. Second to the motion by Council Member Bailey. Vote unanimous.

Swear in City Marshall

City Manager Kathy Williamson introduces Chris Robertson as the new City Marshall for the City of Sugar Hill. She states that he is a resident of Bent Creek and is a certified police officer for the City of Clarkston. He graduated from Riverside Academy and has worked for the City of Doraville. She states that the new patrol car is parked out front. Mr. Robertson will have a beeper for emergency calls as needed. Mrs. Williamson feels that the City is very fortunate to have him. She states that he is costing the City the same amount of money as James Morgan was going to. Mayor Haggard swears in Mr. Robertson as the City Marshall of the City of Sugar Hill.

Planning & Zoning Board

Council Member Stanley reports that there was no Planning & Zoning Board Meeting held last month. Ken Crowe states that there will be no meeting held this month either because there is not a quorum of boardmembers sworn in and next Monday, when the Board regularly meets, is a holiday. Discussion held on this matter.



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Council Member Stanley moves to authorize the Mayor to swear in all the new boardmembers at his convenience. Second to the motion by Council Member Bailey. Vote unanimous. Mr. Crowe states that Diane Spivey had requested to be on the agenda and asks her if her request can wait until February's meeting. Mrs. Spivey states that her request can wait.

Appeals Board

Council Member Stanley reports that there was no Appeals Board Meeting held last month.

Recreation Board

City Manager Kathy Williamson states that she has nothing to report on projects of the Recreation Board. However, the park was vandalized again this past weekend. Graffiti was painted on the barn and the vandals broke into the old concession stand.

Budget & Finance

Director of Finance Sandy Richards reports that the City had a positive cash flow of \$161,451.10 during December operations. The cash balance at the end of the year was \$84,242.24. Refer to reports for detailed information.

Solid Waste Task Force

Council Member Morris reports that the Solid Waste Task Force has been meeting regularly and they will hold a Public Information Meeting tomorrow night at 7:30 p.m. at the North Gwinnett High School auditorium. He states that the Task Force has been divided up into two groups and each group will present their proposals at this meeting for public input. He invites everyone to attend, including the Mayor and Council.

Refinancing of 1989 Bond Issue

Kendall Holman, of Southtrust Securities, is present to go over information on the refinancing of the 1989 Bond Issue. Mr. Holman states that he has made a great deal of progress on the bond issue. It is approximately 90% complete and interest rates have held firm but are beginning to increase slightly now. He states that calculations he made today proved to save the City \$20,000 per year over the debt service of the 1989 Bond Issue. He states that they plan to go to closing next week or the week after and in order to do so, formal action needs to be taken tonight by the Mayor and Council. Mr. Holman states that the City should be proud of the job the Finance Director has done in regards to this refinancing. Mr. Holman states that the contract between his firm and the City to underwrite the bonds needs to be voted on and signed. Council Member Bailey moves to accept the contract terms and proceed with the refinancing. Second to the motion by Council Member Morris. Council Member Everett and Council Member Stanley abstains from voting. Discussion is held on whether or not there is a majority of the vote with one Council Member present and two Council Members abstaining. Council Member Stanley states that he would be willing to vote on the issue if he knew what the funds from this refinancing would be used for. Council Member Bailey states that as liaison to finance, he would like to take the greatest portion of these funds and invest them in treasury securities. Director of Finance Sandy Richards states that the Council would have to vote on how the funds were disbursed



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if it was for unbudgeted expenses. Council Member Stanley withdraws his abstention. Vote unanimous.

Council Member Stanley moves to invest the funds from the refinancing into treasury securities. Second to the motion by Council Member Bailey. Vote unanimous.

Mr. Holman states that the Mayor and Council now needs to adopt the Bond Ordinance and authorize the Mayor to sign it. More discussion held on this matter. Council Member Bailey moves to adopt the Bond Ordinance as written. Second to the motion by Council Member Morris. Vote unanimous.

Council Member Bailey moves to authorize the Mayor to sign the Bond Ordinance. Second to the motion by Council Member Morris. Vote unanimous.

Recess

Mayor Haggard calls for a short recess.

Meeting recessed at 8:47 p.m

Meeting reconvened at 8:55 p.m.

Zoning Ordinance Amendment - Public Hearing

City Manager Kathy Williamson reads the Zoning Ordinance Amendment which pertains to motorized construction equipment being parked on private property when construction is in progress. Refer to Ordinance. Council Member Morris moves to adopt the Ordinance as written. Second to the motion by Council Member Everett. Vote unanimous.

Adoption of Personnel Manual

City Manager Kathy Williamson states that the updated Personnel Manual was given to the Mayor and Council last month for their review. She states that there is an Ordinance in the Council's packets to adopt the Personnel Manual. Council Member Morris moves to adopt the Personnel Manual. Second to the motion by Council Member Bailey. Vote unanimous.

Sidewalk Update

City Manager Kathy Williamson states that the County is still working on the agreement for the sidewalk project and she will report on this matter when they have completed the agreement.

Proposed SRF Loan - Council Member Bailey

Council Member Bailey reports that the City has been approved for the SRF (State Revolving Fund) loan for the construction of the sewer interceptor lines. Council Member Bailey moves to authorize the Mayor to execute the loan papers for this project. Second to the motion by Council Member Morris. Vote unanimous.

Solid Waste Management Issue - Diane Spivey

Diane Spivey of 5647 Pinedale Circle, states that there will be a Public Information Meeting tomorrow night as Council Member Morris stated earlier. She states that the purpose of this meeting is to inform the public of two options which are to either close or expand the landfill and the Task Force will give the pros and



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cons of each option. She states that the Task Force would like a commitment from the Mayor and each Council Member to be present and hear what the citizens of the City want. Council Member Morris and Council Member Stanley will be present. The Mayor and other Council Members had previous engagements. City Manager Kathy Williamson states that there is also a Gwinnett Municipal Association Meeting being held the same night. Mrs. Spivey requests an update of the status of bids from attorneys. Mrs. Williamson states that several attorneys have requested more time to review the detailed information submitted by the Task Force. She states that four bids have been turned in and three more attorneys want extensions because they wanted copies of the franchise agreements, etc. and did not have time to review everything. Mrs. Spivey asks when a decision will be made on this issue. Mrs. Williamson states that the Council agreed last month that they would have a called meeting if necessary to vote on the matter. Council Member Stanley moves to extend the bid period for one week, until the close of business Tuesday, January 19, 1993 (since City Hall is closed Monday, January 18, 1993 for Martin Luther King Day) and have a called meeting sometime thereafter to open the bids. Second to the motion by Council Member Everett. Vote unanimous.

Legislative Annexation Request - Barron Herman

City Manager Kathy Williamson presents the Mayor and Council with a copy of the minutes of the September 9, 1991 Council Meeting when Barron Herman first made his proposal. Refer to minutes. She states that Mr. Herman gave the City easements through his property and would like to be annexed into the City in return. Council Member Stanley states that these are all vacant lots and we are not annexing anyone against their will. Mr. Stanley also states that the City is willing to make sewer capacity available to anyone who is in the City and there will be no discounts given to Mr. Herman. Council Member Morris moves to proceed with the legislative annexation. Second to the motion by Council Member Bailey. Discussion is held on whether or not this matter has to go before the Planning and Zoning Board first. City Attorney Lee Thompson states that it does have to go before the Planning and Zoning Board to zone the property as outlined in the City's Zoning Ordinance. More discussion held on this matter. Council Member Morris asks how many lots are there in Unit 4 of Emerald Lakes Subdivision. Mr. Herman states that there are 35 lots in Unit 4. Vote unanimous.

Annual Pooled Lease Ordinance

Director of Finance Sandy Richards states that this is the Ordinance that has to be signed every year to remain in the Pooled Lease Program. Refer to Ordinance. Council Member Bailey moves to adopt the Ordinance as written. Second to the motion by Council Member Everett. Vote unanimous.

DCA Regional Impact Regulations - Council Member Stanley

Council Member Stanley states that he would like to have the plans for the landfill, which are at EPD, be turned over to the Department of Community Affairs to comply with the Georgia Planning Act of 1989 for the Developments of Regional Impact (DRIs). City Manager Kathy Williamson states that 70 surrounding cities and counties have already been notified. Refer to handout by Council Member Stanley. Discussion held on this matter. Council Member Stanley moves to proceed with this action. Motion dies for lack of second.

AP

Appoint Citizens News Column Committee

Mayor Haggard asks for appointments by each Council Member for the Citizens News Column Committee. Council Member Bailey appoints Cindy Wright of 815 Level Creek Road. Council Member Morris states that he appointed Rose Payne last month to serve as Chairperson. Council Member Everett appoints Dawn Burke of 611 Forrest Retreat. Council Member Stanley appoints Kyle Parker of 5665 Cardigan Trace. Chairperson Rose Payne states that she contacted citizens comments sections of local newspapers regarding libious material. She reviews with the Mayor and Council some of the opinions they gave regarding this matter. She states that at the first meeting of this committee, she would like to set up their objectives and missions and would also like the City Attorney to be present only at the first meeting to advise the committee on libious material. Mrs. Payne asks if the Council would be willing to provide liability insurance for the committee members. City Manager Kathy Williamson states that they may already be insured but she will look into this matter. Council Member Morris moves to authorize the City Attorney to be at the first meeting of the Citizens News Column Committee. Second to the motion by Council Member Bailey. Vote unanimous. Council Member Stanley states that anytime the committee has a legal question, they can contact the City Manager and she has authority to question the City Attorney.

CDBG Update

City Manager Kathy Williamson reports that the bids received for drainage improvements on Creek Lane and Craig Drive were more than the amount of funds available. Therefore, she recommends the City complete this project in house so there will be enough funds for the entire project. She states that Street & Bridge Supervisor Danny Pugh is working on the figures and they hope to get started right away on this project.

Traffic Light at Hillcrest Drive and Highway 20

City Manager Kathy Williamson reads the letter from Wayne Shackelford regarding the possibility of installing a traffic light at Hillcrest Drive and Highway 20. Refer to letter. She states that the City is still not having much success with this matter.

State of City Address

City Manager Kathy Williamson reads the State of City Address which includes the accomplishments of each department for 1992. Refer to report.

Needy Families

City Manager Kathy Williamson reports that the City, along with the Buford Presbyterian Church, delivered clothes and toys and fed 43 families during the Christmas holidays.

Director of Golf's Report

Director of Golf Wade Queen states that he would like to run an ad in the Gwinnett Annual Report of the Gwinnett Extra. He states that the reason he has come to the Council with this request is because he has discovered that advertising costs are outrageous and the amount he had budgeted for 1993 has already been allocated. Therefore, he would like his advertising and promotional budget for 1993 be increased. Discussion held on this matter. Council Member Stanley moves to amend the advertising and promotional budget for the golf course to \$15,000. Second to the motion by Council Member Bailey. Vote unanimous.

(Handwritten initials)

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Mr. Queen also reports that the MECA Corporation wants to put an entrance sign on Highway 20 where they would like to build a road to the golf course from Highway 20. This is only for the Council's review.

Council Reports

Nothing to report.

Citizen's Comments

Joan Hawthorne, of 4571 South Roberts Drive, reports water runoff in her yard coming from a retaining pond at the Sugar Hill United Methodist Church behind her house. She states that the pond was only to overflow every 100 years and she has a lake in her yard all the time. Mrs. Hawthorne states that her neighbor, Mr. Doherty said that the church stated that they would beautiful the area they disturbed and they haven't yet. Mrs. Hawthorne asks if the City has any recourse on this matter and if it was engineered correctly. She states that two trees have fallen on her house because of this problem and there are several more which could fall. Mayor Haggard states that the City Manager and Director of Utilities and Development will look at the situation. City Manager Kathy Williamson states that she has already looked at the situation and has contacted McNally and Patrick to do a study on what could be done with this situation. Mayor Haggard states that he is sure the church would correct the problem if they knew about it. Mrs. Hawthorne states that they do know about it and she would be more than happy to meet with them regarding this matter. More discussion held on this matter. Mrs. Williamson states that she will contact Mrs. Hawthorne when McNally and Patrick make their recommendation.

Diane Spivey of 5647 Pinedale Circle, states that she is disappointed that the entire Mayor and Council is not coming to the Public Information Meeting tomorrow night. She states that they are the ones who will eventually have to make a decision on this matter and it would help if they know all the facts. She states that if there was a conflict with another meeting, the Liaison did not report it to the Task Force.

Charles Brack of White Oak Drive, states that he received the newsletter from Council Member Stanley and in the newsletter Mr. Stanley bragged on being the only Council Member to vote against the tax millage rate decrease and asks how that is a positive thing. Council Member Stanley states that he feels the revenue could have been used in other areas and did not feel it was proper to decrease the millage rate at that time.

Laurie Henritze, of 2054 Appling Circle, states that she was at the meeting where the Council voted on the tax millage rate and she understood that the meeting on the budget was the next week and Council Member Stanley just wanted to see both sides of the issue before it was voted on.

Director of Utilities and Development Ken Crowe states that he has been working with the County on the Storm Water Management Program, Part 2, and they are having an open house on Friday at 5:00 p.m. to discuss what is in the program and he invites the Mayor and Council to attend.

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City Attorney Lee Thompson states that he needs to meet with the Mayor and Council in Executive Session to discuss pending litigation.

Executive Session

Council Member Everett moves to recess the Council Meeting in order to have an Executive Session with the City Attorney to discuss pending litigation. Second to the motion by Council Member Morris. Vote unanimous.

Meeting recessed at 10:32 p.m.

Meeting reconvened at 11:50 p.m.

No further business was discussed.

Adjournment

Council Member Morris moves to adjourn the meeting. Second to the motion by Council Member Everett. Vote unanimous.

Meeting adjourned at 11:50 p.m.

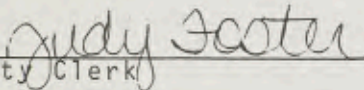
Judy Foster

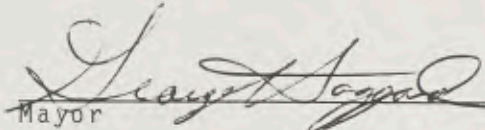
OATH FOR CITY MARSHALL

"I, Chris Robertson, do solemnly swear that I will truly perform the duties of City Marshall of the City of Sugar Hill and that I will support and defend the Charter thereof as well as the Constitution and laws of the State of Georgia and of the United States of America."

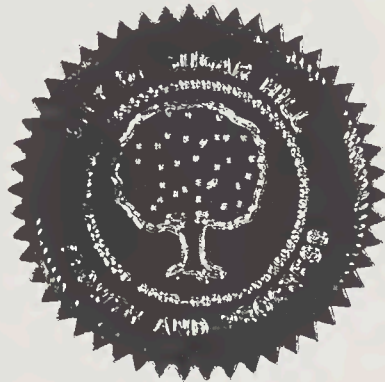
ATTEST:


Chris Robertson


City Clerk


Mayor

1/11/93
Date



LISTING OF BOARDMEMBERS

<u>Planning & Zoning Board</u>	<u>Term Expires</u>
Jay Asgari.....	12/31/94
Gary Chapman.....	12/31/92*
Melinda Petruzzi.....	12/31/94**
Keith Pugh.....	12/31/93**
Edward Schoeck.....	12/31/94

<u>Appeals Board</u>	<u>Term Expires</u>
Bob Karsten.....	12/31/94
Bob Parris.....	12/31/92*
Ed Phillips.....	12/31/92*
Keith Pugh.....	12/31/94**
Ron West.....	12/31/94

<u>Recreation Board</u>	<u>Term Expires</u>
Jody Banks.....	12/31/95
Jerry Gober.....	12/31/95
Neil Nichols.....	12/31/92*
Bobbie Queen.....	12/31/96
Celia Southerland.....	12/31/95**

* These Boardmembers terms expire the end of this year and need to be either replaced or sworn in again.

** These Boardmembers have resigned for one reason or another and needs to be replaced.

LISTING OF POTENTIAL BOARDMEMBERS

Planning & Zoning Board

Bob Parris
5050 Sugar Creek Drive
Sugar Hill, Ga. 30518

Granville Betts
1150 Secret Cove Drive
Sugar Hill, Ga. 30518

Dawn Burke
611 Forrest Retreat
Sugar Hill, Ga. 30518

Clyde Story
4701 Deep Creek Drive
Sugar Hill, Ga. 30518

C. Lee Frazee
5155 Maltdie Court
Sugar Hill, Ga. 30518

Rick January
1282 Frontier Drive
Sugar Hill, Ga. 30518

Appeals Board

Cliff London
1111 Danube Trail
Sugar Hill, Ga. 30518

C. Lee Frazee
5155 Maltdie Court
Sugar Hill, Ga. 30518

Rick January
1282 Frontier Drive
Sugar Hill, Ga. 30518

Recreation Board

Mike Gheesling
909 Pinedale Terrace
Sugar Hill, Ga. 30518

MEMORANDUM TO: MAYOR & COUNCIL
FROM: COUNCILMAN JIM STANLEY
TOPIC: NOMINATIONS TO BOARDS AND COMMITTEES
DATE: JANUARY 11, 1993

With regard to recently announced openings on boards and committees, please accept the following nominations:

1. Mr. Clyde L. Story
4701 Deep Creek Drive
932-2995
For: Planning & Zoning Board or Board of Zoning Appeals
2. Mr. John Clifton London
1111 Danube Trail
271-9200
For: Planning & Zoning Board (Preference) or Board of Zoning Appeals
3. Mr. James R. January
1282 Frontier Drive NE
271-1730
For: Planning & Zoning Board (Preference) or Board of Zoning Appeals
4. Mrs. Diane Spivey
5647 Pinedale Circle
945-8477
For: Planning & Zoning Board (Preference) or Board of Zoning Appeals
5. Mr. Kyle J. Parker
5665 Cardigan Trace NE
945-4218
For: Citizens Advisory Group to City Newsletter
6. Mr. Gary Chapman to be confirmed for another full term on the
Planning & Zoning Board
7. Mr. Neil Nichols to be confirmed to another full term on the
Recreation Board

Respectfully submitted,

James B. Stanley



CITY OF SUGAR HILL

4988 WEST BROAD ST. SUGAR HILL, GEORGIA 30518
(404) 945-6716

TO: MAYOR AND COUNCIL

FROM: SANDRA RICHARDS, DIRECTOR OF FINANCE

DATE: JANUARY 4, 1992

RE: DECEMBER BUDGET RESULTS

OPERATIONS:

The following is the results from December operations. These figures are expressed as variances and represent net income (loss) in each fund.

General	\$ 67,274.63
Sanitation	<\$ 28,215.01>
Gas	\$119,278.49
Water	<\$ 11,220.77>
Street	<\$ 16,087.10>
Sewer	\$ 78,994.73
Golf Course	<\$ 48,573.87>
Total	\$161,451.10

CASH BALANCE:

At the end of December, the city had total cash in operating accounts of \$84,242.24. This does not include money held in investments.

INVESTMENTS:

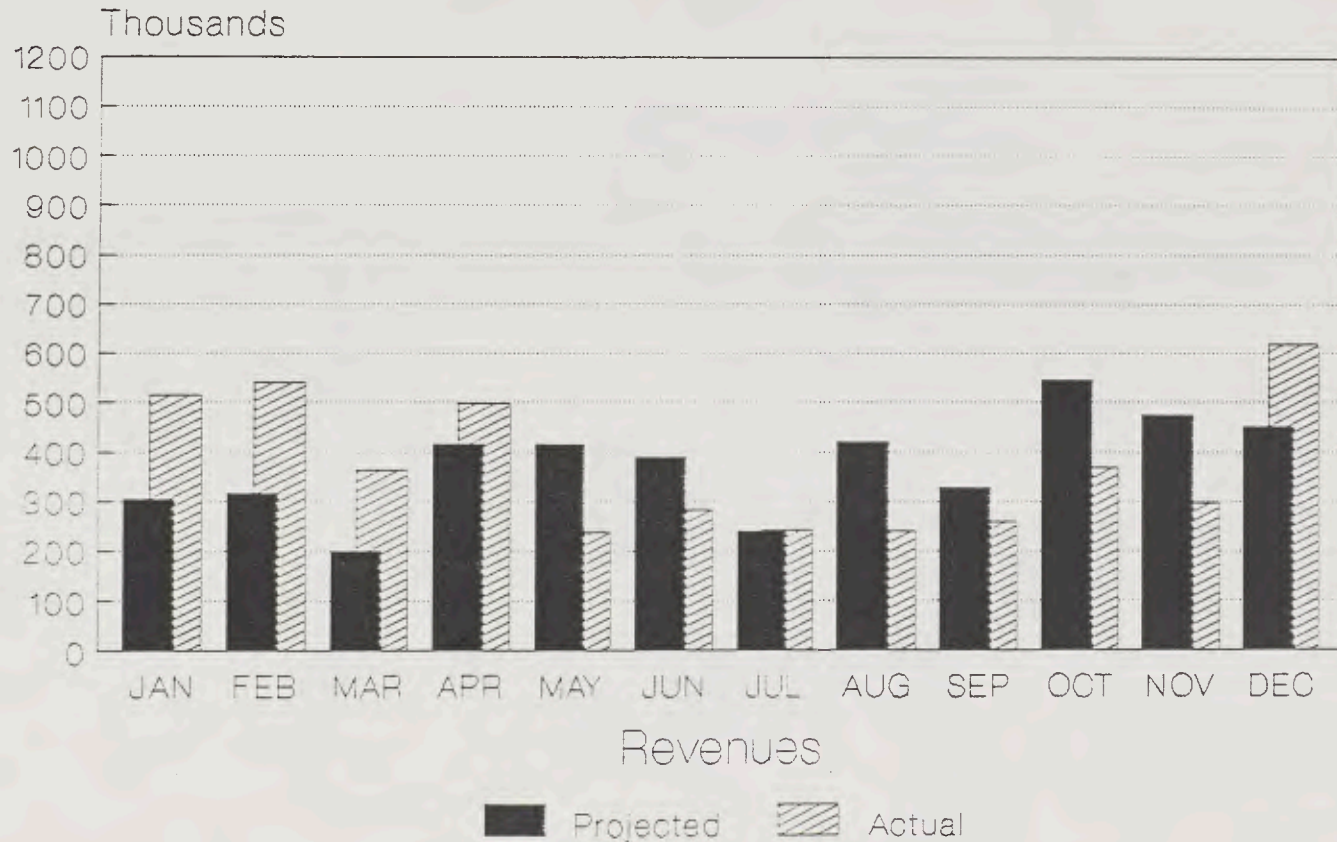
\$0.00 remain in our investment accounts at the end of December.

CONSTRUCTION:

During December, the city spent \$7,888.88 for construction of the golf course and waste water treatment facility.

Revenues-Projected & Actual

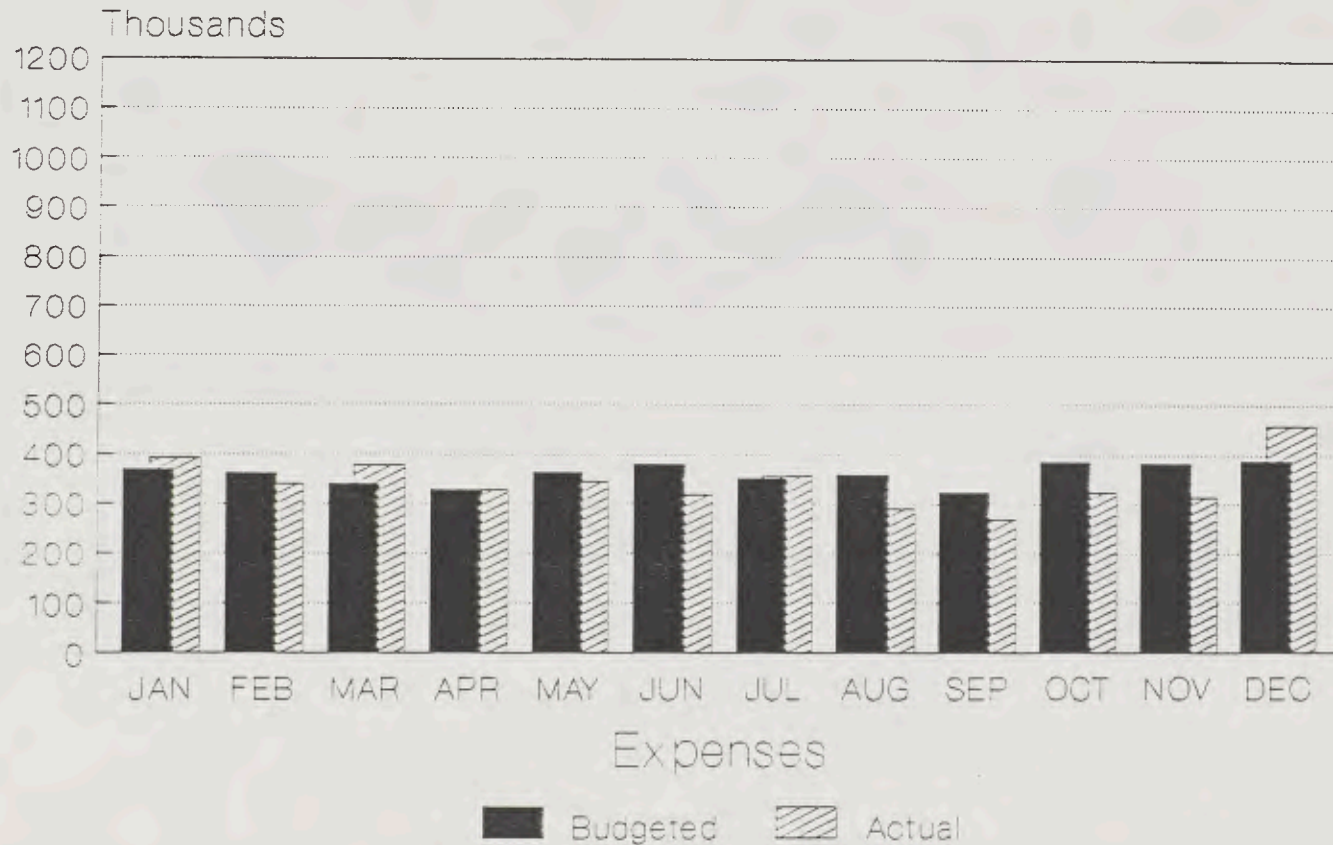
FY 1992 City of Sugar Hill



Dollars

Expenditures-Budgeted & Actual

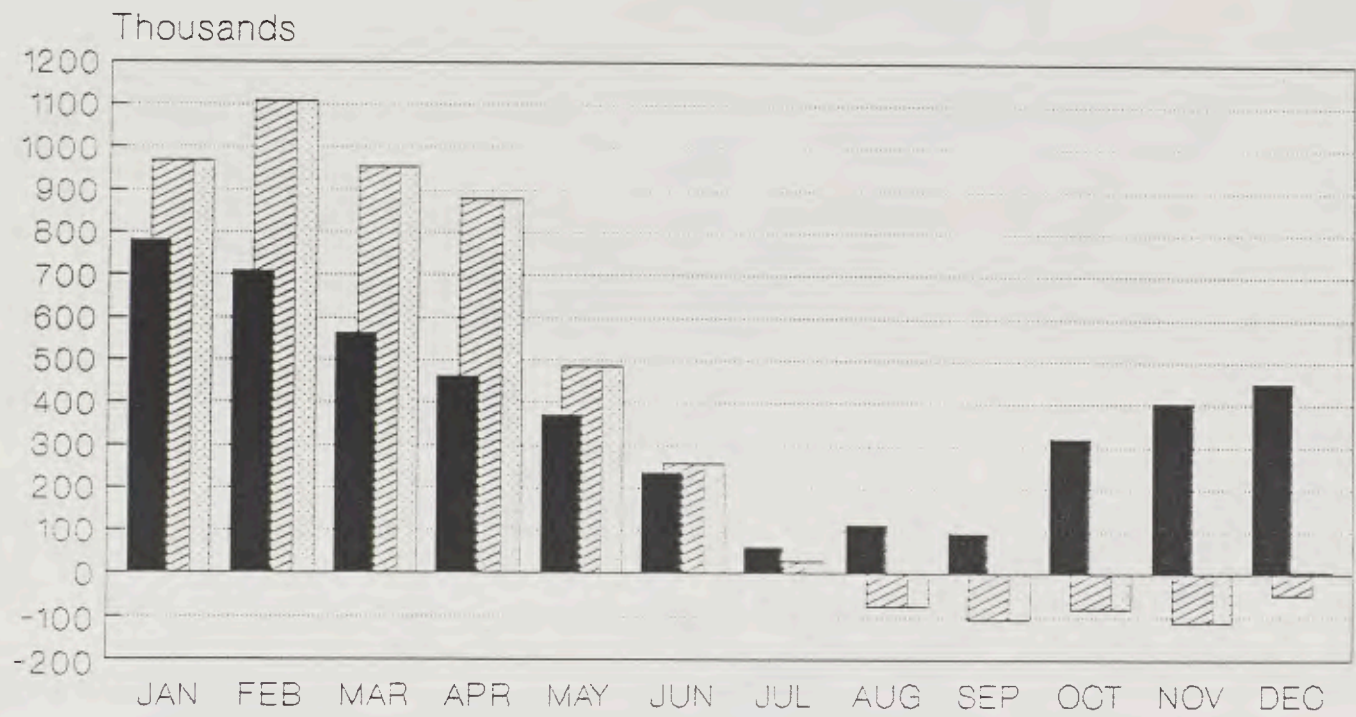
FY 1992 City of Sugar Hill



Dollars

Variances-Dec vs Budget

FY 1992 City of Sugar Hill



Monthly Resultant Variances

1992 Proj. Variance
 Projected Last Month
 Proj. Variance-Dec

Dollars

SouthTrust Securities, Inc.



A Subsidiary of
SouthTrust Corporation

P.O. Box 2554
Birmingham, Alabama 35290
(205) 254-5968
Fax # (205) 254-5144

Capital Markets

January 11, 1992

City of Sugar Hill
4988 West Broad Street
Sugar Hill, Georgia 30518

Re: Public Utility Revenue Refunding Bonds, Series 1993

Dear Mayor & Council:

After review of the initial information provided to SouthTrust Securities, Inc. ("SSI"), by the City of Sugar Hill ("Client") we are pleased to offer to commence an investment banking relationship with you by serving as the underwriter for approximately \$7,815,000 principal amount of public utility revenue bonds issued to advance refund the City's 1989 public utility revenue bonds. A more detailed discussion of the project and the terms of the financing we are currently considering is set forth in Exhibit 1.

SSI will review various financing alternatives and make recommendations as to the best financing method to follow, assist in preparation of the Official Statement ("OS"), assist in selecting nationally recognized Bond Counsel, preparing financing documents and arranging, implementing, scheduling and supervising the procedural steps of the financing. Upon execution of a Bond Purchase Agreement, at the date of sale, SSI will commit to purchase the bonds.

SSI will require your participation in the preparation of the OS. The OS will contain financial statements of Client which will be reviewed by auditors acceptable to SSI. SSI will receive comfort letters satisfactory to SSI with respect to certain financial information contained in the OS, including unaudited financial statements. Client will provide such information regarding Client and the transaction as is necessary to allow SSI to perform its duties and Client recognizes that SSI will rely on such information without any outside verification.

In this Contract, SSI has assumed no material change from the information provided to this date. Client will notify SSI of any events which might materially affect the offering or the status of Client.

This Contract is a statement of mutual intention to effect the proposed transaction through SSI's underwriting of the bonds and is subject to SSI's Credit completion of due diligence satisfactory to SSI, the parties' mutual agreement to proposed transaction terms, the adoption by the issuer of bond documents satisfactory to SSI and its counsel, and the receipt of an unqualified and approving opinion of counsel satisfactory to SSI attesting to the legality and tax-free nature of the bonds.

This Contract is not meant to be construed as a financing commitment. Accordingly, no legally enforceable obligation against SSI with respect to the completion of the proposed financing shall be created by this Contract and client acknowledges that only the execution of the Bond Purchase Agreement will create such an obligation pursuant to the terms set forth therein.

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Upon acceptance of this Contract, Client grants SSI the exclusive right to act as its underwriter until and unless this Contract is canceled by either party giving 30 days written notice. SSI's fees and the indemnity set forth in Exhibit 2 shall survive any termination of this Contract.

SSI's underwriting fee shall be 1% of the gross amount of the financing. SSI shall be paid at the closing of the transaction in immediately available funds. All reasonable out-of-pocket expenses incurred by SSI on behalf of Client in connection with completing this transaction, including, but not limited to, preparation and printing of the OS and related documents, accounting and legal fees including expenses of bond counsel, appraisals, engineering studies, feasibility studies, trustee's fees, title costs, filing fees and other due diligence expenses shall be payable at closing out of the bond proceeds. Should the transaction be postponed or canceled due to market conditions, SSI and Client agree that Client shall not be responsible for SSI's out-of-pocket expenses or fees. In no other case, including the failure of the transaction to close for any other reason, shall SSI be responsible for any such expenses.


Client understands and agrees that this Proposal Letter, complete with exhibits, constitutes the entire agreement between Client and SSI and supersedes any prior oral or written expressions between the parties upon which Client understands, and agrees, they may not rely. Further, Client understands, and agrees, that this Contract can only be modified by a writing executed by both parties and that any future oral modification is unauthorized, can not be relied upon, and will have no force or effect.

This Contract shall be governed by the laws of the State of Georgia without regard to any choice of law provisions. Exhibit 1 and Exhibit 2 to this Contract are an integral part thereof and expressly made a part of this Contract.

If you find the terms of this Contract acceptable, please sign below and return a copy of this Contract to SSI along with the executed Exhibit 1 and Exhibit 2.

Sincerely,

SouthTrust Securities, Inc.

By: 
Kendall Holman
Vice President

Accepted and Agreed to this 11th day
of January 1993.

City of Sugar Hill

By: 
(Name)

EXHIBIT 1

City of Sugar Hill, Georgia
Public Utility Revenue Refunding Bonds

Series 1993

Proposed Summary of Terms

January 11, 1993

Issuer: The City of Sugar Hill

Purpose of Financing: Advance refunding & defeasing the City's outstanding 1989 combined Public Utility Revenue Bonds

Size: Approximately \$7,815,000

Security: First lien pledge of water, sewer & gas revenues.

Debt Service Reserve: Funded through surety bond

Rating: Aaa/AAA (insured)

Due Diligence: SouthTrust Securities, Inc. has the right to perform whatever due diligence it deems necessary prior to the issuance of these securities.

Indemnity: As Provided in Exhibit 2.

This Exhibit is an integral part of the Contract referenced herein and dated January 11, 1993.

CITY OF SUGAR HILL

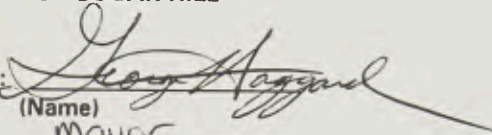
By: 
(Name)
Mayor
(Title)

EXHIBIT 2

January 11, 1993

SouthTrust Securities, Inc.
P.O. Box 2554
Birmingham, Alabama 35290
Attention: Kendall Holman

Re: Public Utility Revenue Refunding Bonds, Series 1993

Dear Mr. Holman:

In connection with your engagement to act as underwriter to assist the City of Sugar Hill hereinafter known as "Client", with the financing of approximately \$7,815,000 (the "Engagement") and pursuant to the terms of the Contract dated January 11, 1993, (the "Contract") Client agrees to indemnify and hold harmless SouthTrust Securities, Inc. ("SSI") the respective directors, officers, partners, agents and employees of SSI, and its affiliates and each other person, if any controlling SSI or any of its affiliates, to the full extent lawful, from and against all losses, claims, damages, liabilities and expenses incurred by them (including fees and disbursements of counsel) which (A) are related to or arise out of (i) actions taken or omitted to be taken (including any untrue statements made or any statements omitted to be taken) by Client or (ii) actions taken or omitted to be taken by an indemnified person with Client's consent or in conformity with the Client's actions or omissions or (B) are otherwise related to or arise out of SSI's activities on Client's behalf under the Engagement, and will reimburse SSI and any other person indemnified hereunder for all expenses (including fees and disbursements of counsel) as they are incurred by SSI or such other indemnified person in connection with investigating, preparing or defending any such action or claim, whether or not in connection with pending or threatened litigation in which SSI or any other indemnified person is a party. Client will not be responsible, however, for any losses, claims, damages, liabilities or expenses pursuant to clause (B) of the preceding sentence which are finally judicially determined to have resulted primarily from the bad faith or gross negligence of the person seeking indemnification hereunder. Client also agrees that neither SSI nor any of its affiliates, nor any director, officer, partner, agent or employee of SSI or any of its affiliates, nor any person controlling SSI or any of its affiliates, shall have any liability to Client for or in connection with the Engagement except for such liability for losses, claims, damages, pursuant to or expenses incurred by the Client which are finally judicially determined to have resulted primarily from SSI's bad faith or gross negligence. The foregoing agreement shall be in addition to rights that SSI or any indemnified person may have at common law or otherwise, including, but not limited to any right to contribution. This indemnification shall be governed by the laws of the State of Georgia without regard to any choice of law provisions.

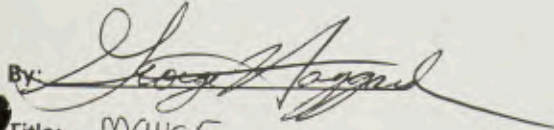
Client also agrees that neither SSI, nor their respective affiliates, directors, officers, agents and employees shall have any liability to Client for or in connection with the Engagement for a failure to complete the proposed transaction and that this indemnity specifically is intended to govern this situation to full extent of the law.

This indemnification shall apply to the Engagement, any such additional engagement, and any modification of the Engagement or such additional engagement, and shall remain in full force and effect following the completion or termination of the Engagement.

This indemnification is an integral part of the Contract.

Sincerely,

CITY OF SUGAR HILL

By: 
Title: Mayor

Date: 1/11/93


ORDINANCE

The Council of the City of Sugar Hill hereby ordains that the Zoning Ordinance of the City of Sugar Hill, Georgia is hereby amended by deleting Section 904(E) (3) in its entirety and replacing said subparagraph with the following language:

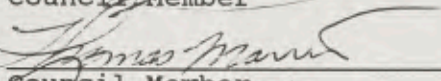
(3) Any motorized construction equipment except when located on private property on which related construction is in progress.

Except as amended herein, all other provisions of said Ordinance shall remain in full force and effect.

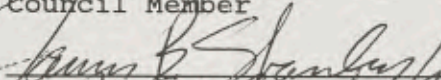
IT IS SO ORDAINED this 11th day of January, 1993.



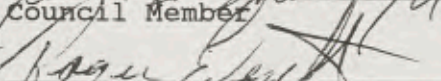
Council Member



Council Member



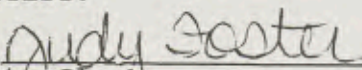
Council Member



Council Member

Council Member

ATTEST:



City Clerk

APPROVED BY



MAYOR

This 11th day of January, 1993.

Delivered to the Mayor January 11, 1993

CITY OF SUGAR HILL

PERSONNEL ORDINANCE

AN ORDINANCE TO ESTABLISH A PERSONNEL SYSTEM

FOR SUGAR HILL, GEORGIA

ARTICLE I. GENERAL PURPOSE

The general purpose of this act is to establish a system of personnel administration that meets the social, economic, and program needs of the people of Sugar Hill. The system herein established shall be consistent with the following merit principles:

1. Recruiting, selecting and advancing employees on the basis of their relative ability, knowledge and skills, including open competition of qualified applicants for initial appointment;

2. Establishing pay rates consistent with the principle of providing comparable pay for comparable work;

3. Training employees, as needed, to assure high quality performance;

4. Retaining employees on the basis of the adequacy of their performance, correcting inadequate performance and separating employees whose inadequate performance cannot be corrected;

5. Assuring fair treatment of applicants and employees in all aspects of personnel administration without regard to political affiliation, race, color, creed, national origin, or ancestry, age, sex, or religion;

6. Assuring employers protection against partisan political coercion and prohibiting their use of official authority for interfering with or affecting the results of an election or the nomination for an office.

ARTICLE II. ADMINISTRATION

A. There shall be in Sugar Hill a personnel unit, the head of which is the City Manager as designated by the City Charter. The function may be assigned to any other person experienced in management and administration who shall be designated by the City Manager to serve in the capacity of Personnel Director. In the absence of an appointed Personnel Director it shall be assumed the title refers to the City Manager.

B. The Personnel Director is head of the personnel department and shall direct all of its administrative and technical activities and appoint its employees. The duties of this office shall be to:

1. Encourage and exercise leadership in the development of effective personnel administration within the several departments in the government service, and to make available the facilities of the department of personnel to this end.
2. Advise the City Manager on manpower utilization.
3. Foster and develop programs for the improvement of employee effectiveness, including training, safety, health, counseling and welfare.
4. Investigate from time to time the operation and effect of this law and of the policies made thereunder and to report his findings and recommendations to the City Manager.
5. Establish and maintain records of all employees in the government service, in which there shall be set forth as to each employee the class, title, pay or status and other relevant data.
6. Make an annual report to the City Manager regarding the work of the department.
7. Apply and carry out this ordinance and the policies thereunder and to perform any other lawful acts which may be necessary or desirable to carry out the purposes and provisions of this ordinance.

C. The Personnel Director shall submit personnel policies for adoption by the City Manager. The policies shall have the force and effect of law. The policies shall provide:

1. For the preparation, maintenance and revision of a position classification plan for all positions in the career service, based upon similarity of duties performed and responsibilities assumed, so that the same qualifications may reasonably be required for, and the same schedule of pay may be equitably applied to, all positions in the same class. After such classification plan has been approved by the City Manager, the Director shall allocate or reallocate the position of every employee in the career service to one of the classes in the plan. Any employee affected by the allocation or reallocation of a position to a class shall, after filing with the Personnel Director a written request for reconsideration thereof in such manner and form as the director may prescribe, be given a reasonable opportunity to be heard thereon.
2. For the annual submission of a pay plan to the Manager.
3. For recruitment of capable persons and for administering evaluations to determine the relative fitness of applicants for positions in the public service.
4. For promotions which shall give appropriate consideration to the applicant's qualifications, record of performance and ability.
5. For, upon appointment or promotion, a six month period of employee probation.
6. For temporary employment of not more than 90 days with the consent of the director and for provisional employment not to exceed six months when there is no qualified applicant available. Extensions to these appointments may be granted with the approval of the Personnel Director.

7. For the establishment of programs, including trainee programs, designed to attract and utilize persons with minimal qualifications, but with potential for development, in order to provide career development opportunities among members of disadvantaged groups, handicapped persons, and returning veterans. Such programs may provide for permanent appointment upon the satisfactory completion of the training period without further examination.
8. For keeping records of performance of all employees in the career service, which performance records shall be considered in determining salary increments or increases for meritorious services; as a factor in promotions; as a factor in work, and of reinstatement; and as a factor in demotions, discharges and transfers.
9. For lay-offs by reason of lack of funds or work, or abolition of a position, or material change in duties or organization, and for re-employment of employees so laid off.
10. For establishment of a plan for resolving employee grievances and complaints.
11. For the establishment of disciplinary measures such as suspension, demotion in rank or grade, or discharge. Such measures shall provide for presentation of charges, hearing rights, and appeals for all permanent employees in the career service.
12. For establishing hours of work, holidays and attendance regulations in various classes of positions in the career service.
13. For establishing and publicizing fringe benefits such as insurance programs, retirement and leave policies.
14. For development and operation of programs to improve work effectiveness including training, safety, health, welfare, counseling, recreation and employee relations.
15. For such other policies and administrative regulations, not inconsistent with this law as may be proper and necessary for its enforcement.

D. The City Manager or his authorized agent shall be responsible for certification of the payroll vouchers that the persons named therein have been appointed and employed in accordance with the provision of this law and the policies thereunder. No Sugar Hill disbursing or auditing officer shall make or approve or take any part in making or approving any payment for personal service to any persons holding a position in the Sugar Hill government unless said payroll voucher or account of such bears the certification of the City Manager or his authorized agent.

ARTICLE III. GRIEVANCE PROCEDURE

A. A grievance is any dispute concerning the interpretation or application of this Ordinance, or of the personnel policies governing personnel practices or working conditions, or decision relative to any disciplinary action, dismissal, demotion or charge of discrimination.

B. Grievances shall be processed in accordance with procedures established by the City Manager.

1. Use of Official Authority or influence for the purpose of interfering with an election or nomination for office or affecting the result thereof.
2. Directly or indirectly coercing, attempting to coerce, commanding or advising any other such officer or employee to pay, lend, or contribute any part of his salary or compensation or anything else of value to any party, committee, organization, agency, or person for political purposes.
3. Active participation in political party management or in political campaigns.

B. The Director, acting in behalf of the City Manager, may cooperate with other governmental agencies charged with public personnel, training personnel, establishing lists from which eligibles shall be certified for appointment and for the interchange of personnel and their benefits.

ARTICLE IV. POLITICAL ACTIVITIES

A. No Sugar Hill employee shall be appointed, promoted, demoted, favored or discriminated against with respect to employment in the classified service because of their political opinions or affiliations.

B. No person shall use or promise to use, directly or indirectly, any official authority or influence, whether possessed or anticipated, to secure or attempt to secure for any person an appointment or advantage in appointment to a position in the classified service or an increase in pay or other advantage in employment in any such position for the purpose of influencing the vote or political action of any person.

C. No Sugar Hill full time employee shall hold an elective office in the City government, nor shall he solicit any contributions or assessments, or services, nor publicly endorse any candidate for any City elective office.

D. Nothing herein contained shall affect the right of an employee to contribute to, hold membership in, serve as an officer of, or support a political party, to vote as he chooses, to support or campaign for county, state or national political candidates, to maintain political neutrality or to attend political meetings.

E. Exception to "D" above: Any city employee who, as normal and foreseeable incident to his principal job or position, performs duties in connection with an activity financed in whole or in part by Federal loans or grants, comes under the Federal Hatch Act which prohibits the following

1. Use of official authority or influence for the purpose of interfering with an election or nomination for office or affecting the result thereof.
2. Directly or indirectly coercing, attempting to coerce, commanding or advising any other such officer or employee to pay, lend, or contribute any part of his salary or compensation or anything else of value to any party, committee, organization, agency, or person for political purposes.
3. Active participation in political party management or in political campaigns.

ARTICLE V. NEPOTISM

A. An employee who is directly related to another employee can be employed by the city or the golf course, but not within the same entity as the related employee. (One entity is the golf course and the other entity is the city.)

ARTICLE VI. EQUAL EMPLOYMENT OPPORTUNITY GUARANTEED

A. There shall be no discrimination exercised on account of race, national origin, color, religion, creed, age, sex (except where age or sex is a bonafide occupational qualification) or political affiliation with respect to the recruiting and examination of applicants, the hiring of eligibles, or in any personnel transactions affecting employees, including training, promotion, and disciplinary actions. All personnel actions shall be based solely on merit and fitness of the individual.

B. The Personnel Director shall see that information about job opportunities is readily available to all potential job applicants. A continuing program shall be conducted to make the Equal Employment policies known to all citizens of the City, and other potential job applicants.

C. Any applicant or employee who alleges discrimination in any personnel transaction shall have the right to counsel with the Personnel Director and, if still desired, the right of appeal to the City Council.

ARTICLE VII. UNLAWFUL ACTS PROHIBITED

A. No persons shall make any false statements, ratings or reports with regard to any test, or appointment made under any provision of this law or in any manner commit any fraud preventing the impartial execution of this ordinance.

B. No person shall directly or indirectly give, render, pay, offer, solicit, or accept any money, service or other valuable consideration for any appointment, proposed appointment, promotion, or proposed promotion to, or any advantage in, a position in the City Council full time employee.

C. No employee of the personnel department, examiner, or other person shall defeat, deceive or obstruct any person in his right to examination eligibility, or appointment under this law, or furnish to any person any special or secret information for the purpose of affecting the rights or prospects of any person with respect to employment in the career service.

ARTICLE VIII. PENALTIES

Any person who willfully violates any provision of this ordinance or of the personnel policies established thereunder may, upon hearing by the council, have one of the following judgments rendered:

1. Dismissal from government service and forfeiture of annual and sick leave or other employee benefits as approved by the Manager.

2. Ineligibility for appointment to or employment in a position in the City service for the period of time stipulated in the personnel policies.

3. Suspension for a period of time as stipulated by the personnel policies.

ARTICLE IX. SEPARABILITY

If any provision of this ordinance or if any policy or order hereunder of the application of such provision to any person or circumstances shall be held invalid, the remainder of this law, and the application of such provision of this law or of such policy, or order to persons or circumstances other than those to which it is held invalid, shall not be affected thereby.

ARTICLE X. REPEALER

Any ordinance or rules and regulations previously adopted by Sugar Hill City Council which may be in conflict with this act are hereby repealed.

ARTICLE XI. EFFECTIVE DATE

This ordinance shall take effect January 12, 1993.

IT IS SO ORDAINED THIS 11th DAY OF January, 1993.

ATTEST:

Judy Foster
City Clerk

[Signature]
Council Member

[Signature]
Council Member

[Signature]
Council Member

[Signature]
Council Member

Council Member



APPROVED BY:

[Signature]
Mayor

This 11th day of January, 1993.

Delivered to the Mayor January 11, 1993

Received from Mayor January 11, 1993

ATTEST:

Judy Foster
City Clerk

CITY OF SUGAR HILL
PERSONNEL HANDBOOK AND POLICIES

Written in 1985
Revised February 1991
Revised December 1992

Prepared by:
City Manager Kathy Williamson
Liason to Personnel Councilmember Thomas Morris

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DEFINITIONS

1. Adverse Action - An action taken for any reason by the appointing authorities or designee that results in a suspension without pay, salary reduction, demotion, or dismissal.
2. Adverse Effect - The results of an action or decision that is not an adverse action but which deprives the employee of income or the opportunity to earn more income.
3. Allocate - To allocate a position means assigning the position to an appropriate class on the basis of the similarity of work and level of responsibility performed in the position.
4. Anniversary Date - The date one year from the employee's employment date.
5. Appeal - The right to appear before the City Manager to be heard on matters of discrimination, unfair practices or other rights of applicants or employees under these policies. For department heads the right to appear before the Mayor and Council in an closed Personnel meeting, on matters of discrimination, unfair practices or other rights of according to policies.
6. Class - Class means a group of position sufficiently similar as to duties performed, level of responsibility, minimum requirements of training, experience, or skill, and such other characteristics that the same title, the same examination for selection, and the same rate of compensation may be applied to each position in the group.
7. Classification and Pay Plan - The system of assigning jobs to classes and to an appropriate pay grade based on the similarities of positions.
8. Continuous Service - Continuous service is employment which is uninterrupted except for authorized leaves of absence, suspension or separation due to a reduction in work force.
9. Covered Employees - Employees of the City of Sugar Hill under the authority and control of the City Manager.
10. Dangerous Drugs - Abuse of drugs is also referred to as substance abuse. It includes those non-narcotic drugs that are habit forming and/or have a potential for abuse because of their stimulant, depressant, or hallucinogenic effect (includes cocaine, hallucinogens, inhalants, amphetamines and barbiturates); marijuana, narcotics or any opiate or synthetic equivalent; and alcohol, this list is not at all inclusive.
11. Days - When the word "days" is used as a method of counting, it means calendar business days, or week days, verses weekend days unless otherwise stated.
12. Demotion - Demotion means a change in the rank of an employee from a position in one class to a position in another class having a lower minimum starting salary and with less discretion and/or responsibility.

13. Department - Department means a unit of city government with specific duties usually having the authority to hire employees for the City.
14. Department Head - An employee in charge of a specific unit of city government with specific duties.
15. Dismissal - The termination of an employee.
16. Eligible - A person who has made a passing score on any examination required under these policies and who has qualified to be employed by the City.
17. Employee - A person appointed to a position in the City government for which he is compensated on a full-time or part-time basis.
18. Examinations - Methods used to determine eligibility of applicants for employment and to test employees after training in their specific unit. Examinations may include but shall not be limited to written, oral, physical, drug, or performance tests, rating of training and experience, or any combination of these.
19. Good Standing - A covered employee who is at work with no actions pending against them.
20. Handicapped - Any person who has a physical or mental impairment that substantially limits one or more major life activities, who has a record of such an impairment, who is regarded as having such an impairment, or any individual classified as a handicapped individual under any state or federal statute.
21. Immediate Family - Included are the employee's spouse, children, parents, brothers, and sisters. The definition is extended to any other person who resides in the employee's household and who is recognized by law as a dependent of the employee.
22. Lay-off - An employee may be separated from the city's employment due to lack of work, lack of funds, abolishment of the position, or for other material changes in duties or organization.
23. Merit Increase - An increase in pay of one step in the pay range or grade, based on an employee's length of service and job performance.
24. Minimum Qualifications - Those minimum requirements as to education and experience that qualify an applicant to be considered for examination and appointment in the career service. Additional requirements may also be indicated where necessary such as licenses, certificates and others.
25. Introductory Employee - An employee serving the first six months of his appointment, promotion, re-employment, or reinstatement to any position.
26. Outside Employee - any paid employment performed by an employee in addition to his employment with the City.
27. Overtime - Time worked in excess of the regular work schedule for the position.
28. Part-time Employee - An employee who works on a continuing basis, but does not work a full or normal work period.
29. Performance Evaluation - A method of evaluating each employee on a periodic basis as to his performance on the job.

30. Full Time Employee - An employee who has completed his introductory period in a satisfactory manner.
31. Personnel Director - The City Manager or the employee he/she designates to administer the personnel system for the City.
32. Position - An office or post in a department of the City involving duties requiring the services of one person. It can be part-time, full-time, introductory, occupied or vacant.
33. Promotion - A change in rank of an employee from a position in one class to a position of another class having a higher minimum salary and carrying a greater scope of discretion and responsibility.
34. Promotion List - A list of persons who have been found qualified for appointment to a higher position. They may be qualified either by a written examination or other evaluative techniques.
35. Provisional Employee - An employee appointed to a position without competition pending the establishment of an eligible list. He may serve for a limited time only and must compete with other applicants to qualify for a introductory appointment.
36. Public Hearing - A meeting by the City Council open to the public at which any interested party may appear and be heard.
37. Reclassification - The assignment of an existing position from one class to a different class due to a significant change in duties or responsibilities.
38. Relatives - Relatives are defined separate and distinct from immediate family for purposes of managing sick leave, and funeral leave.
39. Resignation - The termination of an employee at their request.
40. Salary Increase - An increase in salary within the salary range prescribed for the class by the Classification and Pay Plan.
41. Seasonal Position - A temporary position that coincides with a particular season or seasons of the year and may recur regularly from year to year. A "seasonal employee" is one appointed to a seasonal position.
42. Series - A number of classes related to each other in terms of work within the same occupational field, e.g., Clerk, Clerk Typist, Clerk Stenographer would constitute a clerical series.
43. Status - A satisfactory completion of a introductory period by an employee in the classified service gives him "status" or the acquisition of tenure with rights and privileges pertaining thereunto.
44. Suspension - An enforced leave of absence for either disciplinary purposes or pending investigation of charges against an employee.
45. Temporary Employee - An employee filling a temporary position for a special project or other work of a temporary nature for which appointment is not to exceed a period of ninety days.
46. Transfer - A movement of any employee from one position to another having the same salary range and the same level of responsibility within the classified service.

47. Unlawful Discrimination - Employment practices which are prohibited by state and federal laws, and which include discrimination because of race, color, sex, religion, national origin, age, mental or physical handicap, and political affiliation.

48. Vacancy - A position duly created and still existent, but not occupied by an employee.
indicated.

CITY OF SUGAR HILL

PERSONNEL MANAGEMENT SYSTEM POLICIES AND PROCEDURES

EMPLOYEE HANDBOOK

Section 1 - Introduction

The City of Sugar Hill Personnel Management System is a system of employment which recognizes that the employees covered by the system should be selected and advanced according to their knowledge, production, skills, and abilities. Employees of the City of Sugar Hill are at will employees. Employment will be on a regular basis for an indefinite period and there is no guarantee by the City concerning the duration of employment or the number of hours to be worked in any particular week.

Section 2 - Establishment

The Personnel Management System has been voluntarily established by the Mayor and Council of the City of Sugar Hill to provide a fair, equitable, and productive work environment for those employees covered by the system. The system and these policies have been enabled by an ordinance adopted by the governing body of the City of Sugar Hill.

Section 3 - Purpose

The personnel policies have been adopted by the City Council to:

- a) Establish uniform benefits and procedures.
- b) Ensure equal employment opportunity.
- c) Attract and retain the most qualified work force.

Section 4 - Standardized Privileges

These policies are intended to standardize the personnel practices in the various departments where standardization is possible, and to extend certain privileges to the employees of the different departments. In establishing these practices and privileges, the officials are not creating a property interest for employees that leads to the expectancy of continued employment at any time, in any position, pay grade or pay step. The privileges are considered good personnel practices and are consistent with the above stated goals.

Section 5 - Coverage

These policies apply to the covered employees in the departments under the control of the City Manager. An employee who is directly related to another employee can be employed by the city or the golf course, but not within the same entity.

Section 6 - Qualifications

Georgia Law (36-34-2) gives the governing bodies of municipalities the power to define, regulate, and alter the powers, duties, qualifications, compensation and tenure of all municipal employees. These policies are not intended and shall not be construed by any employees as a contract of employment or as setting forth terms or conditions of employment.

Section 7 - Policy Changes

Policy changes may be recommended by the City Manager but must be approved by the Mayor and Council.

Section 8 - Administration

The City Manager is responsible for administering these policies.

CHAPTER I

PAY PLAN

Section 1 - New Appointees

Generally, an introductory employee may be paid the minimum rate of pay for position hired in that particular department.

Exceptions may be granted upon the prior written approval of the City Manager.

- (a) The minimum rate for each position is based upon the assumption that a new employee meets the minimum qualifications stated in the position specification. If it becomes necessary to appoint a new employee of lesser qualifications, he should be started at on or possibly two steps below the minimum rate of the position.

Section 2 - Promotions

It will be the policy of the City to promote from within when possible. The promotions will be consistent with fair employment practices, and candidates for promotion will have their qualifications evaluated and will be interviewed for the open position.

Section 3 - Demotions

When an employee is demoted to a lower class position, he shall be paid at a rate which is within the approved range for the lower classification position. If a lower position is open and if the employee is qualified to perform the work at the lower position. The rate of pay shall be set by the City Manager with the surrounding reasons for the demotion.

Section 4 - Part-Time Employment

When employment is on a part-time basis, the appropriate hourly rate of pay shall be paid for the hours worked. Part-time employees are not eligible for benefits.

Section 5 - Compensatory Time

Employees below the level of department head may accrue compensatory time for hours worked in excess of the normal work week up to a maximum accumulation of 40 hours. The scheduling of use of compensatory time off shall be handled in the same manner as that used for the scheduling of vacation periods.

Section 6 - Overtime

Hourly employees, below the level of department head, whose work period is one week will be paid at the rate of one and one-half the normal rate for all hours over forty (40) hours per week. Hourly employees may not perform overtime work without the prior knowledge and consent of his/her department head. Salaried employees are not eligible for overtime hours in excess of a forty (40) hour work period.

Section 7 - Work Hours

In general the minimum work week for hourly employees will be forty (40) hours in a seven day work period. Because of the differences in job requirements in the different departments, the required work week will vary from job to job and department to department. Each department will have written policy on hours of operation. Standard hours, unless included in department policy will be 8:00 a.m. to 5:00 p.m., Monday through Friday.

Section 8 - Step Increases

It is the policy of the City Manager to reward good job performance by establishing an equitable system of providing pay increases. The system herein established shall be governed by the following principles:

A. Introductory Employee Increase

1. The first payroll period following the passage of three months after the date of appointment or promotion the effective date of any salary adjustment for employees hired or promoted subsequent to the adoption of these policies. If the introductory period of an employee is extended in accordance with Chapter VI, Section 3 of these rules, the effective date shall be the first payroll period following the expiration of said extension.
2. Employees who receive an acceptable performance rating as certified by the department head will under normal circumstances receive a one-step probationary increase effective the date indicated in (1) above. The City Manager shall certify that the performance rating has been prepared and shall have the authority to grant a one step probationary increase.

B. Performance Increases

1. Each employee will receive a performance evaluation in June and December of each year. Employees who receive an acceptable performance rating as certified by the department head will under normal circumstances receive an increase effective the first pay period the following year. The City Manager shall certify that the performance rating has been prepared to adhere to the policy of this manual.

C. Other Step Increases

Step increases other than those outlined above shall be given only upon recommendation of the department head, and approval by action of the City Manager.

Section 9 - Pay Plan in Effect

The Pay Plan included in the "Position Classification and Pay Report" for City of Sugar Hill and adopted by the City Manager shall remain in effect until modified in accordance with the provisions of these rules.

Section 10 - Revision of Pay Plan

The City Manager annually shall cause the pay plan to be examined for the purpose of revision and on the basis of conclusions reached through this examination shall make recommendations for amendments of the Pay Plan to the City Council.

Section 11 - Adoption and Amendment of Pay Plan

When approved by the City Council, such plan shall constitute the City's pay schedule for positions for the ensuing fiscal year and thereafter until a new pay plan shall be adopted by the City Council.

CHAPTER II

APPLICATIONS AND EXAMINATIONS

Section 1 - Announcement of Vacant Positions

Any vacancy in a department in the city shall be publicized by posting announcements in the office of each department head on an official bulletin board or in other places and by such other means as the Personnel Director deems advisable. The announcements shall (1) specify the title and salary range of the vacant positions, qualification requirements, manner of making application and other pertinent information, and (2) specify the date, time, and place of examinations if required for the positions.

Section 2 - Application Forms

Application shall be made on forms provided by the City Clerk. Such forms shall require information covering training experience, and other pertinent information. All applications shall be dated and signed by the applicant.

Section 3 - Employment Requirements

All positions shall be open only to persons who meet the requirements as listed on the public announcement of the examination. Such requirements may include but shall not be limited to the following factors: experience, education, and training.

Section 4 - Receipt and Duration of Applications

Applications must be accepted and placed on file from all persons desiring employment with the City and who apply during regular business hours. All persons must be informed at the time of applications that applications will be placed in an active file for a period of three months.

Section 5 - Rejection of Applications

The City Manager may reject an application which indicates that the applicant is deficient in any or all of the requirements as specified in the public announcement of the vacancy. An applicant may also be rejected for the practice or attempted practice of fraud or deception in the completion of his applications, or if his past record of employment is determined to be unsatisfactory by the City Manager. Notice of rejection shall be mailed to the rejected applicant by the City Manager.

Section 6 - Open Competitive Positions

Positions to be filled by recruitment from outside the city employees shall be filled through a competitive process open to the public. Such process may include, but not be limited to, ratings of training and experience, written, oral, physical or performance tests or any combination of these as determined by the City Manager. The process may take into consideration such factors as education, experience, knowledge, skill, or any other qualifications which are job related and which in the judgement of the City Manager enter into the determination of the relative fitness of applicants. The City Manager may require the applicant to submit proof of his education, military service or any other such documentation as he deems necessary.

Section 7 - Promotional Placements

Promotional placements shall be open to all employees who meet the training and experience requirements included in the position specification, or who have an equivalent combination of experience and training which provides the required knowledge, skills and abilities.

CHAPTER III

APPOINTMENTS

Section 1 - Types of Appointments

When a person is initially employed by the City, he shall be given one of the following types of original appointments:

- A. Introductory Employee - An appointment to a position pending satisfactory completion of a six month positive evaluation.
- B. Provisional - An appointment made only in the absence of a qualified applicant.
 1. When there is need to fill a vacancy and a qualified applicant is not available, a provisional appointment may be made.
 2. Provisional appointments shall not exceed six months. However, extensions may be approved by the City Manager.
 3. An employee shall not attain full-time status while serving on a provisional appointment.
- C. Probationary - Probationary appointment may be made to fill positions when the work of an agency requires the service of one or more employees on a seasonal or intermittent basis, or in cases of emergency. Probationary appointments shall not exceed six months, however, extensions may be granted.

Section 2 - Objective of New Employee Status

The six month new employee status period shall be regarded as an integral part of the selection process and shall be utilized for closely observing the employee's work, for securing the most effective adjustment of a new employee to his position and for rejecting any employee whose performance is not satisfactory.

Section 3 - Extension of Time

The City Manager may, upon the request of the Department Head made not later than twenty (20) days before the expiration of the six month period, extend the duration of such period and notify the employee. No extension shall be allowed which would make the total six month period longer than one year.

Section 4 - Promotional Appointments

The probationary period shall be used in connection with promotional appointments in the same manner as it is used for original entrance appointments. If a person is removed during his probationary period following a promotion, he may be entitled to return to his former position.

Section 5 - Interruption of Probationary Period

If an employee is laid off during a probationary period and his services have been satisfactory and he is subsequently reappointed in the same department, he shall be given credit for the portion of the probationary period completed before he was laid off.

Section 6 - Dismissal During Six Month Period

(a) At any time during the six month period, the department head may remove an employee if, in his opinion, the working test period indicates that such employee is unable or unwilling to perform the duties of the position satisfactory or that his habits and lack of dependability

Section 7 - Full-Time Appointment

A New city employee given an original six month appointment shall be given an appointment upon satisfactory completion, and positive evaluation of their first six month day period and shall acquire full-time status. A temporary promotional appointment does not affect an employee's earned full-time status in another position.

Section 8 - Appointing Authority

The City Manager shall be the appointing authority for all positions except the position of City Clerk.

CHAPTER IV

DEMOTIONS AND TRANSFERS

Section 1 - Political or Partisan Endorsement Prohibited

No consideration shall be given to political or partisan endorsement for promotions within the city only merit and fitness for promotion shall be considered.

Section 2 - Intra-Departmental Transfers

The appropriate department head may, at any time, transfer an employee in the under his jurisdiction from one position to another in the same class in the same department. An intra-departmental transfer of an employee to a position of another position shall be made only with the approval of the City Manager and only between position within the same pay range. The City Manager shall be notified of such changes in assignment.

Section 3 - Inter-Departmental Transfers

A transfer of an employee from one department to another shall have the approval of both department heads concerned and the City Manager. Requests for such transfer shall show how the employee concerned meets the qualification requirements of the class to which the transfer is proposed.

Section 4 - Pay Grade After Transfer

An employee who is transferred shall continue at his same pay rate except as otherwise provided.

Section 5 - Voluntary Demotions

An employee may be demoted at his own request to a vacant position in a lower class, subject to the approval of his department head and the City Manager. The City Manager determines whether the employee is qualified to perform the duties and responsibilities of the lower class of positions.

Section 6 - Pay Grade After Voluntary Demotion

An employee who is demoted shall be reduced to the maximum rate for his new position or he shall continue at his same rate, whichever is the lower.

CHAPTER V

EMPLOYEE PERFORMANCE EVALUATION

Section 1 - Objective

The City Manager shall prepare or cause to be prepared a job related system for evaluating the work performance of all employees in the City's employment. The purpose of the employee performance evaluation shall be primarily to inform employees how well they are performing their work and how they can improve their work performance. The performance evaluation may also be used in determining salary increments; as a factor in determining order of lay-off; as a basis for training, promotion, demotion, transfer or dismissal; and for such other purposes as set forth in these guidelines.

Section 2 - Period of Evaluation

On original appointment or on promotions, all employees except temporary workers shall be evaluated at the end of six months of service, and biannually thereafter. An employee shall not be eligible for a pay raise until the performance evaluation form has been completely processed. Employees shall also be evaluated at the time of separation.

Section 3 - Evaluation

Evaluations shall be prepared by the immediate supervisor of each employee and reviewed by the department head. An employee in a supervisory position who is leaving the position may be required to submit performance evaluation forms on all the employees under his supervision who have not been evaluated within the previous six month period.

Section 4 - Review with Employees

The evaluator shall discuss each performance evaluation with the employee being evaluated. If an employee disagrees with any statement in an evaluation, he may submit, within ten days following the conference with his supervisor, a written statement which shall be attached to the evaluation form and forwarded to the City Manager.

Section 5 - Performance Evaluations Confidential

Performance evaluations shall be confidential and shall be made available only to (a) the employee evaluated; (b) his supervisor, or department head; or (c) the City Manager or City Council

Section 6 - Changes in Evaluation

If for any reason a department head shall request an alteration of the performance evaluation form after it has been officially submitted to the City Manager, such request shall be in writing and shall set forth fully the reasons for the request.

CHAPTER VI

DISCIPLINARY ACTION

Section 1 - Intent

It is the intent of City that effective supervision and employee relations will avoid most matters which necessitate disciplinary action. The purpose of the rules, and disciplinary action for violation of such rules, is not intended to restrict the rights of anyone but to insure the rights of all and secure cooperation and orderliness throughout the city. The severity of disciplinary action should be related to the gravity of the offense, the employee's record of disciplinary action, his length of service and the City practice in similar cases.

Section 2 - Types of Disciplinary Action

Except as otherwise provided for by General Statutes of the State of Georgia, the following provisions shall govern disciplinary action affecting employees in the City's employment. A department head, subject to the appeal rights of the city employee stated herein, shall have the following alternatives for disciplinary action:

(a) Dismissals

See Chapter VII, Section 6

(b) Suspensions

An employee may be suspended without pay by the recommendation of their department head and authorization of the City Manager. The suspension without pay cannot exceed thirty (30) days.

Section - 3 - Reprimands - A reprimand is a formal means of communicating to the employee a warning that a problem exists and that it must be corrected. There are two (2) degrees of formality, the oral reprimand and the written reprimand.

Section - 4 - Oral Reprimands - In an oral reprimand, the City Manager should verbally and privately explain to the employee that he or she is being officially reprimanded. This must include a description of the problem, and what must be done to correct the problem.

Section - 5 - Written Reprimand - In the written reprimand, the employee should receive a written statement describing the problem, and what must be done to correct the deficiency. The reprimand should also contain a statement describing the probable consequences of not correcting the problem. If the employee is at work, the written statement should be given to the employee by the department head during a private interview. The employee should sign and date the reprimand indicating they received it.

Section 6 - Reasons for Disciplinary Actions

Listed below are some of the reasons which might be caused for disciplinary action referred to in Section I of this Chapter, but disciplinary action is not limited to the offenses listed:

- (1) Being convicted of a crime.
- (2) Too much lost time.
- (3) Being absent without leave.
- (4) Excessive tardiness or abuse of sick leave.
- (5) Inefficiency.
- (6) Abuse of city property.
- (7) Willfully giving false statements to supervisors, officials, the public.
- (8) Violation of City ordinances, administrative regulations or departmental rules.
- (9) Drinking of alcoholic beverages while working or being under the influence of alcohol or drugs while on the job
- (10) Discovery of a false statement in an application which had not been detected previously.
- (11) Acceptance of gratuities in conflict with the policy outlined in Chapter XVI of these rules.
- (12) Political activity in conflict with the Personnel guidelines.
- (13) Borrowing city equipment for personal use without official permission.
- (14) Conduct on or off the job unbecoming to a City employee or which brings discredit to the City.

Section 7 - Dismissal, Suspension or Demotion of Department Heads -

The City Manager has the authority to dismiss, suspend or demote a department head after the City Manager submits in writing the cause of the action to the City Attorney and the Mayor and Council.

Section 8 - Employee Response to Adverse Action - The employee may request in writing that the City Manager review any reprimand or adverse action.

Section 9 - Review of Action -

If an employee requests a review of a reprimand or an adverse action, the City Manager shall conduct an informal conference with the employee and the department head issuing the reprimand or adverse action. The City Manager shall allow both the employee and the Department Head to state their position in regard to the reprimand or the adverse action. Within ten (10) days of the conference, the City Manager shall either uphold the action, overrule the action, or substitute other disciplinary action in place of the action taken by the department head. The City Manager's decision on all reviews shall be final and not subject to appeal.

Section 10 - Notice of Disciplinary Action

In all cases, the City Manager shall notify the employee of the action taken and a copy of such notice will be retained in the employee's personnel file.

Section 11 - Abuse and Misuse of Equipment and Supplies

Employees are entrusted with the use of public equipment and supplies. Under no circumstances should City property be employed for the personal use of any employee without the express permission of the City Manager. The abuse, misuse or misappropriation of City equipment and supplies can lead to appropriate disciplinary action.

Section 12 - Sexual Harassment

(Refer to the attached City of Sugar Hill Sexual Harassment Policy.)

CHAPTER VII

SEPARATIONS

An employee may be separated from the service of the City by any one of the eight different methods described below:

Section 1 - Resignation

To resign in good standing, an employee must, in writing, give his department head at least fourteen calendar days notice. Normally, failure to comply with this rule shall be entered on the service record of the employee, shall result in a denial of re-employment rights and shall result in a reduction of accumulated annual leave by one day for each work day less than the number of work days an employee would normally be on duty in a fourteen calendar day period. However, the department head, with the approval of the City Manager may exempt from any or all of these penalties an employee who has given less than the required notice, when in his judgment, exceptional circumstances warrant such exemption.

Section 2 - Compulsory Resignation

An employee who, without valid reason, fails to report to work for two consecutive work days without authorized leave shall be separated from the payroll and reported as a compulsory resignation. Such an employee is not eligible for re-employment and shall be paid only for unused annual leave in excess of the number of work days an employee would normally have been on duty in a fourteen calendar day period.

Section 3 - Lay-Offs

(a) Any involuntary separation not involving delinquency, misconduct or inefficiency, shall be considered a lay-off.

(b) When, for any reason, it becomes necessary to reduce the working force in a department or division, employees shall be laid off on the basis of the following two factors to be weighted equally: length of service with the City, and the average performance rating for the last three years.

(c) When a department head believes that a certain individual is essential to the efficient operation of the department or organizational unit because he possesses special skills or abilities, and he wishes to retain this individual in preference to a person with a higher rating as provided above, he shall submit a written request to the City Manager for permission to do so. This request shall set forth in detail the specific skills and abilities possessed by the individual and the reasons why such individual is essential to the effective operation of the department. With the approval of the City Manager, the individual may be retained.

(d) Prior to a reduction in force, the names and job titles of any and all employees scheduled for lay-off shall be submitted to the City Manager for approval and until he/she has approved and confirmed the names submitted for lay-off, no lay-off shall be consummated.

Section 4 - Disability

A department head may direct any employee under his jurisdiction to be examined by a physician designated by the City. When a disability of any kind is discovered which impairs the effectiveness of an employee or makes his continuance on the job a danger to himself or others, the following action shall be taken:

(a) If the disability is correctable, the employee shall be allowed a specified time as determined by the City Manager to have it corrected. If he fails to take steps to have the disability corrected within this specified time, he shall be subject to disciplinary action or lay-off.

(b) If, in the opinion of the examining physician, the disability cannot be corrected, the department head, subject to the approval of the City Manager, shall:

- (1) Attempt to place the employee in another position which he can perform satisfactorily. If that cannot be accomplished successfully, the department head shall,
- (2) take steps to separate the employee from the City service through retirement or lay-off.

Section 5 - Loss of Job Requirements

Any employee who is unable to do his job adequately because of loss of a necessary license or other requirement, shall be separated by a lay-off.

Section 6 - Dismissals

Dismissals are discharges or separations made for delinquency, misconduct, inefficiency or inability to perform the work of the position satisfactorily, including conduct described in Section 3 of Article IX.

Dismissals of city employees shall be effective only after the person to be discharged has been presented with the reasons for such discharge, specifically stated and the pending action has been discussed with the City Manager. Prior to notifying the employee of any decision to dismiss, the department head must first consult with the City Manager and review with the City Attorney the grounds for dismissal. Once these two reviews have been accomplished, and approval given to the Department Head may proceed with the dismissal. The employee will receive pay equivalent to unpaid hours worked and any unused annual leave to date. The department head will complete a final performance appraisal for the record, and a POL Form-800 (Separation Notice) which clearly states circumstances of separation. The form 800 is required should the employee file for unemployment. Separated, vested employees may receive retirement funds in the vested amount accumulated upon dismissal. They also have the right to continue health insurance under the COBRA act. The business office will send a letter to the employee explaining procedures of the act. All City property held by the terminated employee must be returned in good condition to the department head, or the City reimbursed for loss or damage, before any of the above actions may be made final. City property included, but is not limited to, keys, uniforms, foul weather gear, radios, pagers, office supplies, and equipment. The person to be discharged shall have the right of a hearing, not precluding representation by any individual of his own choosing, before the City Manager.

Section 7 - Pension Plan

(Refer to attached Pension Plan)

CHAPTER VIII

TRAINING AND WELFARE ACTIVITIES

Section 1 - Employee Development

It shall be the responsibility of the City Manager to cooperate with department heads, employees and others to foster and promote programs of training for the City service and in-service training of employees for the purposes of improving the quality of personal services rendered to the City and of aiding employees to equip themselves for advancement in the service.

Section 2 - Administration of Employee Development Program

The City shall:

- (a) Recommend to department heads, as appropriate, standards for training programs and programs for approval as meeting such standards;
- (b) See that training is carried out as approved and have prepared certificates or other forms of recognition for persons who satisfactorily complete approved courses and programs;
- (c) Assist department heads in developing and conducting training to meet the specific needs of their departments and in developing and utilizing other techniques for increasing employee efficiency;
- (d) Develop and conduct supervisory and management training and other types of training and employee development programs common to all departments;
- (e) Assist department heads in establishing standards of performance and procedures for evaluating employee efficiency;
- (f) Make available information concerning job requirements and training opportunities in order to assist employees in increasing their efficiency in their present positions, and in preparing themselves for promotions to higher positions in the City service;
- (g) Keep a record of all approved training programs and courses and a record of employees who successfully complete such courses and programs.

CHAPTER IX

RECORDS AND REPORTS

Section 1 - Public Inspection

Except as required otherwise by law, all personnel records of employees of the City covered under these policies and all other records and materials relating to the administration of the personnel system shall be considered confidential and the property of the City. Information which is obtained in the course of official duties shall not be released by any employee other than by those charged with this responsibility as part of their official duties.

The following information relative to employees and former employees is available for public inspection at reasonable times and in accordance with such procedures as the City Manager may prescribe: name, class, title and salary. Selection records and performance rating reports are accessible only to the Department Head concerned, the City Manager and the employee involved. Other personnel information may be made available for official purposes at the discretion of the Manager.

Section 2 - Destruction of Employee Records

Employee service records shall be kept for three years after termination of employment or as required by law.

Section 3 - Attendance Records

Each hourly employee will be required to clock in and out on a weekly time card. Salaried employees will be required to use a weekly time card or time sheet. Each department head will review their employees time cards each week and initial it for approval. Attendance reports shall be prepared upon request of the City Manager by each department head. Any changes on time cards will be initialed by both the employee and supervisor involved.

CHAPTER X

CERTIFICATION OF PAYROLLS

Section 1 - Payroll Changes

A payroll change shall not take effect until the personnel action notification has been approved by the City Manager in writing.

Section 2 - Review of Payrolls

1. The City Manager shall be supplied with the required payroll data and other information needed to examine names, social security numbers, salaries, dates of appointment and other data to determine that each employee on a given payroll has been properly appointed, and all actions listed have been taken in accordance with the provisions of the Personnel Ordinance and these policies.

2. The City Manager shall strike the names of persons from the payroll when irregularities are detected and notify the department head involved.

3. After the City Manager has examined a given payroll, corrected irregularities, and is satisfied that all employees contained thereon have been appointed in accordance with the provisions of the Personnel Ordinance and these policies, he shall so certify on the payroll involved.

Section 3 - Recovery of Salaries Improperly Paid

Employees, officials and others may be held liable for the return of salaries illegally paid to employees in accordance with the provisions of the Personnel Ordinance, these policies and pertinent City and State statutes concerning improper and/or illegal expenditures of public funds.

CHAPTER XI

ATTENDANCE AND LEAVE

Section 1 - Hours of Work

The established work week and the hours of work shall, insofar as practicable, be uniform within occupational groups and shall be determined in accordance with the needs of the City service and the reasonable needs of the public who may be required to do business with various City departments. The work schedule for each department shall be established by the department head with the advice and approval of the City Manager.

Section 2 - Lunch Period

Each department head shall be responsible for scheduling employee lunch periods. Lunch periods shall be scheduled in a manner to best serve the public. Employees are expected to utilize their lunch period during the hours designated by their supervisor. This time cannot be accumulated and can in no instance be saved for the purpose of leaving work early.

Section 3 - Attendance

Each department head shall be responsible for the attendance of all persons in their department and shall keep complete attendance records including vacation, sick, overtime, etc. Records of attendance shall be reported as provided in Chapter IX. Leave shall be authorized in units of days or hours only.

Section 4 - Holidays

The following days are designated as official holidays for employees employed by the city:

January 1	New Years Day
January 15	Martin Luther Kings Birthday
May 31	Memorial Day
July 4	Independance Day
First Monday in September	Labor Day
Fourth Thursday and Friday in November	Thanksgiving
December 24, and 25	Christmas
Employee Birthday	

Other holidays will be declared by the vote of the Mayor and Council.

Whenever a holiday falls on Saturday, the preceeding Friday shall be designated a substitute holiday and observed as the official holiday for that year. When the holiday falls on a Sunday, the following Monday shall be designated as the official holiday for that year. An employee who is not on approved leave and fails to report on his or her scheduled work day before or after a holiday shall not be paid for the holiday.

Holidays which occur during annual or sick leave shall not be charged against annual or sick leave. Regular employees shall be paid for holidays based on the number of hours they normally work each day. Temporary employees will not be paid for holidays not worked.

The City Marshall or other standby emergency employee who is required to work on a designated holiday shall receive a commensurate day off at a later date at a time agreed upon by his or her supervisor. The Department Head, with the approval of the City Manager, may pay the employee for the holiday worked at a rate equal to twice his or her regular pay.

Section 5 - Annual (Vacation) Leave

A. General - Vacations are for the purpose of rejuvenating both physical and mental faculties and all employees are urged to avail themselves of vacation periods. No employee shall receive pay in lieu of vacation unless approved by the the City Manager.

B. Eligibility - All full-time employees in the city shall be entitled to earn vacation time after twelve months of continual employment. Permanent part-time employees shall be entitled to leave in proportion to the number of hours worked. Temporary employees shall not be eligible for annual leave.

Vacation leave is per the following schedule:

<u>Years of Service</u>	<u>Weeks of Vacation</u>
1	1
2	2
7	3

D. Requests for Leave - A request for vacation leave shall be submitted to the employee's immediate supervisor. Leave may be taken only after approval by the appropriate department head so that, insofar as practicable, the department can function without the hiring of additional temporary help.

E. Maximum Allowable Accumulation - Unused vacation leave may not be carried into the next calendar year. Employee may be paid in lieu of vacation by the approval of the City Manager. It is the intent of these rules to have employees take their annual leave yearly.

F. Payment for Unused Leave - When an employee is separated from the service, he shall be paid for all unused annual leave unless he fails to give proper notice of resignation as provided in Chapter VII, Section 1

Section 6 - Sick Leave

A. General - Sick leave is intended as a form of income insurance against illness. Sick leave shall be allowed to an eligible employee (1) in the case of actual sickness or disability of the employee or for medical, dental or eye examination or treatment for which arrangements cannot be made outside of working hours, and (2) when the employee is required to care for a sick or injured spouse, child, or other relative who is domiciled in the employee's household. The employee shall report his illness directly to his supervisor if at all possible, prior to his scheduled work time. If not, he shall see that his illness is reported within 30 minutes after the time he is scheduled to have reported to work.

B. Eligibility - Those employees entitled to earn annual leave shall also be eligible to earn sick leave.

C. Rate of Leave Accrual - Full-time employees begin to accrue the rate of .77 hours per week sick leave after their six month evaluation and approval to a full-time employment status.

D. Certification by Physician - A medical certificate signed by a licensed physician may be required by a department head to substantiate a request for sick leave for the following reasons:

1. Any period of absence consisting of three or more consecutive working days.
2. To support a request for sick leave during a period when the employee is on vacation leave.
3. Leave of any duration if absence from duty recurs frequently or habitually provided the employee has been notified or warned that a certificate will be required.

E. Maximum Allowable Accumulation - Sick leave may not be accumulated in excess of 21 days. The employee may receive pay for sick leave time in excess of 21 days at the end of each year.

F. When Earned Sick Leave Is Exhausted - No sick leave in excess of the amount accumulated to the employee's credit may be granted unless such sick leave advance is specifically authorized by the City Manager with recommendation of the department head.

G. Forfeiture of Sick Leave - An employee who separates from the city shall forfeit all unused sick leave.

Section 7 - Other Types of Leave

A. Military Leave

1. Any full time employee who leaves the service of the City to join the military forces of the United States, or is inducted by Selective Service, may upon written request prior to his induction into the military, be placed on military leave without pay, such leave to extend through a date 90 days after which he is relieved from such service. Such employee shall be entitled to be restored to the position which he vacated or a comparable position, provided he makes application to the City Manager within 90 days of the date of his honorable discharge or discharge under honorable conditions, and is physically and mentally capable of performing the work of his position.

The returning employee shall also be entitled to any increases in salary (including cost-of-living increases) or any advancement in grade which would normally be accorded to the incumbent of the position, with the exception of any increases or advancement in grade which would normally be dependent on meritorious performance of the duties of the position.

2. In the event of a position vacated by a person entering the military service as stated above no longer exists at the time he or she qualifies to return to work, such person shall be entitled to be re-employed in another position of the same status, class and pay in the City, provided such re-employment does not necessitate the laying off of another person who was appointed at an earlier date than such person returning from military leave.

3. Any full-time employee who is a member of the National Guard or an organized military reserve of the United States will be allowed leave of absence without pay not to exceed 15 calendar days during any calendar year to attend training camps upon presentation of orders pursuant to such training. Such leave shall not be charged to annual leave.

B. Civil Leave

An employee shall be given time off with pay when performing jury duty or when subpoenaed to appear before any public body or commission. If such employee receives payment for such service, he shall be required to endorse such payment over to the City or to have an equivalent deduction made from his regular rate of pay, whichever option is preferred by the employee.

C. Funeral Leave

In the event of death in an employee's immediate family, he will be granted paid funeral leave of up to two days. The employee will receive his normal pay for any scheduled workday that occurs during this period. Also an employee may receive up to 3 days of funeral leave without pay.

Immediate family is defined as spouse, child, or stepchild, their spouses, father, mother, father-in-law, mother-in-law, brother, sister, grandparents or any relative domiciled in the employee's household.

D. Workmen's Compensation Act

An employee receiving Workmen's Compensation payments who is also on sick leave status shall be required to endorse such payments over to the City or to have an equivalent deduction made from his regular rate of pay, whichever option is preferred by the City Manager.

E. Temporary Disabilities Not Covered by Workmen's Compensation

An employee who becomes temporarily disabled shall be allowed to exhaust his or her sick and vacation leave accumulations. After all sick and vacation leave has been used, further extension of leave (either with or without pay) must be specifically authorized by the City Manager upon recommendation of the department head.

F. Leave of Absence Without Pay

A department head, with the approval of the City Manager, may grant a full time employee a leave of absence without pay for a period not to exceed sixty days. Leave of absence without pay for a period not to exceed sixty days may be granted with the approval of the Manager.

All departments are required to adhere to the following

practices:

1. Leave without pay shall be granted only when it will not adversely affect the interests of the City.
2. Failure of an employee to return to work at the expiration of approved leave shall be considered as absence without leave and grounds for disciplinary action.
3. An employee granted leave of absence and who wishes to return before the leave period has expired, shall be required to give his or her Department Head at least two weeks notice. Upon receipt of such written notice, the employee must be permitted to return to work.
4. No sick leave, annual leave, or credit toward merit increases will be earned by an employee for the time that the employee is on leave without pay.
5. An employee shall return from leave without pay to the same step of his salary grade as at the time of commencement of leave.
6. An employee while on an authorized leave of absence without pay, who obtains either part-time or full-time employment elsewhere is required to notify his or her Department Head in writing within three days of accepting such employment.
7. An employee returning from a leave of absence without pay shall be entitled to employment in the same department in the same equivalent class wherein employed when leave begins. This placement is dependant upon availability of a suitable position.

G. Absence Without Leave

An absence of an employee from duty, including any absence for a single day or part of a day, that is not authorized by a specific grant of leave of absence under the provisions of these regulations shall be deemed to be an absence without leave. Any such absence shall be without pay and shall be cause for disciplinary action.

H. Notification to City Manager

When an employee has taken leave of any kind or is absent without leave, his or her department head shall notify the City Manager in writing within the same pay period in which the leave is taken or the absence without leave occurs. Such notification may be by notation on a time card or attendance sheet or by memo, giving specific information covering type of leave, dates and hours, and other pertinent data.

CHAPTER XII

ACCEPTANCE OF GIFTS OR GRATUITIES

Section - 1 Policy

An employee shall not accept gifts, gratuities or loans from organizations, business concerns, or individuals with whom he has official relationships on business of the City government. These limitations are not intended to prohibit the acceptance of articles of negligible value which are distributed generally, nor to prohibit employees from accepting social courtesies which promote good public relations, nor to prohibit employees from obtaining loans from regular lending institutions. If an employee has any doubt about accepting gratuities, ask before accepting. It is particularly important that inspectors, contracting officers and enforcement officers guard against relationships which might be construed as evidence of favoritism, coercion, unfair advantage or collusion.

Violations of this policy will result in disciplinary action as outlined in Chapter VI.

CHAPTER XIII

OUTSIDE EMPLOYMENT

Section 1 - Rules

Outside employment is any paid employment performed by an employee in addition to his or her employment with the City. The following criteria will apply to outside employment:

A. Such employment shall not interfere with the efficient performance of the employee's duties.

B. Such employment shall not involve a conflict of interest or conflict with the employee's duties.

C. Such employment shall not involve the performance of duties which the employee should perform as part of his or her employment with the City.

D. Such employment shall not occur during the employee's regular or assigned working hours unless the employee is on either annual leave, compensatory leave, or leave without pay.

E. No employee granted permission to engage in outside employment shall work at said outside employment for a longer period of time than stated in his or her request for permission to engage in such employment.

F. Any employee accepting outside employment under the terms of this rule shall make arrangements with the outside employer to be relieved from his or her outside duties if and when called for emergency service by the City.

G. Usage of City equipment for outside use will not be permitted.

Section 2 - Conflict of Interest

If outside employment creates a conflict of interest situation between the employee and the City, that employee will be expected to resign one of the positions he holds. Failure to comply with this regulation will constitute grounds for dismissal.

CHAPTER XIV

ADOPTION OF POLICIES

Section 1 - Effective Date

These policies shall become effective on the date adopted by the Council and shall remain in effect until duly amended.

Section 2 - Savings Clause

If any chapter, section or other portion of these policies is found to be invalid by duly constituted authority, it shall not affect the validity of the balance of these policies.

Section 3 - Repeal Clause

All laws or parts of laws and rules in conflict with the provisions of these policies are hereby repealed insofar as the same conflict with the provisions of these policies.

Section 4 - Amendment of Personnel Policies

These policies may be amended by posting a notice of the proposed changes in a conspicuous place in City Hall for a period of at least fourteen days prior to the effective date of the amendment, provided, however, that a verbatim copy of the proposed amendment shall first be delivered to the Mayor and to each councilmember, at least seventy-two hours before it is posted. After the required fourteen days have elapsed, the City Manager shall issue and post a written notice stating whether or not the proposed change has been adopted and become law.

CHAPTER XV

POSITION CLASSIFICATION PLAN

Section 1 - Definitions

The Position Classification Plan is the official or approved system of grouping positions into appropriate classes, including the class specifications and guidelines for administration.

- (a) For position classification purposes, a position is a job description requiring the full or part-time employment of one person. A position may be occupied or vacant.
- (b) A class is a group of positions (or one position) that: (1) has similar duties and responsibilities, (2) requires like qualifications and (3) can be equitably compensated by the same salary range.
- (c) The class title is the official designation or name of the class as stated in the class specification. It shall be used on all personnel records and actions. Defferent working or office titles may be used for purposes of internal administration.

Section 2 - Responsibility for Administration

The City Manager shall be responsible for administering the classification plan. They may request other officials or employees to assist him in this capacity.

Section 3 - Allocation of Positions: Creation of Classes

After a new position has been established and approved, the department head involved shall complete a position description covering the duties and responsibilities of each proposed position. The City Manager shall allocate the position to one of the classes in the classification plan. If a suitable class does not exist, he shall recommend the establishment of a new class and after adoption of the new class by the Council.

Section 4 - Allocation Appeals

If an employee has facts which indicate to him that his position is improperly allocated, he may, with the knowledge of his department head, request the City Manager to review the allocation of his position. Such request shall be submitted in writing and shall contain a statement of justification.

Section 5 - Maintenance of Plan

- (a) Each time a vacancy occurs, a position description shall be completed by the department head and submitted to the City Manager for review of the allocation of the Position. The City Manager may waive this requirement in cases where she has determined that no material changes have occurred.
- (b) It shall be the duty of each department head to submit to the City Manager new position descriptions for all affected positions each time a department or division under his jurisdiction is permanently or substantially reorganized.
- (c) The City Manager may require departments or employees to submit position descriptions on a periodic basis, or any time he has reason to believe that there has been a change in the duties and responsibilities of one or more positions.

- (d) Each time a new class is established, a class specification shall be written and incorporated in the existing plan. Likewise, an abolished class shall be deleted from the classification plan.
- (e) Periodically, and not less often than once every two years after the adoption of these regulations, the City Manager shall conduct a general review of the classification plan.

Section 6 - Interpretation of Class Specifications

The class specifications are descriptive and not restrictive. The use of a particular description as to duties, qualifications or other factors shall not be held to exclude other of similar kind or quality. They are intended to indicate the kinds of positions which such as the law enforcement, the specifications for all classes should be reviewed as a unit.

Section 7 - Official Copy of the Position Classification Plan

The City Manager shall be responsible for maintaining an official copy of the Position Classification Plan. The official copy shall include a list of class titles and class specifications plus all amendments thereto. A copy of the official plan shall be available for inspection by the public under reasonable conditions during business hours.

Section 8 - Amendments to the Position Classification Plan

Each time a new class of positions should be established or a current class of positions abolished, the City Manager shall submit her findings and recommendations to the City Council. It shall determine whether the establishment and/or the abolition of a class is in order. Such changes shall take the form of amendments to the plan and must be adopted by the City Council.

CHAPTER XVI

EQUAL EMPLOYMENT OPPORTUNITY GUARANTEED

(a) There shall be no discrimination exercised on account or race, national origin, color, religion, creed, age, sex (except where age or sex is a bonafide occupational qualification) or political affiliation with respect to the recruiting and examination of applicants, the hiring of eligibles, or in any personnel transactions affecting employees, including training, promotion, and disciplinary actions. All personnel actions shall be based solely on merit and fitness of the individual.

(b) The City Manager shall see that information about job opportunities is readily available to all potential job applicants. A continuing program shall be conducted to make the Equal Employment policies known to all citizens of the City, and other potential job applicants.

(c) Any applicant or employee who alleges discrimination in any personnel transaction shall have the right to counsel with the City Manager and, if still desired, the right of appeal to the City Council.

R E S O L U T I O N

WHEREAS, the Mayor and Council of the City of Sugar Hill, Georgia have previously authorized the filing of an application seeking a loan from the Georgia State Revolving Loan Fund to the City of Sugar Hill pursuant to the Georgia Environmental Facilities Act, seeking financial assistance in connection with the construction of sewer interceptor lines and a waste water treatment facility to be located adjacent to the Sugar Hill Municipal Golf Course; and

WHEREAS, the loan application has been approved by the Georgia State Revolving Loan Fund; and

WHEREAS, the Mayor and Council of the City of Sugar Hill are authorized and empowered to enter into such a loan agreement and have determined that entering into such an agreement will be in the best interest of the citizens of Sugar Hill;

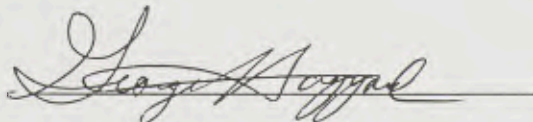
IT IS HEREBY RESOLVED that the Mayor and City Clerk of the City of Sugar Hill, Georgia are hereby authorized and empowered to sign any and all documentation required to complete a loan transaction in the amount of \$1,820,000.00 for the purposes of constructing sewer interceptor lines and a waste water treatment facility in the City of Sugar Hill. Said documents shall include but not be limited to a Contract for Financing Environmental Facilities and Other Services by Georgia Environmental Facilities Authority, and Promissory Note in the principal sum of \$1,820,000.00, and such other documents as may be required to obtain said loan and complete said transaction.

\$1,820,000.00, and such other documents as may be required to obtain said loan and complete said transaction.

The Mayor and Council of the City of Sugar Hill have authorized this transaction with the specific understanding and based upon the specific representation by the Georgia State Revolving Loan Fund that said transaction constitutes an intergovernmental agreement authorized by the laws of the State of Georgia and that said transaction does not represent incurring debt in a matter not authorized or allowed by Georgia law or by the Georgia Constitution.

The Mayor, City Manager, City Finance Director, and City Clerk are hereby authorized and empowered to take whatever additional action may be necessary and appropriate to complete this loan transaction in accordance with the terms and conditions of the agreements authorized between the City of Sugar Hill and the Georgia State Revolving Loan Fund.

IT IS SO RESOLVED, this 11th day of January, 1993.



MAYOR

ATTEST:



Georgia Department of Natural Resources

205 Butler Street, S.E., East Floyd Tower, Atlanta, Georgia 30334

Joe D. Tanner, Commissioner
Harold F. Reheis, Director
Environmental Protection Division

December 16, 1992

Honorable George O. Haggard
Mayor, City of Sugar Hill
Post Office Box 4988 West Broad Street
Sugar Hill, Georgia 30518

RE: Sugar Hill, Georgia
Loan # SRF92-018

Dear Mayor Haggard:

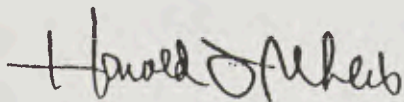
We are pleased to notify you that your application for a loan from the Georgia State Revolving Loan Fund (SRF) has been approved in the amount of \$1,750,000. A one-time 4% administration fee of \$70,000 will be assessed on the loan. You will receive an invoice for this fee at the time of contract execution. You may choose to pay the fee with local funds or roll the fee into the loan amount, making your total loan amount \$1,820,000, at your discretion. The interest rate for current SRF loans has been set at 4%.

Attached is a list of policies for the State Revolving Loan Program. Particular attention is directed to the requirement of contractor approval by the Division prior to award of contract. Also included is a list of certain materials we need to complete contract preparation for your loan. Please read the material carefully and submit all documents necessary to the appropriate parties listed. Your contract cannot be completed until all necessary information is received.

The Department of Natural Resources, Environmental Protection Division (EPD) and the Georgia Environmental Facilities Authority (GEFA) jointly operate the State Revolving Loan Fund. EPD is the central agency in administering the SRF. GEFA provides certain financial management services involving the assembly and distribution of contract documents for the SRF. Once you have submitted the required documents listed in the attachment as directed, you will be receiving contract documents and accompanying materials from GEFA for your SRF loan. Please review these documents carefully and return the executed contracts as soon as possible, with other requested material. We will complete the execution process and you may begin to draw funds against the loan amount once all conditions of the contract have been met.

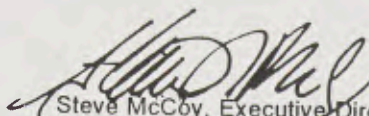
Your efforts to upgrade the environmental facilities of your community are to be commended. We are pleased to be able to offer this assistance for your valuable project.

Sincerely,



Harold F. Reheis, Director
Georgia Environmental Protection Division

Sincerely,



Steve McCoy, Executive Director
Georgia Environmental Facilities Authority

HFR:SM:vb
ATTACHMENT

cc: Kathy Williamson, City Manager
William H. Johnson, Piedmont, Olsen Hensley



Received
12/30/92
12:10pm
JP

I would like to request to be put on the agenda of the January City Council meeting to discuss the Solid Waste Management issue.

Thank You,
Diane Spivey
945-8477

I would also like to make a "Formal Request" to be placed on the agenda of the January Planning and Zoning Board meeting. I showed up at the December meeting as I was told to do at the City Council meeting only to find out that it was canceled without notice.

MAYOR & COUNCIL MEETING
MONDAY, SEPTEMBER 9, 1991
MINUTES, CONT'D.
PAGE 2

states that he used the term non-residential instead of commercial and the term "name writer" was not used, instead it reads that the sign may be expanded to include the agents name and phone number. Mayor Haggard asks for public input. There was no response. Council Member Hawthorne moves to adopt the Sign Ordinance Amendment as outlined by the reading of the Planning & Zoning Board minutes and the City Attorney. Second to the motion by Council Member Morris. More discussion held on this matter. Vote unanimous.

Public Hearing - Zoning Ordinance Amendment

City Manager Kathy Williamson states that this ordinance includes recommendations made by herself and Ken Crowe to the Planning & Zoning Board while updating the Zoning Ordinance. Refer to Zoning Ordinance Amendment. Discussion is held on this matter. Council Member Hawthorne moves to adopt the ordinance as written. Second to the motion by Council Member Morris. Vote unanimous.

Posting Signs for Variances

Ken Crowe states that the Appeals Board made a recommendation to the Mayor and Council to begin posting variances on the property of the proposed variance. Council Member Hawthorne moves to approve the recommendation of the Appeals Board and make this a policy and procedure. Second to the motion by Council Member Morris. Vote unanimous.

Herb Payne, a Spring Hill Plantation resident, feels that everyone in the subdivision should be notified by mail whenever there is a variance request because it effects everyone's property value and not just adjoining properties. Discussion held on this matter. Council Member Hawthorne moves to leave the policy as is and only notify with a sign posted on the property. Second to the motion by Council Member Morris. Vote 2 for, 1 opposed - Council Member Everett. Motion carried 2 to 1.

Ordinance to Amend Court Dates and Times

City Clerk Judy Foster states that this is a recommendation made by the City Judge Margaret Washburn. This ordinance would allow City Court to be held at 7:30 p.m. on the first Tuesday of each quarter, beginning with November 1991. Refer to ordinance. Council Member Morris moves to adopt this ordinance as written. Second to the motion by Council Member Everett. Vote unanimous.

Emerald Lakes Subdivision - Baron Herman, Ron Sprinkle

Baron Herman is requesting that the City annex units 3 & 4 of the Emerald Lakes Subdivision into the City so that unit 4 can be tied onto sewer. Unit 3 is on septic system. City

MAYOR & COUNCIL MEETING
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MINUTES, CONT'D.
PAGE 3

Manager Kathy Williamson states that the property is not contiguous to the existing city limits and this action would have to be done through the legislature. Ron Sprinkle reviews the plans with the Mayor and Council. They are also requesting that the interceptor sewer line going through the Recreation Area be installed now since they are ready to pave the area. This would be more cost effective for the City to do now rather than have to cut the parking lot later and repave it. Mr. Herman also wishes to annex his contingent 16 acres into the City. More discussion is held on this matter. Council Member Morris moves to authorize the funds to proceed with the installation of the 12" sewer interceptor line through the Recreation Area of the Emerald Lakes Subdivision. Second to the motion by Council Member Hawthorne. Vote unanimous.

City Manager Kathy Williamson states that the figures will have to be reviewed before annexing in this property. She also asks Mr. Herman to submit his expectations of the City in writing regarding the other 16 acres he wants to annex into the City.

CDBG 3-Year Cooperative Agreement

City Manager Kathy Williamson states that this is the standard 3 year agreement with the County for participation in the CDBG program. Council Member Hawthorne moves to authorize the Mayor to sign this agreement. Second to the motion by Council Member Everett. Vote unanimous.

Public Lands Day Proclamation

City Manager Kathy Williamson states that Connie Wiggins with Gwinnett Clean & Beautiful is requesting the City proclaim October 26, 1991 as Take Pride in Gwinnett/Public Lands Day. Council Member Hawthorne moves to adopt the resolution. Second to the motion by Council Member Everett. Vote unanimous.

Infiltration

Collections System Supervisor Donna Zinskie is requesting a policy be established to require developers to t.v. camera all gravity main lines on new developments and submit a report to the City for our files. This cost would be at the developers expense. Council Member Hawthorne moves to make this a policy of the City. Second to the motion by Council Member Everett. Vote unanimous.

Ms. Zinskie is also requesting that \$10,000 be budgeted per year in order to t.v. camera 1 mile of other City sewer lines at the City's expense. Council Member Hawthorne states that Ms. Zinskie needs to meet with the Director of Finance and have her put a line item for this expense into the budget and the Mayor and Council will approve it along with the budget.

COVENANT TO APPROPRIATE

"In the event this Lease is not otherwise terminated, the City of Sugar Hill covenants and agrees that it will cause the appropriate officer of the City of Sugar Hill *(i) to request that the governing body appropriate the Minimum Annual Appropriated Amount no later than February 15 of each calendar year*, and *(ii) to take such further action (or cause the same to be taken) as may be necessary or desirable to assure the availability of moneys appropriated to make all payments due hereunder during the Lease Year, including all such actions for such purpose as may be required under section 36-60-13 of the Official Code of Georgia Annotated, as amended*" (Section 4.6 of the Lease Agreement).

The Resolution required to satisfy the City of Sugar Hill's covenant to appropriate follows on the attached pages.

[Resolution required in January, 1993 and each subsequent January for \$775,000.00 (including lease payment fund)]

RESOLUTION

A RESOLUTION OF THE City of Sugar Hill (THE "LESSEE"), AUTHORIZING, INTER ALIA, THE ANNUAL APPROPRIATION OF ALL AMOUNTS REQUIRED PURSUANT TO LESSEE'S PARTICIPATION IN THE POOLED LEASE PROGRAM SPONSORED BY GEORGIA MUNICIPAL ASSOCIATION

DATED: _____, 1993

WHEREAS, Lessee is participating in the Georgia Municipal Association, Inc. ("GMA") sponsored pooled lease program (the "Program") for the acquisition of equipment to be used by participating political subdivisions of the State of Georgia (the "Equipment"); and

WHEREAS, pursuant to the Program, Lessee entered into (i) a Lease Agreement Dated as of December 1, 1990 by and between GMA and Lessee (the "Lease") pursuant to which GMA leases the Equipment to the Lessee and (ii) an Administration and Servicing Agreement dated as of December 1, 1990 (the "Servicing Agreement"), among Wachovia Bank of Georgia, N.A., Atlanta, Georgia, as servicer (the "Servicer"), Wachovia Bank of Georgia, N.A., as Trustee, GMA and each Lessee participating in the program (including Lessee), pursuant to which Servicer services the collection and transmittal of payments for the Leases for GMA and transfers the moneys collected pursuant to the Servicing Agreement; and

WHEREAS, certificates of participation ("Certificates") have been issued pursuant to a Trust Agreement dated as of December 1, 1990, by and between Wachovia Bank of Georgia, N.A., as trustee ("Trustee"), and GMA evidencing undivided interests in the Lease payments; and

WHEREAS, in connection with the issuance of the Certificates and the creation of the Program, (i) Municipal Bond Investors Assurance Corporation (the "Credit Facility Issuer") issued its financial guaranty insurance policy (the "Policy") and entered into the Reimbursement and Indemnity Agreement by and between the Credit Facility Issuer, the Trustee, the Servicer and GMA (the "Credit Facility Reimbursement Agreement"); (ii) Credit Suisse, New York Branch ("Bank"), has agreed to purchase Certificates tendered pursuant to tender rights under the Trust Agreement in accordance with the terms of a Standby Purchase Agreement dated as of December 1, 1990 by and among the Trust, GMA, the Bank, the Servicer and the Tender Agent (the "Standby Purchase Agreement"); (iii) Chemical Bank serves as tender agent (the "Tender Agent") pursuant to a tender agent agreement dated as of December 1, 1990 by and among the GMA, the Trust, the Servicer, and the Tender Agent (the "Tender Agent Agreement"); (iv) BT Securities Corporation and at such time as specified in the Trust Agreement, Chemical Securities, Inc., will serve as remarketing agents (referred to collectively hereafter as the "Remarketing Agent"), pursuant to a remarketing agreement dated as of December 1, 1990 by and among the Remarketing Agent, the GMA, the Tender Agent, the Trustee and the Servicer (the "Remarketing Agreement"); and

WHEREAS, pursuant to the Lease Agreement, Lessee is required to appropriate annually the Minimum Annual Appropriated Amount set forth on Schedule A hereof; and

WHEREAS, in order to give effect to, and comply with, the foregoing agreements and instruments, and in order to authorize payment of its obligations incurred thereunder (collectively, the "Program Obligations"), either (i) the Lessee has available to satisfy Program Obligations uncommitted and unappropriated funds in its current operating budget in an amount not less than the Minimum Annual Appropriated Amount as set forth in Schedule A or (ii) the Lessee must amend its current operating budget in accordance with Title 36, Chapter 36-81-5 of the Official Code of Georgia Annotated (the "Code") to authorize the payment of the Program Obligations; and

WHEREAS, if required, in order to amend its current operating budget, the Mayor and Council of Lessee have heretofore taken the following actions, all in accordance with Title 36, Chapter 81 of the Code: (i) through the Lessee's budget officer, prepared a proposed amended budget providing for payment of Lessee's Program Obligations in accordance with the requirements of Code Section 36-81-5(b) (the "Amended Budget", a copy of which is attached hereto as Schedule B) which was previously submitted to the Mayor and Council of the Lessee, (ii) at the time of receipt of the Amended Budget from the Lessee's budget officer, placed a copy of the Amended Budget in a public place in the Lessee, which place is convenient to the residents of the Lessee, (iii) published a notice in the official organ of the Lessee advising residents of the Lessee that the Amended Budget is available for inspection; (iv) conducted a public hearing on the Amended Budget at least one week prior to the date hereof; and (v) taken all other action necessary to effect the foregoing;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section I. Confirmation and Reaffirmance of Program Obligations. The Lessee does hereby confirm, ratify and reaffirm all the Program Obligations, including, expressly, the Lease and the Servicing Agreement.

Section II. Appropriation: Amendment of Budget. In order to give effect to, comply with, and assume the liabilities associated with, the foregoing approvals, and authorize the expenditure of the amounts required to be expended pursuant to the Lease Agreement and the Servicing Agreement the Lessee does hereby adopt, ratify and approve the Amended Budget attached hereto as Schedule B or commit those portions of the current budget set forth on Schedule B to the payment of the Program Obligations and does hereby appropriate and commit moneys in an amount not less than the Minimum Annual Appropriated Amount to payment of Program Obligations for the current calendar year.

Section III. No Personal Liability. No stipulation, obligation or agreement herein contained or contained in the Lease, the Trust Agreement, the Servicing Agreement, the Standby Purchase Agreement, The Tender Agent Agreement, the Remarketing Agreement, or the Credit Facility Reimbursement Agreement shall be deemed to be a stipulation, obligation or agreement of any councilman, chairman, officer, agent or employee of the Lessee in his or her individual capacity, and no such councilmember, chairman, officer, agent or employee of the Lessee shall be personally liable on the Certificates or be subject to personal liability or accountability by reason of the issuance thereof.

Section IV. General Authority. From and after the execution and delivery of the documents hereinabove authorized, the Mayor and the Clerk are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of said documents as executed and are further authorized to take any and all further actions and execute and deliver any and all other documents and certificates as may be necessary or desirable to document compliance with the Code.

Section V. Actions Approved and Confirmed. All acts and doings of the officers of the Lessee which are in conformity with the purpose and intents of this Resolution shall be, and the same hereby are, in all respects approved and confirmed.

Section VI. Severability of Invalid Provisions. If any one or more of the agreements or provisions herein shall be held contrary to any express provision of law or contrary to the policy of express law, though not expressly prohibited, or against public policy, or shall for any reason whatsoever be held invalid, then such covenants, agreements or provisions shall be null and void and shall be deemed separable from the remaining agreements and provisions and shall in no way affect the validity of any of the other agreements and provisions hereof or of the Certificates authorized hereunder.

Section VII. Repealing Clause. All Resolutions or parts thereof of the City of Sugar Hill in conflict with the provisions herein contained are, to the extent of such conflict, hereby superseded and repealed.

Section VII. Effective Date. This Resolution shall take effect immediately upon its adoption.

ADOPTED this 11th day of January, 1993.

[CORPORATE SEAL]

City of Sugar Hill

Attest:

Judy Foster
Clerk

By: George Haggard
Mayor.

SCHEDULE A

1. City of Sugar Hill's pro-rata share of the principal amount of the Georgia Municipal Association Pool is \$775,000.00.
2. City of Sugar Hill's Minimum Annual Appropriated Amount for the year ending December 31, 1993 is \$135,254.95, to wit:

Cost of Issuance Payment (if required) ¹	\$5,442.45
Interest and Administrative Expenses @ 16.75% ²	<u>\$129,812.50</u>
Basic Lease Payments due November 30, 1993	<u>\$0.00</u>
Total	<u>\$135,254.95</u>

¹ Outstanding balance of Cost of Issuance Payments as of December 1, 1992.

² 15% Maximum Interest Rate plus maximum Administrative Expenses at 1.75% annually.

CLERK'S CERTIFICATE

The undersigned Clerk of The City of Sugar Hill, DOES HEREBY CERTIFY that the foregoing pages of typewritten matter pertaining to the issuance of Certificates of Participation in the Georgia Municipal Association Pool in the aggregate principal amount of \$127,635,000, constitute a true and correct copy of the Resolution adopted on January 11, 1993, by the City Council on behalf of Lessee in a meeting duly called and assembled, which was open to the public, and that the original of said Resolution appears of record in the Minute Book of the Lessee which is in the undersigned's custody and control.

WITNESS my hand and the official seal of the Lessee, this 11th day of January, 1993.

1

Rudy Foster
Clerk, City of Sugar Hill

[City Seal]

Procedures and Guidelines for the Review of Developments of Regional Impact

Introduction

The Georgia Planning Act of 1989 authorized the Department of Community Affairs (DCA) to establish procedures for regional review of development projects that are of sufficient size that they are likely to create impacts beyond the jurisdiction in which the project will be located. These large-scale projects are referred to as Developments of Regional Impact (DRIs). The review of DRIs is intended to improve communication between governments and provide a means of revealing and assessing potential impacts before conflicts relating to them arise. At the same time, the DRI process is designed to preserve local government autonomy in that the "host" local government maintains the authority to make the final decision on whether a proposed development will go forward.

DRIs are those projects that require local government action to proceed and exceed the minimum thresholds established by DCA. The DRI review process, which became effective October 1, 1991, involves the host local government, the reviewing Regional Development Center (RDC) and other potentially affected local governments, RDCs and agencies. The process includes four major steps:

- Review by Host Local Government;
- Review by Regional Development Center;
- Review by Local Governments and Other Affected Parties; and
- Statement of "Public Finding" by RDC.

This publication is intended to provide assistance to local governments, RDCs and affected parties in processing DRIs and assessing their potential impacts. Following a description of the thresholds used to determine if a proposed development qualifies as a DRI is an outline of the four-step DRI process. Also presented is a brief

discussion conflict resolution and mediation as they relate to the DRI process. The forms to be used by a host local government to request RDC review of a DRI and the comment form to be used by other local governments and affected parties are found in the Appendix.

Thresholds

Thresholds (measures of scale or size) are used to determine whether a proposed development is a DRI. Because positive and negative impacts of DRIs, or "spill-over effects," are not necessarily confined to the host local government's jurisdictional boundaries, impacts on other jurisdictions need to be assessed. The thresholds are set up so that only developments that are likely to have an impact beyond the host local government's jurisdiction will be subject to review.

Thresholds for DRI analysis are organized by regional population categories and development types, as described below (see Appendix A, "Thresholds, Developments of Regional Impact):

Population Categories - Because communities across the state have different population characteristics and development levels, three distinct sets of thresholds have been developed. This breakdown allows each local government to use thresholds appropriate for its community. For example, a large scale development in a region with low levels of development is likely to have a greater impact on nearby communities than it would have in an area with high levels of development.

The three sets of thresholds are based on the following population categories, as shown on the map on page 3:

- **Atlanta Region** - all local governments within the boundaries of the Atlanta Regional Commission;

**THRESHOLDS
DEVELOPMENTS OF REGIONAL IMPACT**

Type of Development	Atlanta Region	Metropolitan Areas	Rural Areas
(1) OFFICE	Greater than 500,000 net square feet	Greater than 400,000 net square feet	Greater than 250,000 net square feet
(2) COMMERCIAL, WHOLESALE & DISTRIBUTION	Greater than 700,000 net square feet	Greater than 560,000 net square feet	Greater than 350,000 net square feet
(3) HOSPITALS	Greater than 600 new beds	Greater than 480 new beds	Greater than 300 new beds
(4) HOUSING	Greater than 500 new lots or units	Greater than 400 new lots or units	Greater than 250 new lots or units
(5) INDUSTRIAL	Park or single user greater than 500 acres, or employing more than 2,000 people, or, using more than 100,000 GPD of water	Greater than 500 acres, or employing more than 1,600 people, or, using reserve capacity of other jurisdictions.	Greater than 500 acres, or employing more than 1,000 people, or, using reserve capacity of other jurisdictions.
(6) HOTELS	Greater than 500 rooms	Greater than 400 rooms	Greater than 250 rooms
(7) MIXED USE	Greater than 500,000 net square feet	Two or more land uses, common ownership, and greater than 40 acres	Two or more land uses, common ownership, and greater than 40 acres
(8) AIRPORTS	Any new airport, new runway, or runway extension	Any new airport, new runway, or runway extension	Any new airport with paved runway, or runway additions of more than 25% of existing runway length
(9) ATTRACTIONS OR RECREATIONAL	Greater than 2,000 parking spaces or more than 7,500 permanent seats	Greater than 1,600 parking spaces or more than 6,000 permanent seats	Greater than 1,000 parking spaces or more than 3,750 permanent seats
(10) POST SECONDARY SCHOOLS	New school with capacity of more than 3,000 students, or, expansion of this type school by at least 25% of capacity.	New school with capacity of more than 2,400 students, or, expansion of this type school by at least 20% of capacity.	New school with capacity of more than 1,500 students, or, expansion of school by 25% or more new full-time students.

Type of Development	Atlanta Region	Metropolitan Areas	Rural Areas
(11) WASTE DISPOSAL	New facility or expansion of use of an existing facility by 50% or more, intending to accept waste from another jurisdiction.	New facility or expansion of use of an existing facility by 50% or more, intending to accept waste from another jurisdiction.	New facility or expansion of use of an existing facility by 50% or more, intending to accept waste from another jurisdiction.
(12) WASTEWATER FACILITIES, QUARRY, ASPHALT or CEMENT PLANTS	New facility or expansion of use of existing facility by 50% or more, and located within one-half mile of a government boundary.	New facility or expansion of use of existing facility by 50% or more, and located within one-half mile of a government boundary.	New facility or expansion of use of existing facility by 50% or more, and located within one-half mile of a government boundary.
(13) PETROLEUM STORAGE FACILITY	Petroleum storage greater than 50,000 barrels, if within 1,000 feet of any water supply, or, storage greater than 200,000 barrels.	Petroleum storage greater than 50,000 barrels, if within 1,000 feet of any water supply, or, storage greater than 200,000 barrels.	Petroleum storage greater than 50,000 barrels, if within 1,000 feet of any water supply, or, storage greater than 200,000 barrels.

(14) APPLICANT'S DEMAND			
DEMAND ON INFRASTRUCTURE THRESHOLD (To be used ONLY if a project DOES NOT fit into one of the above categories)			
<i>Electrical</i>	Any increase in average electrical demand greater than 100 megawatts.	Any increase in average electrical demand greater than 100 megawatts.	Any increase in average electrical demand greater than 100 megawatts.
<i>Natural Gas</i>	Any increase in demand for natural gas greater than 100,000 therms per day	Any increase in demand for natural gas greater than 100,000 therms per day	Any increase in demand for natural gas greater than 100,000 therms per day
<i>Water</i>	Any increase in demand of greater than 100,000 gallons per day or will absorb the reserve capacity of another jurisdiction.	Any increase in demand of greater than 100,000 gallons per day or will absorb the reserve capacity of another jurisdiction.	Any increase in demand of greater than 100,000 gallons per day or will absorb the reserve capacity of another jurisdiction.
<i>Wastewater Treatment</i>	Any increase in treatment of greater than 500,000 gallons per day or will absorb the reserve capacity of another jurisdiction.	Any increase in treatment of greater than 400,000 gallons per day or will absorb the reserve capacity of another jurisdiction.	Any increase in treatment of greater than 250,000 gallons per day or will absorb the reserve capacity of another jurisdiction.
<i>Transportation</i>	Any increase greater than 1500 peak hour vehicle trips per day.	Any increase greater than 1200 peak hour vehicle trips per day.	Any increase greater than 750 peak hour vehicle trips per day.

1992 PROGRESS REPORT FOR THE CITY OF SUGAR HILL

The city started 1992 with two new councilmembers and the return of a incumbent. October of this year the Mayor and two council seats will be open for elections. These will be four year terms.

1992 brought the following accomplishments to the city in the various departments:

Finance Department- Implementation of a new computer system, which brought the finances to a true modified accrual based system. The new system has also saved man hours as the Utilities and the General fund are interfaced. Therefore daily receipts are automatically distributed when payments are taken at the front window. This also lessens the percentage of human error. The City successfully achieved the approval of the G.E.F.A. loan from the state to continue the golf course-treatment plant project. This loan from the state was for \$2,000,000.00 at 3.5% and 3% administration fee and pay back is over a twenty year period. These funds will cover the construction of the treatment plant and part of the interceptor lines. Greater efficiency in accounts payable with the new computer system in monitoring the encumbrances. Setting-up the financial policies and procedures at the golf course, to comply with the Governmental Accounting Practices for checks and balances. The ability with the new system to produce financial spread sheets and graphs for the Mayor and Council reports. With the reassessment of property taxes and the delays for state approval of the tax digest, the city's 1992 property taxes are not due until February 1, 1993. This has created the net fund carry over into 1993 to be delayed.

Clerk's Office- 1992 brought the establishment of a clerk's office. This office consists of the City Clerk and the Deputy Clerk. This office has been restructured to be responsible for the issuance and collection of property taxes, voter registration, business licenses, annexations and rezonings. The restructuring will allow one department to have the knowledge of taxes, zoning and location of the properties in the city. The new computer system has also helped with the efficiency of the clerk's office with taxes and business licenses in 1993.

Utilities Department- The Gas and Water departments in 1992 did not install as many meters as in the previous year. The city only installed one-third the amount of gas meters as in comparison to 1991. This allowed the utility departments to upgrade and replace mains in both departments. In the gas department in 1992 77,139 feet or 14.6 miles of new gas lines were installed as in comparison to 1991 where 32,554 feet or 6.16 miles. Looping the system in several locations has allowed for the elimination of some of the city's low pressure problems. This is a ongoing project.

With Governor Miller's cutbacks at the state level, the Public Service Commission inspected Sugar Hill's gas system twice in 1992, because of our close proximity to Atlanta. Both inspections passed, but there is an ongoing upgrading of the system to supply better service to the customers.

The Water Department has also done some major upgrading of lines to upgrade the water quality and pressure. In 1992 the Water Department installed or replaced 5,673 feet of water lines as in comparison to 2,012 feet in 1991. The new altitude valves on the water tanks have provided a more consistent pressure on the city's water system.

Development and the Inspections Department- Inspections increased by 50 from 1991. But single family dwelling inspections decreased one-third from 1991. The Inspections Department has acquired a new computer system to allow for the printing and storage of all building and development permits and to have the building codes easily accessible.

The Gwinnett County Development Regulations were adopted in 1992 to allow for a more defined and stricter regulations. The Development Department, Management staff, and the Planning and Zoning Board completed the mandated Comprehensive Plan for the city. It has been approved by the Atlanta Regional Commission and the Department of Community Affairs. The Director of Development and the City Manager have been meeting with the Chamber of Commerce and the Georgia Resource Center regarding the promotion of commercial and industrial development. The city staff is updating data on Sugar Hill. A promotional video is being made at this time, to promote the city.

Meter Reading and Effluent Collection System Department- The Meter Reading Department reads approximately 5, 225 residential and commercial meters in the city. The city still only has two meter readers with twice as many meters to read. The computerized hand held metering devices have really helped in the keeping manhours to minimum and the error factor at less than one-half of one percent. The effluent system has been upgraded in 1992 by the replacement and upgrade of approximately 25 different locations of sewer mains. The Adams system was added to the Sycamore Summit lift station but, problems occurred on a regular basis with the Princeton Oaks liftstation. Those problems are in the process of being corrected at this time by the manufacturer of the pumps that were still under warranty. The purchase of a new sewer line rotor cleaning device has saved the city money by not employing Gwinnett County to correct clogged sewer lines. Upgrades to the Creek Lane liftstation were funded by the 1992 C.D.B.G funds. The Gwinnett County School Board upgraded the Old Suwanee liftstation when the connection was made for Lanier Middle School. The new treatment plant is now under construction and will be done sometime this summer.

Street and Bridge Department- This department has increased it's efforts in correcting drainage problems that exist on city easements or right-of-ways. This effort has also expanded to the replacement of old street signs and the patching or repaving of collector streets in the city. The prison details support this department on a part-time basis to pick-up right-of-ways to keep the city as clean as possible from all the littering.

Golf Course- The golf course opened in June of 1992. The actual play figures exceeded the projections. Although the rain in November and December did not help play. The utilization of low hourly wage full-time city employees on a part-time rotating basis, retired gentlemen that worked for play and the prison detail cut overhead employee costs. The preventive maintenance and upkeep on equipment kept repairs to a minimum. 1993 shows challenges of correcting two ponds that have leaks and a pump house that is unstable and the possibility of the building of the permanent clubhouse.

Sanitation- Recycling was added to the city sanitation collection in 1992. There is no cost to the residents or the city for this service at this time. The prison detail picks-up large trash items and yard waste two days a week in the city. Sugar Hill was the first municipality to acquire Governor Miller's 90 day boot camp prisoners. These prisoners are better disciplined and therefore work harder. They pick-up 3,921 loads of trash in the city in 1992 that is an average of over 35 loads a day for \$1,900.00 per month for 10 prisoners. The Mayor and Council appointed the Solid Waste Management Task to develop the city's Solid Waste Management Plan. This plan will be completed sometime in 1993.

As you can see for a small city Sugar Hill is a busy city. The Mayor and Council and the city employees take pride to serve the residents of Sugar Hill.

Kathy Williamson
City Manager
City of Sugar Hill

CALLED COUNCIL MEETING
MONDAY, JANUARY 25, 1993
7:30 P.M.

A G E N D A

- A) Open Sealed Bids from Attorneys for Solid Waste Task Force

CALLLED COUNCIL MEETING
MONDAY, JANUARY 25, 1993
7:30 P.M.

MINUTES

Notice posted at City Hall at 12:00 noon on Friday, January 22, 1993.

In attendance: Mayor George Haggard and Council Members Thomas Morris, Steve Bailey, Reuben Davis, Roger Everett and Jim Stanley.

Meeting called to order at 7:34 p.m. by Mayor Haggard.

Bid Opening for Environmental Attorney for Solid Waste Task Force

Mayor Haggard states that the purpose of this called meeting is to open the bids for an environmental attorney for the Solid Waste Task Force. Mayor Haggard turns the meeting over to Task Force Chairperson Connie Wiggins.

Connie Wiggins states that the Solid Waste Task Force had requested of the Mayor and Council to hire an environmental attorney because they felt they were at the stage to begin getting expert advice. Mrs. Wiggins states that the Mayor and Council requested the Task Force solicit bids for this purpose. The Task Force then made up a criteria list to send to attorneys for them to submit proposals. They also submitted names of attorneys to send bid requests to. Refer to criteria list and list of attorneys who received bid requests. Mrs. Wiggins states that the Task Force solicited to 12 different firms and only 5 bids were returned, one of which was not a sealed bid. The attorneys were asked to send in their qualifications separate from their sealed bid.

Upon the Council's request, Mrs. Wiggins states that she and the City Attorney reviewed the qualifications of each attorney. Refer to qualifications. Mrs. Wiggins and City Attorney Lee Thompson both recommend to withdraw two of the bids submitted because their qualifications do not meet the criteria established by the Task Force. These two bids were submitted by Peterson Dillard Young Self & Asselin, who has had a previous relationship with Gwinnett Sanitation Inc., and Jacobs and Langford, PA, who lack experience in this field.

Mrs. Wiggins states that the recommendations she is about to make is based only on qualifications of the attorneys since bids have not been opened and fees have not been considered. She states that the City Attorney's and her recommendations are as follows: First choice - Stephen O'Day with Smith, Gambrell & Russell, Second choice - Gerald Pouncey with Morris, Manning & Martin, and Third choice - Jean Tolman with Arnall, Golden & Gregory.

Mrs. Wiggins opens the bids. Refer to bid tabulation sheet.

Mayor Haggard asks if any of the Task Force members have had legal relationships with any of these attorneys, specifically Stephen O'Day. Mrs. Wiggins states no, not to her knowledge. She states that Task Force Member Lori Rostin submitted his name for a proposal and asks Ms. Rostin if she has had Mr. O'Day represent her or her family. Ms. Rostin states no, she only did research to find a few good environmental attorneys and he was one of the people she had recommended.

**CALLED COUNCIL MEETING
MONDAY, JANUARY 25, 1993
MINUTES, CONT'D.
PAGE 2**

Discussion is held on the projected fee submitted by Stephen O'Day and the unlikeliness that this many hours would be spend on each subject.

Mayor Haggard asks for opinions from the Task Force Members present. Several Task Force Members felt that Mr. O'Day would be a competent and suitable attorney. Other Task Force Members had not had the opportunity to review the qualifications of the attorneys.

Council Member Davis moves to hire Stephen O'Day, with Smith, Gambrell & Russell, at the least cost to the City with a maximum expense cap of \$10,000. Second to the motion by Council Member Bailey. More discussion held on this matter. Vote 4 for, 1 opposed - Council Member Everett. Motion carried 4 to 1.

Council Member Everett states that he would have been in favor of the motion had the cap been set at \$8,000 instead of \$10,000.

Mrs. Wiggins asks the Mayor and Council to establish some guidelines for the Task Force to follow regarding legal advice from Mr. O'Day. Discussion held on this matter.

Council Member Morris moves to authorize all Task Force Members to ask questions at their first meeting with Mr. O'Day and thereafter, they shall put any other questions in writing and submit them to Connie Wiggins and she will forward them to Mr. O'Day who can respond to the questions in writing or at the next Task Force Meeting. Second to the motion by Council Member Bailey. Vote unanimous.

Adjournment

Council Member Everett moves to adjourn the meeting. Second to the motion by Council Member Davis. Vote unanimous.

Meeting adjourned at 8:18 p.m.

Judy L. Foster

Bid Tabulation Sheet
 Bids Opened January 25, 1993, 7:30 p.m.
 For Environmental Attorney for Solid Waste Task Force

Attorney

Bid

Peterson Dillard Young Self & Asselin
 William R. Phillips
 Suite 1100
 230 Peachtree Street, NW
 Atlanta, Ga. 30303

withdraw

\$120/m + expenses

Morris, Manning & Martin
 Gerald L. Pouncey, Jr.
 1600 Atlanta Financial Center
 3343 Peachtree Road, NE
 Atlanta, Ga. 30326

\$140/m - blended rate

Smith, Gambrell & Russell
 Stephen E. O'Day
 Suite 3100, Promenade II
 1230 Peachtree Street, NE
 Atlanta, Ga. 30309-3592

refer to bid
\$15,400
Range from \$75/m. to \$215/m.

Jacobs and Langford, P.A.
 Norman J. Slawsky
 100 Peachtree Street, NW
 1000 Equitable Building
 Atlanta, Ga. 30303

withdraw

~~*\$100/m*~~
\$95/m.

jean Selman
Annall, Golden + Gregory

\$100/m. or \$185/m.

LISTING OF ATTORNEYS

Norman Slawsky
Equitable Building
100 Peachtree Street, NW
Suite 1000
Atlanta, Ga. 30303
(404) 522-4280
Bid Submitted

Rob Remar
133 Carnegie Way, NW
Suite 900
Atlanta, Ga. 30303
(404) 688-4000

David Pope
1355 Peachtree Street, NE
Suite 2000
Atlanta, Ga. 30309
(404) 876-7790

Greg Blount
230 Peachtree Street, NW
Suite 2400
Atlanta, Ga. 30303-1557
(404) 525-8622

Michael Davis
600 Peachtree Street, NE
Suite 5200
Atlanta, Ga. 30308-2216
(404) 885-3000
Mailed back Return to Sender

Ed Augustine
999 Peachtree Street, NE
Suite 1950
Atlanta, Ga. 30309
(404) 898-8705

Steven O'Day
Promenade Two
1230 Peachtree Street, NE
Suite 3100
Atlanta, Ga. 30309-3592
(404) 815-3527
Bid Submitted

Bill Phillips
230 Peachtree Street
Suite 1100
Atlanta, Ga. 30303
(404) 420-5325
Bid Submitted

Wayne Reese
1100 Spring Street, NW
Suite 350
Atlanta, Ga. 30309
(404) 888-0905

Tommy Craig
(404) 523-7037
Phone has been disconnected.

Gerald Pouncey
1600 Atlanta Financial Center
3343 Peachtree Road, NE
Atlanta, Ga. 30326
(404) 233-7000
Bid Submitted

Jean Tolman
55 Park Place
Atlanta, Ga. 30303-2598
(404) 527-4719
Qualifications Submitted/No Sealed Cost Proposal

PETERSON DILLARD YOUNG SELF & ASSELIN

ATTORNEYS AT LAW

SUITE 1100
230 PEACHTREE STREET, N.W.
ATLANTA, GEORGIA
30303

WRITER'S DIRECT
DIAL NUMBER:

(404) 420-5325

TELEPHONE
(404) 523-3300
TELECOPIERS
(404) 577-8256
(404) 522-6000

January 11, 1993

HAND-DELIVERED

Kathy Williamson
City Manager
City of Sugar Hill
4988 West Broad Street
Sugar Hill, Georgia 30518

RE: Legal Advice on Solid Waste Disposal Opitons

Dear Ms. Williamson:

This is written in response to your December 31, 1992, letter on the subject referenced above. We would like very much to assist you and the City on this matter. Our response to each numbered item of your letter is as follows:

1. Our recent experience directly related to the issue of solid waste management includes: (a) work for Barnwell County, South Carolina (contact person: Bobby Boland, County Manager, tel. 803-259-3464); (b) work for KGE & Associates (contact person: Knut Grenther or Libby Hawkins, tel. 451-3280); and (c) volunteer work for ACCG (contact person: Ross King, tel. 522-5022).
2. Bruce Stout and I would be working on this matter. Our work schedule is 8:00 a.m. to 6:00 p.m., and additional hours as necessary. Bruce has handled construction and environmental law work for 3 years, including trial work and claims settlement work. He also is a civil engineer and professional engineer with 7 years of civil engineering work experience, particularly with construction projects involving soil mechanics. I have an engineering degree, and 19 years of environmental law experience including 17 years as a lawyer with the U.S. Environmental Protection Agency. I am Editor of the "Environmental Desk Manual" just published by the Georgia Chamber of Commerce, have given informal advice to the Georgia Conservancy, and am also listed in Who's Who in American Law. Our resumes are enclosed.
3. We currently have a normal work load and are available to begin work immediately.

PETERSON DILLARD YOUNG SELF & ASSELIN

Kathy Williamson
January 11, 1993
Page 2

4. We have not had previous relations with the City of Sugar Hill. Others at the firm have in the past represented Button Gwinnett Landfill, Inc., but it is my understanding that Button Gwinnett Landfill no longer owns the landfill in Sugar Hill. Neither Bruce nor I have ever represented or met anyone from Button Gwinnett Landfill, Inc. Others at the firm have discussed representation with Mid-American Waste, but have no agreement to represent them. Neither Bruce nor I have been part of these discussions or met anyone from that company.
5. Our cost proposal is submitted in the separate sealed envelope, which is enclosed for your convenience.

We believe we could provide very competent advice on the "Examples of Questions to be Answered" enclosed with your letter, and related issues. Since both Bruce and I together have strong technical knowledge and experience, and since we both have strong negotiating skills and experience, we feel we can provide excellent value to the City on this matter.

Thank you for your consideration of our application. If you require clarification or further information, please let us know.

Sincerely,

PETERSON DILLARD YOUNG SELF & ASSELIN


William R. Phillips

WRP/cpn

Enclosures (3)

282WRP-999.51

BRUCE STOUT

EDUCATION: Emory University School of Law
Juris Doctor, May, 1989 (Top 1/3)

Auburn University
Bachelor of Civil Engineering (With Honor), June 1979
Outstanding Civil Engineering Graduate, June 1979
Tau Beta Pi, Member
Chi Epsilon, President
Phi Eta Sigma, Member

LEGAL EXPERIENCE:

6/89 to present Attorney at Law for Peterson Dillard Young Self & Asselin, Atlanta, GA. Responsible for negotiation, arbitration and litigation of construction-related matters for owners, general contractors, and subcontractors.

ENGINEERING EXPERIENCE:

11/84 to 8/86 Senior Project Engineer for Harbert International, Inc. on a precast segmental concrete bridge project in Biloxi, MS. Responsibilities included development of schedules, evaluation of methods of construction and suitability of materials. Managed and coordinated major suppliers and subcontractors and also the engineering staff for the project.

11/83 to 11/84 Project Engineer for Harbert/Sierra Joint Venture on an air base improvement project near Comyagua, Honduras. The project included runways, taxiways, and various support facilities. Supervised the quality control laboratory and the engineering and surveying staffs for the project.

6/82 to 10/83 Project Estimator for Harbert International, Inc., Birmingham, AL. Responsible for the complete preparation of competitive bids for various heavy civil construction projects.

10/80 to 5/82 Junior Engineer for Negev Airbase Constructors (a Harbert Joint Venture) at Ovda, Israel. This was a complete turnkey air base project including runways, support facilities, utilities, and roadways. Coordinated and superintended the placement of utilities and earthwork.

6/79 to 10/80 Project Engineer for Harbert Construction Corp. on two highway projects near Amory, MS. Directed the placement of concrete and earthwork, selected materials, and managed subcontracts.

PROFESSIONAL: Professional Engineer, Alabama, Registration #15731
American Society of Civil Engineers, Member
American Segmental Bridge Institute, Member
State Bar of Georgia, Member
American Bar Association, Member
The Hawley Corporation, Wheeling, WV, Board of Directors, 1986 to present

WILLIAM R. PHILLIPS
PETERSON DILLARD YOUNG SELF & ASSELIN
Suite 1100, 230 Peachtree Street, N.E.
Atlanta, Georgia 30303
(404) 523-3300

EMPLOYMENT

7/90-present

PRIVATE PRACTICE (Atlanta, Georgia).

Have given preventive advice on underground storage tank (UST), wastewater discharge, construction permit, Superfund, toxics and hazardous waste law, air emissions, drinking water, and SARA Title III requirements. Conducted environmental audits and set up "start to finish" environmental programs for manufacturing clients, including notebooks and training customized for facility. Gave testimony and made comments on state and federal legislation and proposed regulations. Developed stormwater group permit applications. Gave transactional advice and preventive environmental advice to bank and developer clients.

1974-1990

U.S. ENVIRONMENTAL PROTECTION AGENCY (HQ, then Region IV in Atlanta, Ga.). Atty.-Advisor, Asst. Regional Counsel, Associate Regional Counsel.

Superfund, RCRA, UST, and SARA Title III: Handled legal matters regarding all significant aspects of Superfund including cost recovery and bankruptcy matters; RCRA permitting and enforcement; and underground storage tanks. Was designated EPA National Expert on SARA Title III.

Clean Water Act: Was the EPA Region IV designated Regional Expert on wastewater (NPDES) permitting and enforcement. Handled "dredge and fill" matters, oil and hazardous substance spills and spill prevention, water quality standards, pretreatment, and legislative drafting.

Clean Air Act: Worked on State Implementation Plan review, new source performance standards, permitting requirements in non-attainment and clean air areas, and hazardous air pollutants.

Other: Advice on all other laws EPA implements and on new enforcement plan being used by EPA now. Successful negotiation and litigation experience.

EDUCATION

B.S. in Physics-Engineering, Washington & Lee U.
J.D., Georgetown University Law Center.

OTHER

Past Chairman of Environmental Law Section of State Bar of Georgia (1987). Appointed by Governor Zell Miller to Wetlands Conservation Study Commission established in 7/91. Will be listed in 1992 edition of Who's Who in American Law. Editor of upcoming Environmental Desk Manual (published by Bus. Council of Ga.). Chair panels at statewide environmental seminars in several states, including programs for lawyers, bankers, and environmental managers. Member of Ga. and Va. Bars, Lawyers Club of Atlanta, ABA. Married, one son. Sunday School teacher, Cubmaster.

MORRIS, MANNING & MARTIN

ATTORNEYS AT LAW

1600 ATLANTA FINANCIAL CENTER

3343 PEACHTREE ROAD, N.E.

ATLANTA, GEORGIA 30326

404 233-7000

ATLANTA FINANCIAL CENTER

FACSIMILES

16th FLOOR 404 365-9532

15th FLOOR 404 231-4163

NORTHSIDE OFFICE

SUITE 150

5775-B PEACHTREE DUNWOODY ROAD

ATLANTA, GEORGIA 30342

TELEPHONE 404 255-6900

FACSIMILE 404 843-2317

GWINNETT OFFICE

OAKBROOK PLAZA

SUITE 140

1770 INDIAN TRAIL ROAD

NORCROSS, GEORGIA 30093

TELEPHONE 404 381-6300

FACSIMILE 404 381-8336

ARTHUR B. L. MARTIN
JOHN G. MORRIS
JOSEPH R. MANNING
ROBERT E. SAUDEK
NICHOLAS N. SEARS
FRANK B. BAZZEL
JAMES W. HARRIS
JEFFERSON D. KIRBY III
CHARLES R. BEAUDROT, JR.
LOUISE M. WELLS
F. LAWRENCE STREET
OBY T. BREWER III
DAVID A. RABIN
JOHN C. YATES
BRUCE C. SMITH
T. DANIEL BRANNAN
STANLEY G. BRADING, JR.
JOHN FRANKLIN SMITH
WARD S. BONDURANT
GERALD L. POUNCEY, JR.
ANTHONY E. DIRESTA
DARLA GRINSTEAD MCKENZIE
JAYNE P. STOCKTON

LUBA ANN CZURA
DAVID L. MOSS
JEANNA A. BRANNON
BRUCE A. WOBEC
LAURA M. TATE
LAUREEN E. MCGURK
GEORGE E. HIBBS
FRANK W. D-BORDE
RICHARD L. HAURY, JR.
STUART O. BAESEL, JR.
ANN R. SCHILDHAMMER
JOHN D. HIPES
C. WILLIAM MCDANIEL
ROBERT W. REARDON
CATHERINE H. LAFIANDRA
PAUL H. ARNE
EDWARD F. HUDSON
BRYAN G. HARRISON
WILLIAM M. REID
MARC J. SMITH
BRADLEY A. BUTCHER
FREDERICK C. C. BOYD III
WILLIAM J. SHEPPARD
PEGGY J. BAILEY

OF COUNSEL
JEREMIAH LUXEMBURGER

January 11, 1993

VIA FACSIMILE 945-0281
and HAND DELIVERY

Ms. Kathy Williamson, City Manager
City of Sugar Hill
4988 West Broad Street
Sugar Hill, Georgia 30518

Re: Potential Representation of City of Sugar Hill ("the City") Regarding Solid Waste Disposal Options

Dear Ms. Williamson:

We appreciate your taking the time to talk with us Friday regarding potential representation of the City of Sugar Hill as to the legal effect of its decision on future solid waste disposal options.

As I indicated to you in that conversation, last week we received in the mail a copy of the December 31, 1992 letter from the City inviting us to submit a proposal regarding that representation. While time constraints made it impossible to submit a detailed proposal today, we are very much interested in representing the City. By way of this letter, we are presenting a skeletal proposal for your consideration. We will follow this up with a more detailed proposal within the next two days.

Morris, Manning & Martin is a 50-attorney law firm with a general litigation and business practice. The firm has an extremely active environmental department composed of seven lawyers who devote a substantial portion of their time to environmental matters. All of our environmental practitioners are members of the Environmental Section of the Georgia State Bar, the American Bar Association and the Atlanta Bar Association.

In addition, Bruce Smith and I have lectured extensively, both nationally and locally, in the environmental area. We are also co-chairs of the Environmental Committee of Commercial Law Affiliates, a nationwide network of law firms.

Ms. Kathy Williamson
January 11, 1993
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Through our legislative liasion practice group, we have drafted and introduced various pieces of environmental legislation in Georgia, including most recently the "notice" provision regarding release of hazardous substances and a provision related to the statute of limitations as it affects environmental property contamination.

In addition to our general environmental practice, we have extensive experience, dating back to 1989 in the area of municipal solid and hazardous waste. Our representation in this area includes the following matters:

1. Hancock County Sanitary Landfill, Sparta, Georgia

We represented the owners of a landfill site in negotiating a ground lease and operating agreement with the landfill operator, and in the process of obtaining a solid waste permit from the Georgia EPD. The landfill company, Dixie Recycling Systems, Inc., is owned and controlled by Marion C. Crymes, a long-time Gwinnett County businessman and landfill operator. The landfill site consists of 887.5 acres, making it the largest permitted sanitary landfill in the state of Georgia.

We also assisted the County and the landfill operator in addressing concerns of disgruntled citizen groups opposing the landfill and in responding to certain court challenges to the landfill. In this connection, we retained and worked closely with a public relations firm.

2. Proposed Heard County Hazardous Waste Landfill

From 1980 through 1984 our firm represented Heard County in a very bitter, but ultimately successful, dispute with Earth Management, Inc. of Pennsylvania ("Earth Management") which was attempting to site a large hazardous waste disposal facility in Heard County. The County vehemently opposed the siting of the dump in the County. Its efforts to condemn the 276 acre site for use as a County recreational area were rejected by the Georgia Supreme Court. Ultimately, the dispute was settled by the County paying Earth Management \$350,000.00 for the 276 acres and obtaining a guarantee from Earth Management that the company would never again attempt to locate another dump within Heard County or within 2 miles of its borders. The case was heralded as a victory for Heard County in the Thursday, June 14, 1984 edition of the Atlanta Constitution, a copy of which is enclosed. The County contact is former County Commissioner, Steve Lipford.

Ms. Kathy Williamson
January 11, 1993
Page 3

3. Forsyth County Landfill

Our firm represented several homeowners in investigating potential claims against Forsyth County and the City of Cumming, when it was discovered that their subdivision was built on a portion of the City/County landfill. Issues investigated included City/County liability for improper closure and operation of the facility, permit violations, zoning violations, failure to notify and liability for off-site migration of leachate and other contaminants.

4. Landfill Gas Extraction System

The firm represented Bio-Gas Development, Inc. ("Bio-Gas") and its principals, Thomas Fowler and Russell Klepper, in the formation, development and funding of Bio-Gas. Bio-Gas is a company which has developed and implemented a series of processes for treating raw landfill gas and condensate in order to extract methane gas and carbon dioxide for commercial use.

5. Medical Waste Incinerator in Green River, Utah

We represented Green River Biomedical Company, L.P. and one of its principals, Paul Young in the siting and development of a medical waste incinerator plant in Green River, Utah. This representation included negotiation of operations agreements and facility management agreements, acquisition and assignment of solid waste permits and air quality approval orders and negotiation with City of Green River, Utah regarding issues related to construction and operation of the facility.

In addition to the above matter, as noted earlier, the firm has a substantial general environmental practice which serves as a valuable complement to issues which frequently arise in "landfill" context. We are involved in federal and state environmental litigation, including toxic torts, CERCLA and RCRA litigation, we have handled asbestos remediation and litigation, as well as the full range of soil, water and ground contamination and remediation problems. In the course of our practice we have generated, and maintain, good working relationships with environmental consultants, public relations firms experienced in solid waste issues, as well as with federal and state regulators and legislators.

Our past and present clients include real estate developers, lenders, contractors, environmental professionals,

Ms. Kathy Williamson
January 11, 1993
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fiduciaries, trustees, manufacturing companies, carpet mills, and other businesses both small and large in the full range of environmental issues and problems.

To familiarize you further with our environmental practice, I enclose the following materials:

1. An excerpt from our firm brochure describing our environmental practice.
2. A representative list of environmental clients (the client contact can be furnished upon request).
3. Several brochures for seminars in which we have served as instructors.
4. Two articles which appeared in the Atlanta Business Chronicle.
5. Recent articles and press releases which we have authored or participated in on environmental issues.
6. A copy of the headline from the June 14, 1984 edition of the Georgia Constitution regarding the Heard County landfill.

You also requested in your December 31 letter that we provide you a cost proposal. From the materials contained in that letter, it is difficult to ascertain exactly the scope of the materials for which you seek service. Nonetheless, we would be willing to offer, at a substantially reduced rate, preliminary advice to the City regarding potential legal rights and obligations related to your impending decision of future waste disposal options. That rate is set forth in a separate sealed envelope.

As I indicated initially, this letter is merely an attempt to provide skeletal information for which we hope will prompt consideration of our firm in the matter which is the subject of your December 31 letter. I am available anytime should you have any additional comments or questions. I look forward to hearing from you.

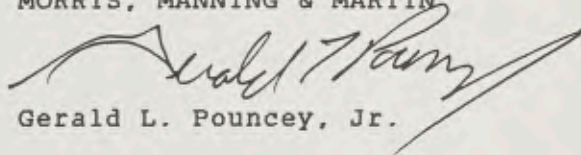
MORRIS, MANNING & MARTIN

Ms. Kathy Williamson
January 11, 1993
Page 5

Thank you for the opportunity to be considered in this matter.

Sincerely,

MORRIS, MANNING & MARTIN

A handwritten signature in dark ink, appearing to read "Gerald L. Pouncey, Jr.", written over the typed name.

Gerald L. Pouncey, Jr.

GLP:jmb
613/9
Enclosures

ENVIRONMENTAL LAW PRACTICE

Our environmental group is composed of seven lawyers who handle the complete spectrum of issues, transactions and litigation arising under federal and state environmental laws and regulations.

The section includes both litigation and business lawyers. We assist clients in consummating business transactions impacted by the federal, state and local environmental laws, work with state and federal officials in obtaining necessary permits for development projects and treatment, storage and disposal facilities, assist clients in insuring compliance with regulatory and reporting requirements, advise regarding hazardous substance contamination and remediation, and handle disputes and litigation involving toxic torts, asbestos, soil, water and ground contamination issues as well as environmental insurance issues.

Our practitioners include featured lecturers and authors on many current environmental topics. The group focuses on the prevention and avoidance as well as on the resolution of environmental problems and disputes. Our historical business, real estate and litigation expertise, coupled with our relationships with regulators and environmental consultants, allows us to provide practical and cost-effective advice regarding environmental issues.

The following is a brief biographical sketch of our principal environmental law practitioners:

Partners

Bruce C. Smith. Mr. Smith is a magna cum laude graduate of Colgate University where he was elected to Phi Beta Kappa. Mr. Smith obtained his law degree in 1980 from the College of William and Mary. Mr. Smith's areas of expertise include environmental law and litigation, construction law and litigation and general commercial litigation. Mr. Smith has written and lectured on numerous environmental law topics. He is a member of the Atlanta and American Bar Associations, the State Bar of Georgia, the Lawyers Club of Atlanta and the Construction Industry and Commercial Panels of the American Arbitration Association.

Nicholas N. Sears. Mr. Sears obtained his law degree, cum laude, in 1973 from the University of Georgia School of Law, where he was executive editor of the Georgia Law Review. Mr. Sears received his preparatory education at Emory University. Mr. Sears' areas of expertise include real estate and asset based financing and environmental law. He is a member of the State Bar of Georgia.

Gerald L. Pouncey, Jr. Mr. Pouncey obtained his law degree, magna cum laude, in 1985 from the University of Georgia, where he was a member of the Order of the Coif and served both on the Editorial Board and the Managing Board of the University of Georgia Law Review. Mr. Pouncey obtained his undergraduate degree in chemical engineering, with honors, from Auburn University. Following his legal education, Mr. Pouncey served as a law clerk for the Honorable James C. Hill, United States Court of Appeals for the Eleventh Circuit. Mr. Pouncey has practiced extensively in the areas of commercial litigation and environmental law. Mr. Pouncey is a member of the State Bar of Georgia and the American Bar Association.

Associates

Bruce A. Wobeck. Mr. Wobeck obtained his law degree in 1986 from the University of Michigan School of Law. He received his undergraduate degree, with honors, from Emory University. Mr. Wobeck specializes in commercial real estate and environmental law. Mr. Wobeck is a member of the real property and environmental law sections of the State Bar of Georgia and the American Bar Association.

George E. Hibbs. Mr. Hibbs obtained his law degree in 1978 from the University of Cincinnati College of Law. He obtained his undergraduate degree from Miami University. Mr. Hibbs is former counsel for the State Bar of Georgia and is a registered lobbyist. Mr. Hibbs practices extensively in the area of environmental law. Mr. Hibbs is a member of the Environmental Law Sections of the State Bar of Georgia and the Atlanta and American Bar Associations.

Bradley A. Butcher. Mr. Butcher obtained his law degree in 1990 from the University of Virginia. He obtained his undergraduate degree from the University of Florida. Mr. Butcher specializes in commercial real estate and environmental law. Mr. Butcher is a member of the Real Property Section of the State Bar of Georgia and the American Bar Association.

William J. Sheppard. Mr. Sheppard obtained his law degree, cum laude, in 1992 from Mercer University, where he served on the Mercer Law Review and Moot Court. Mr. Sheppard was elected to the Phi Kappa Phi Honor Society by the faculty of Mercer Law School. He obtained his undergraduate degree from Emory University. Mr. Sheppard specializes in commercial litigation and environmental law and is a member of the Environmental Section of the State Bar of Georgia and the American Bar Association.

SMITH, GAMBRELL & RUSSELL

A PARTNERSHIP OF PROFESSIONAL CORPORATIONS AND INDIVIDUALS

ATTORNEYS AT LAW

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100th
Anniversary
1893-1993

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Stephen E. O'Day
815-3527

January 11, 1993

Ms. Cathy Williamson
City Manager
City of Sugar Hill
4988 West Broad Street
Sugar Hill, Georgia 30518

Re: December 31, 1992 Request for Proposal

Dear Ms. Williamson:

Enclosed is the proposal of Smith, Gambrell & Russell to provide legal advice regarding the selection of solid waste disposal options under consideration for inclusion in the City of Sugar Hill Comprehensive Solid Waste Management Plan, in response to your request for proposal dated December 31, 1992. Also enclosed, as requested is a separate sealed envelope containing a cost proposal. We feel that Smith, Gambrell & Russell is uniquely qualified to provide the services being sought by the City of Sugar Hill, as a result of its expertise and recent experience advising government entities in similar solid waste situations. Please let me know if anything further is needed to support this proposal. I would be pleased to meet with you and anyone else who may be appropriate to discuss the enclosed proposal.

Very truly yours,

SMITH, GAMBRELL & RUSSELL

Stephen E. O'Day

Stephen E. O'Day

SEO:jpd
sughillr.seo

Enclosures

cc: Andy Shovers (w/enclosures)

PROPOSAL FOR LEGAL SERVICES
TO
CITY OF SUGAR HILL, GEORGIA

SMITH, GAMBRELL & RUSSELL
Stephen E. O'Day
Suite 3100, Promenade II
1230 Peachtree Street, N.E.
Atlanta, Georgia 30309-3592
(404) 815-3527

January 11, 1993

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INTRODUCTION

The City of Sugar Hill, Georgia is in the process of preparing a Comprehensive Solid Waste Management Plan pursuant to the provisions of O.C.G.A. §§ 12-8-20, et seq., for submittal to the Atlanta Regional Commission and the Georgia Department of Community Affairs. The City has created a Task Force to advise it in the preparation of the Solid Waste Management Plan. In its deliberations, the Task Force has narrowed its alternatives to two options:

1. Expansion of the existing City of Sugar Hill landfill operated by Mid-America, Inc. by either 44 or 103 acres;
2. Closing the existing landfill.

Other options have been considered, and may be considered again.

The City seeks legal advice regarding the selection of solid waste disposal options under consideration for inclusion in the City's Comprehensive Solid Waste Management Plan. The City has listed questions which may be addressed in the course of consultation. In order to provide a logical structure for this proposal and for a cost estimate, Smith, Gambrell & Russell has grouped the examples of questions according to subject matter and an outline of that grouping appears in the next section of this Proposal.

This Proposal will address the approach Smith, Gambrell & Russell intends to take with respect to consultations with the City, will set forth Smith, Gambrell & Russell's expertise to advise the City on these matters, and will set forth recent experience directly related to the issues now being addressed by the City. The Proposal also includes a time schedule and

describes the personnel who would perform work for the City. Smith, Gambrell & Russell is available immediately to begin work on this consultation. Smith, Gambrell & Russell has no previous relations with the City of Sugar Hill, Button Gwinnett Landfill, Inc., or Mid-America Waste.

SUBSTANTIVE OUTLINE OF QUESTIONS PRESENTED

- I. **Issues Related To Current Contract With Mid-America Waste**
- A. Analysis of the strengths and weaknesses of the existing contract and capability to strengthen the contract further.
 - B. Preparation of appropriate language for key elements of the solid waste management plan and the contract to insure enforceability without excessive "watch-dogging" activities by the City.
 - C. Analysis of the City's ability to restrict importation of hazardous wastes into the landfill and preparation of appropriate language for the plan and the contract to insure their exclusion.
 - D. Analysis of the enforceability of restrictions on the geographic origin of waste to be delivered to the Sugar Hill landfill, especially out of state waste.
 - E. The effect of closure of the landfill on the collection contract and on collection cost.
 - F. Protection of the owner or lessor of the landfill property from liability for environmental damage caused by the lessee of the property.
 - G. Analysis of whether contracts or ordinances are the best method of controlling operations at the landfill, or both.
 - H. Analysis of whether the contract with Mid-America is legally binding considering the circumstances under which it was signed.

- I. Analysis of whether City officials can bind the community to a long term contract that does not reflect new government regulations, community needs and population changes.

II. Solid Waste Management Regulatory Issues

- A. Analysis of the best case, worst case and most likely scenarios for closure costs, environmental liability and civil liability for the City should the landfill be closed.
- B. Analysis of the liability for the City in the post-closure period for both options under consideration, together with an analysis of the liability incurred by individuals and businesses contributing waste to the landfill under each option.
- C. Analysis of liability incurred by the City for problems associated with the landfill should the landfill operator go out of business before or after the landfill is closed.
- D. Analysis of means for the City to insure that the disposal facility is as safe as possible.

III. Tort Liability Issues

- A. Analysis of potential liability to the City for personal health problems arising from the landfill.

IV. Federal Constitutional Issues

- A. Analysis of how the City of Sugar Hill can prevent or control out of county and out of state waste from crossing its borders and/or being deposited in the landfill. (United States Constitution Commerce Clause).

- B. Analysis of means by which a local government can compensate neighbors adversely impacted by proximity to a landfill. (Takings Clause, United States and Georgia Constitutions).

V. **Proposal Of Ordinances To Protect The Quality Of Life In The Community As Related To The Landfill**

VI. **Chattahoochee River Tributary Protection Mandate**

- A. Analysis of the enforcement of the mandate and the enforceability of the City of Sugar Hill's zoning ordinance as it relates to the landfill expansion proposal

VII. **Legal/Political Issues**

- A. Analysis of moral or ethical obligations of the City to other cities to maintain or expand the landfill.
- B. Analysis of moral, ethical or legal obligations of the City to its own citizens to follow their wishes even if doing so means certain and substantial financial burden.

SMITH, GAMBRELL & RUSSELL'S APPROACH
TO PROVIDING THE REQUESTED LEGAL SERVICES

Smith, Gambrell & Russell utilizes a team approach to providing legal services, which meets the twin purposes of providing high quality expertise at the lowest possible cost. Attorneys with the necessary expertise are designated for the team rendering the services to the client, and a team leader is designated as the main contact with the client. Work is performed by attorneys with the lowest appropriate hourly rate for the expertise needed. For example, legal research is usually conducted by lower rate associates, and factual research is usually conducted by lower rate paralegals. The team approach results in a blended hourly rate to the client which is much lower than would be possible otherwise. The team leader is responsible for insuring that no duplication of effort is incurred.

Smith, Gambrell & Russell's Environmental Section contains attorneys whose expertise and experience matches the needs of the City of Sugar Hill. General biographical information is contained in Attachments A.

Stephen E. O'Day, Environmental Section Head, will be the team leader and principal contact for the City of Sugar Hill. Mr. O'Day's solid waste experience includes solid waste planning, financing, permitting, legislation and litigation. Mr. O'Day was involved in the drafting of the Georgia Comprehensive Solid Waste Management Act of 1990. He served on the State Task Force which drafted the State Solid Waste Management Plan pursuant to that Act. He continues to chair the Governmental Affairs Committee of the Solid Waste Task Force of the Atlanta Chamber of Commerce. Contacts through these activities provide invaluable sources of information for use in the increasingly complex solid waste practice. Mr. O'Day is also extensively familiar with the Resource Conservation and Recovery Act ("RCRA") and regularly

lectures on that Act, including Subtitle D solid waste regulations, to professional groups. Mr. O'Day has advised cities, counties, private industries, and private solid waste companies on industrial and municipal solid waste management issues, including regulatory issues under RCRA and the Georgia Comprehensive Solid Waste Management Act ("SWMA"), zoning, common law nuisance, trespass and other torts, contractual issues, clean air provisions affecting solid waste management, medical waste regulations and tracking requirements, municipal law, and legal issues surrounding financing for solid waste facilities. The siting of solid waste facilities also involves wetlands and other water protection and mitigation issues, in which Mr. O'Day has extensive experience. Mr. O'Day recently made a presentation at the request of the Association County Commissioner of Georgia on solid waste contracting issues as they pertain to county and municipal solid waste management operations.

Mark W. Kinzer, an associate attorney in the Environmental Practice Group, has extensive experience in regulatory issues arising under RCRA and SWMA. Mr. Kinzer will provide research and analysis as appropriate for regulatory issues being addressed by the City of Sugar Hill.

Clark G. Sullivan, an associate attorney in the Environmental Practice Group, has experience in litigation of solid waste issues as well as analysis of common law and constitutional legal issues arising in solid waste management litigation. Those issues include regulatory and common law liability of landfill owners and operators, constitutional issues involved in the regulation of the solid waste stream to municipal landfills, and compensation issues arising as a result of impacts on local residents.

Donna Kenon is a paralegal in the Environmental Practice Group at Smith, Gambrell & Russell. She has over four years of experience as an environmental paralegal, and will provide low cost research, investigation and other services as necessary.

The firm anticipates initiating its consultation with the City through a preliminary meeting with City representatives to discuss the scope of legal issues being addressed in the firm's consultation. The firm has already investigated and reviewed the background of the issues being addressed by the City in the Solid Waste Management Plan, and has reviewed the Mid-America contract. The initial meeting with the City will define the scope of research and other activities to be provided to the City. Necessary research and investigation then will be conducted with interim reports as appropriate to the City. The firm anticipates at least one and possibly two additional meetings with City representatives to discuss ongoing investigation and research and to make a final report.

RELEVANT EXPERIENCE AND EXPERTISE

As discussed in the previous section, the firm's Solid Waste Practice Group is one of the most experienced in the Southeast in handling solid waste planning, financing, permitting and litigation. The attorneys described in the previous section are extensively familiar with RCRA Subtitle D regulations, SWMA and its implementing regulations, other legal issues which affect the management of industrial and municipal solid waste, including zoning, common law, nuisance, trespass and other tort liability, contractual issues, Clean Air Act provisions affecting solid waste management, medical waste regulations and tracking requirements, municipal law, and financing issues.

The firm also has extensive experience in environmental litigation should advice concerning litigation become necessary. The firm's Environmental Section handles all types of environmental litigation, including toxic tort and other environmental claims for business, manufacturing or public entities, defense of enforcement actions and actions for penalties, citizen suits under federal and state environmental laws, and representation of clients in cases involving efforts to enjoin business, manufacturing or municipal activities. Environmental litigators of the firm are experienced in state and federal trial and appellate courts. They are admitted to practice in courts in Georgia and other southeastern states as well as the Fourth, Fifth and Eleventh Circuit Courts of Appeals and the United States Supreme Court. The firm's contacts with local, regional and national environmental engineering and consulting firms provide all the necessary supplemental expertise for handling complex environmental litigation.

The firm also has extensive experience in municipal finance issues, having been involved over 100 tax-exempt financings throughout the United States, aggregating well in excess

of \$1 billion. The firm's range of experience comprises virtually all types of traditional and more sophisticated tax-exempt financings, including traditional municipal financings for government facilities, water and sewer revenue bond financings, industrial development bond financings, tax-exempt bond fund financings, housing financings, pool financings and health care financings. The firm has also been involved in taxable municipal financings, and is listed in the Bond Buyers U.S. Directory of Municipal Bond Attorneys as recognized bond counsel.

RELEVANT RECENT EXPERIENCE

1. Long County, Georgia.

The firm represents Long County in connection with initial advice and consultation and subsequent litigation arising out of its efforts to negotiate improvements in a solid waste management contract. The issues addressed in the advice, consultation and litigation surround the enforceability of an existing contract with a solid waste management company, including the effect of circumstances surrounding the execution of the contract on its enforceability, and the County's efforts to improve the protections of the County and residents under contract. The litigation involves claims of breaches of violations of the Commerce Clause and Equal Protection Clause of the United States Constitution, allegedly arising out of the County's efforts to restrict out-of-state-waste flow into the landfill. The case now is on appeal to the Eleventh Circuit Court of Appeals, and the firm serves as lead counsel to Long County.

Contact Person: A. ("Ronnie") Rahn, III, Esquire
 115 South Caswell Street
 P. O. Box 8
 Glennville, GA 30427
 (912) 654-3072

2. Turner County, Georgia.

The firm provided legal advice and consultation to Turner County in connection with its request for proposals, analysis of proposals, and negotiations for a solid waste management contract with a large solid waste management company. The firm provided advice to Turner County on structuring the bid process for proposals from solid waste management companies. The firm assisted the county in analyzing the bids. Once a provider was selected, the firm advised the County and principally handled negotiations with the solid waste management

company of a contract which is probably the most comprehensive contract for a regional solid waste facility ever entered in the State of Georgia.

Contact Person:

Willis Collins, Chairman
Turner County Board of Commissioners
Turner County Courthouse
P. O. Box 191
Ashburn, GA 31714-0191
(912) 567-4313

John H. Holland, Esquire
County Attorney, Turner County
Holland & Holland
308 North Street
P. O. Box 824
Ashburn, GA 31714
(912) 567-2824

3. City of Calhoun, Georgia.

Stephen E. O'Day, while heading the environmental section of another law firm, served as lead counsel to the City of Calhoun, Georgia in the defense of a toxic tort case filed against the City of Calhoun for alleged injuries and property damage arising out of the operation of the City of Calhoun's solid waste landfill. The case involved analysis of issues of common law liability to neighboring residents, similar to the issues being addressed by the City of Sugar Hill in connection with the operation of its own landfill.

Contact Person:

T. Joseph Campbell, Esquire
City Attorney
Shanahan & Campbell
P.O. Box 1298
Calhoun, GA 30703
(404) 625-4646

TIME SCHEDULE

The firm is available to begin work on this project immediately. The personnel outlined above will be the personnel performing work for the City. The firm anticipates being able to complete work on all aspects of the assignment as outlined in the "examples and questions to be answered" within 30 days of being given authority to proceed. That time may be shorter or longer if the scope of services is either narrowed or expanded.

CONCLUSION

Smith, Gambrell & Russell's expertise and experience make it uniquely capable of providing the services being sought by the City of Sugar Hill. A list of references is attached to this Proposal as Attachment B. A Fee Schedule and Cost Proposal is submitted in a separate sealed envelope. Smith, Gambrell & Russell would welcome the opportunity to be of service to the City of Sugar Hill.

Respectfully submitted,

SMITH, GAMBRELL & RUSSELL

By: Stephen E. O'Day
Stephen E. O'Day
Environmental Section Head

SMITH, GAMBRELL & RUSSELL

STEPHEN E. O'DAY

Stephen E. O'Day is the partner in charge of Smith, Gambrell & Russell's Environmental Law Section and has over twelve years of legal experience. He is a Phi Beta Kappa and summa cum laude graduate of Furman University. He graduated cum laude from Harvard Law School in 1979. While at Harvard, Mr. O'Day served as Chairman of the Harvard Environmental Law Society.

Mr. O'Day has been heavily involved in environmental litigation, consultation, and negotiations during his years of practice. He has advised clients in connection with the full realm of environmental legislation, including National Pollutant Discharge Elimination System (NPDES) permits and Clean Water Act compliance, Clean Air Act permits and compliance, Federal Insecticide, Fungicide and Rodenticide Act permitting and compliance, Toxic Substances Control Act compliance, right to know legislation under OSHA and the Superfund Amendment and Reauthorization Act, Resource Conservation and Recovery Act permitting and compliance including solid and hazardous waste treatment, disposal and cleanups, Superfund cleanups, toxic tort claims and other environmental matters. He has participated in administrative proceedings on state and federal levels in connection with issues ranging from usage of real property to compliance with federal and state environmental laws. He has represented clients in litigation involving environmental matters such as toxic tort litigation, nuisance litigation, hazardous waste cleanups, including sites both on and off the NPL in several areas of the country, federal facilities compliance with the Resource, Conservation and Recovery Act and landfill issues. Finally, he has assisted clients in environmental audits in connection with real property acquisition and development, and the acquisition and sale of operating manufacturing entities. Mr. O'Day also has spoken at seminars concerning environmental liability and compliance and risk management.

Mr. O'Day serves on the State of Georgia's Solid Waste Planning Task Force and the Atlanta Chamber of Commerce Water Quality Task Force and Solid Waste Task Force. He also serves as Chairman of the Environmental Advisory Council for Georgia's Lieutenant Governor, and has recently been appointed to serve on an advisory committee to the Georgia Hazardous Waste Management Authority.

He also served on the Board of Trustees of The Georgia Conservancy from 1981 to 1991, serving as Secretary (1984-85), Chairman of the Legal Committee (1981-Present) and Vice Chairman for Issues (1986-Present). He also is a founding director of the Southern Environmental Law Center located in Charlottesville, VA.

Mr. O'Day has served as Chairman of the Young Lawyers Section Committee on the Handicapped, and Chairman of the Atlanta Council of Younger Lawyers Award of Achievement Committee. He has been a member of the Environmental Law Section of the Georgia Bar for 10 years, chairing the Pro Bono Committee from 1991-1992, and is a member of the Litigation and Natural Resources, Energy & Environmental Law Sections of the ABA.

SMITH, GAMBRELL & RUSSELL

MARK W. KINZER

Mr. Kinzer is an associate in the environmental law section of Smith, Gambrell & Russell. He graduated cum laude from the University of Georgia School of Law in 1988. Mr. Kinzer earned his undergraduate degree in English from Davidson College in 1979 and pursued graduate studies in English and Business Administration at the University of Georgia before entering law school.

Mr. Kinzer's practice has covered a wide range of environmental issues and activities, from supervising environmental audits to advising clients with respect to insurance coverage disputes in hazardous waste cleanups. He has extensive experience in the areas of Superfund compliance and enforcement, as well as storm water permitting and hazardous waste recycling. In addition, Mr. Kinzer has advised clients regarding federal asbestos removal regulations and compliance with underground storage tank regulations.

SMITH, GAMBRELL & RUSSELL

CLARK GERALD SULLIVAN

Clark Gerald Sullivan is an associate in the Environmental Law section of Smith, Gambrell & Russell.

A native of Atlanta, Georgia, Mr. Sullivan received his Bachelor of Chemical Engineering degree in 1987 from the Georgia Institute of Technology. He has worked as an engineer in environmental consulting, primarily in asbestos management and abatement, in addition to soils and groundwater remediation. He is Vice-chairman of the Atlanta Division of the American Institute of Chemical Engineers, where he is also an active member of the Environmental and Legislative Sections.

Mr. Sullivan received his J.D. degree magna cum laude in 1991 from Georgia State University College of Law. At Georgia State, Mr. Sullivan was president of the Environmental Law Society, and associate editor for the Law Review. During law school, he also clerked for Justice Bell of the Georgia Supreme Court, and the General Counsel for the Federal Reserve Bank of Atlanta.

He is a member of the State Bar of Georgia, admitted to practice in state and federal courts. Mr. Sullivan is a member of the Environmental and Intellectual Property Sections of the Georgia State Bar and American Bar Association.

ATTACHMENT "B"

Ms. Mary Carole Cooney
Assistant City Attorney
City of Atlanta
68 Mitchell Street, S.W.
Suite 4100
Atlanta, GA 30334-0332
(404) 330-6404

Mr. Bill Thornton
Georgia Municipal Association
201 Pryor Street, S.W.
Atlanta, GA 30303
(404) 688-0472

Mr. Ross King
Association County Commissioners
of Georgia
2600 First Atlanta Tower
2 Peachtree St. N.W.
Atlanta, GA 30383
522-5022

Dr. James Kundell
University of Georgia
Institute of Government
201 N. Milledge Avenue
Athens, GA 30602
(706) 542-2736

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NORMAN J. SLAWSKY

(404) 522-4280
FAX NO. (404) 527-5907

OF COUNSEL:
JOSEPH JACOBS

January 5, 1993

Ms. Kathy Williamson
City Manager
City of Sugar Hill
4988 West Broad Street
Sugar Hill, GA 30518

RE: Proposal for Legal Services
on Solid Waste Disposal Options

Dear Ms. Williamson:

I am responding to your December 31, 1992 letter which requested a proposal to the City of Sugar Hill to provide legal advice regarding the selection of solid waste disposal options to be included in the City of Sugar Hill's comprehensive solid waste management plan.

I have served as Oglethorpe County Attorney since 1983. I recently assisted Oglethorpe County in negotiating an inter-governmental contract with Clarke County which will assist Oglethorpe County and Clarke County to fulfill requirements of the Georgia Solid Waste Management Act. The contract, through many drafts, includes a number of innovative practices which may be interesting to the City of Sugar Hill. I am also familiar with the facility negotiation process and prepared and delivered a paper on this project at the most recent Institute for City and County Attorneys. The contact person for Oglethorpe County is W.A. Bryant, Chairman, Oglethorpe County Board of Commissioners, P.O. Box 261, Lexington, GA 30648 (706/743-5270). The person with whom I worked most closely at Clarke County is Andrea M. Lanier, Staff Attorney, Athens-Clarke County, P.O. Box 1868, Athens, GA 30603 (706/613-3035).

I have also served as a member of Lieutenant Governor's Environmental Advisory Council and I am familiar with most recent environmental legislation enacted by the Georgia General Assembly.

Ms. Kathy Williamson
January 5, 1993
Page Two

I would perform the work on this project. I have enclosed a copy of my resume. In particular, I want to emphasize my experience as Oglethorpe County Attorney and as an attorney with the Institute of Government at the University of Georgia. In that capacity, I prepared publications and advised local government officials on administrative and governance matters.

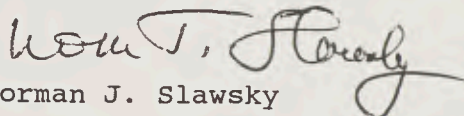
My current work load includes representing this firm's clients and a number of lawsuits in various stages of litigation. I am available to work on this project at the City's convenience.

Neither this law firm nor I have had any previous relations or have represented the City of Sugar Hill, Button-Gwinnett Landfill, Inc., or Mid-American Waste.

We have included a cost proposal in a separate sealed envelope.

Thank you for your consideration.

Yours truly,


Norman J. Slawsky

NJS:gbj

Enclosure

Norman J. Slawsky
Jacobs and Langford, P.A.
100 Peachtree St., N.W.
1000 Equitable Building
Atlanta, GA 30303
(404) 522-4280

EDUCATION:

University of Georgia
Athens, Georgia
September 1977 - March 1980
J.D.

Lehman College, CUNY
Bronx, New York
February 1973 - January 1976
M.A., Mathematics

Harpur College
SUNY Binghamton
September 1966 - June 1970
B.A., Economics

EMPLOYMENT:

Jacobs and Langford, P.A.
Atlanta, Georgia
July 1983 - present
Federal litigation; labor, employment and
education; ERISA, local government law;
general litigation; and arbitration.

Nelson & Sweat, P.A.
Athens, Georgia
June 1981 - June 1983
Federal litigation, employment and labor,
local government, and antitrust law.

Institute of Government
University of Georgia
Athens, Georgia
April 1980 - June 1981
Legal Research Associate; local government
seminars, research and writing on local
government.
Research Assistant
June 1978 - March 1980

Mathematics Department, University of Georgia
Athens, Georgia
Instructor
August 1976 - August 1977

New York City Board of Education
65 Court Street
Brooklyn, NY 11201
Mathematics teacher
February 1972 - June 1976

**SELECTED
PUBLICATIONS:**

"The Federal Common Law of Employee Benefits," Verdict, Vol. 16, No. 4, July/August 1991, pp.12-13.

How Arbitration Works, Contributing Author, (Bureau of National Affairs, 1990)

"Can Municipalities Avoid Antitrust Liability?" The Urban Lawyer, Vol. 14, No. 1, Winter, 1982.

The U.S. Voting Rights Act of 1965: Voting Changes That Require Federal Approval, Institute of Government, University of Georgia, 1981 (co-author).

"A Local Government's Guide to Section 5 of the Voting Rights Act," The Urban Lawyer, Vol. 12, No. 4, Fall 1980, pp. 700-726.

"Supreme Court Rules on Dismissals for Political Considerations," Georgia County Government Magazine, Vol. 32, No. 1, May 1980, p. 33.

"Is the Price Right?: State and Local Government Architect and Engineer Selection," Public Administration Review, Vol. 40., No. 3, May/June 1980, pp. 260-274 (co-author).

"The Architect-Engineer Selection Process: To Bid or Not to Bid," Public Contract Law Journal, Vol. 11, No. 1, November 1979, pp. 238-258 (reprinted in 1980 Yearbook of Procurement Articles, Federal Publications).

Getting the Most From Professional Services: Computer Selection, Institute of Government, University of Georgia, 1979 (co-author).

**SELECTED
ACTIVITIES:**

County Attorney, Oglethorpe County, GA; American Bar Association Labor and Urban Law Sections; Georgia State Bar Labor and Employment (Treasurer 1992-93) and Local Government Law Sections; Atlanta Bar Association Labor Section (Chair 1988-89); Federal Bar Association; International Foundation of Employee Benefit Plans; Arbitrator, Fulton County, GA Superior Court Civil Arbitration Program (1987-); Arbitration Panel, American Arbitration Association; International Foundation of Employee Benefit Plans; Chairman, Federal Bar Association seminar "Federal Employee Rights, Responsibilities and Remedies," February 1985; Peachtree Towers Condominium Association (President 1988); Member, Lieutenant Governor's Environmental Advisory Council (1990-).

ARNALL GOLDEN & GREGORY

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

55 PARK PLACE
ATLANTA, GEORGIA 30303 - 2598

(404) 577-5100
TELECOPIER 527-4790

MACON OFFICE

582 WALNUT STREET
MACON, GEORGIA 31201
(912) 745-3344

SAVANNAH OFFICE

301 WEST CONGRESS STREET
SAVANNAH, GEORGIA 31401
(912) 233-2266

NORTHSIDE OFFICE

1040 CROWN POINTE PKWY
ATLANTA, GEORGIA 30338
(404) 577-5100

WRITER'S
DIRECT DIAL NUMBER

January 8, 1993

(404) 527-4719

VIA FEDERAL EXPRESS

Ms. Kathy Williamson
City Manager
4988 West Broad Street
Sugar Hill, Georgia 30518

Re: Proposal for Legal Services
Regarding Comprehensive Solid
Waste Management Plan Options

Dear Ms. Williamson:

Thank you for the opportunity to submit the referenced proposal for legal services. The following information is responsive to the four areas of documentation specified in your letter dated December 31, 1992:

Arnall Golden & Gregory is a major law firm in the Southeast, with more than eighty full time attorneys, and with offices in Atlanta, Macon and Savannah. (General information concerning the Firm is enclosed.) The Firm has had no previous relations with the City of Sugar Hill, Button Gwinnett Landfill, Inc., or Mid-American Waste.

The Firm's Environmental Law Practice Group is comprised of four full-time environmental attorneys, with other attorneys from the real estate and corporate departments periodically assisting on an as-needed basis.

Resumes of all four environmental attorneys are enclosed. We anticipate, however, that the proposed services for the City of Sugar Hill would primarily be the responsibility of Ms. A. Jean Tolman, a partner in the Firm, and Mr. Louis Montgomery, who joins Arnall Golden & Gregory on January 11, 1993. Their qualifications relative to the proposed services are highlighted below.

Mr. Louis Montgomery, who obtained his J.D. from Wake Forest University School of Law in December of 1992, is a registered Professional Engineer, having received his civil engineering degree

ARNALL GOLDEN & GREGORY

Ms. Kathy Williamson
January 8, 1993
Page 2

in 1978 from the Georgia Institute of Technology. He was employed from 1982 to 1985 by the Mississippi Bureau of Pollution Control, where he obtained valuable experience managing a permit issuance and compliance program for a state environmental agency.

From 1985 until 1989, Mr. Montgomery was the Superintendent of water and sewer plant operations for the City of High Point, North Carolina. This experience provided valuable understanding and insight into the problems faced by municipalities. Although his area of responsibility involved primarily water quality and water treatment issues, he also dealt periodically with solid waste issues for the City, particularly since the City's water treatment facilities produced large quantities of solid waste that presented difficult solid waste handling issues. Mr. Montgomery's state and municipal environmental experience coupled with his law degree make him particularly well suited to assist the City of Sugar Hill in the proposed efforts.

As Ms. Tolman's resume indicates, she has been practicing environmental law since 1987, before which she was a professional in the environmental field, as a regulator, from 1973 through 1986. The latter experience has proven particularly valuable in assisting clients to establish a productive relationship with state and federal environmental regulatory agencies in order to obtain necessary approvals and resolve disputes. She is the current Vice-Chairman and Chairman-Elect of the 600-member Environmental Law Section of the State Bar of Georgia. In addition, since July of 1989 she has been the Editor of the Georgia Environmental Law Letter, a monthly publication on environmental regulatory developments in Georgia that currently has a subscribership of nearly 650 businesses, industries, environmental consulting firms, law firms and local governments. In fact, the following city and county governments have subscribed since the date indicated to this publication, written by Ms. Tolman with the assistance of other attorneys in the Firm:

Rockdale County	John A. Nix, County Attorney	10/91
Clayton County	Bill Dixon, Maintenance Coord.	06/90
Gwinnett County	Robert Troxler, Pub. Util. Dir. Law Library	02/90 02/91
Fulton County	Law Department	10/90
Atlanta Bd. of Ed.	Hazardous Materials Dept.	12/91

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Ms. Kathy Williamson
January 8, 1993
Page 3

City of Atlanta	Law Department	10/92
City of Gainesville	Gurley Satterfield	02/92
Dalton-Whitfield Cty	Landfill Dept.	08/90
City of Savannah	Municipal Research Library	06/92
	Solid Waste Department	10/91
City of West Point	Leon Wessinger	02/92
Columbus Consol. Govt.	F. K. Martin	08/92

The monthly publication has been an important source of information for these local governments to keep up with the changes and requirements of Georgia's solid waste laws. We have enclosed the most recent Law Letter, along with a copy of the issue that appeared in May of 1991, alerting Georgia's municipalities to the then-approaching June 29, 1991, deadline for the groundwater monitoring system requirement for solid waste landfills. Other requirements and deadlines imposed by the Comprehensive Solid Waste Management Act and the Georgia Solid Waste Management Rules have been similarly followed and addressed. We urge the City of Sugar Hill to contact any of the listed subscribers to enquire as to the value of the information we have provided through this publication (which is also subscribed to by the State Law Department, the DNR Administrative Law Judge and the Georgia Environmental Protection Division).

We are aware of the problems facing many of Georgia's municipalities with respect to their municipal solid waste landfills (MSWLFs). A report released in December of 1992 by the Georgia Environmental Protection Division (EPD) notes that a serious capacity shortfall is imminent for most of the state's 181 MSWLFs. EPD has further noted that, as of October 31, 1992, only 74 of approximately 700 local governments have adopted an approved solid waste management plan pursuant to the CSWMA. The City of Sugar Hill is included in the majority of local governments that have yet to meet this requirement.

The issuance of permits necessary for major modifications to allow for vertical expansion of landfills prohibited by law unless these local plans are in place. Lateral expansion of existing sites, which requires the addition of liners and leachate collection systems, is prohibitively expensive for most local jurisdictions. According to EPD, one-fifth (33) of the 181 MSWLFs will have difficulty staying open past October 9, 1993, due to

Ms. Kathy Williamson
January 8, 1993
Page 4

implementation of stricter Georgia and federal landfill regulations. (For example, there are only ten operating MSWLFs with liners and leachate collection systems; these are the landfills least likely to be adversely affected by state and federal regulatory changes.) Another third (56) are projected to close because they will reach their permitted capacity by that date.

In addition to assuring that local plans are prepared, a major emphasis for EPD during 1993 will be the required groundwater monitoring systems for MSWLFs. As of October 1992, only 30 of the 181 MSWLFs had approved groundwater systems, and 22 sites had not responded to EPD's request to install these monitoring systems. EPD is awaiting documentation for 61 sites with approved but not completely installed groundwater monitoring systems. The general lack of compliance with this requirement will present a significant obstacle for jurisdictions desiring to expand their facilities during the next year.

In addition to assisting Law Letter subscribers in maintaining compliance with the solid waste management laws, Arnall Golden & Gregory environmental attorneys have handled numerous client matters involving solid and hazardous waste issues. We will not attempt to describe these matters in detail in this proposal. We will mention, however, that Ms. Tolman has assisted two clients that are strictly in the waste management business to deal successfully with the Georgia EPD on a number of solid waste and hazardous waste permitting and compliance issues.

Chemical Conservation of Georgia (CCGI), which operates a commercial waste treatment and storage facility in Valdosta, has been a client of Ms. Tolman's since August of 1990. CCGI personnel that may be contacted concerning Ms. Tolman's services are Mr. Michael Downey, Facility Manager, (912) 244-0474, or Mr. William F. Labadie, Vice President of CCGI, at 1-800-645-6393.

Ms. Tolman has assisted Tri-State Steel Drum Company, Inc., a commercial solid waste facility, and its related company WSST, in the commercial hazardous waste handling business, located in Graysville, Georgia, for approximately one year with a number of permitting and compliance issues. Mr. Allen Fine, the President of Tri-State Steel Drum and WSST, can be reached at (706) 891-9726.

During 1990 and 1991, Ms. Tolman assisted Marion Sand and Gravel Co. in establishing that its proposed facility in north Georgia was not a solid waste handling facility, as was EPD's position, but was rather a "recovered materials processing

ARNALL GOLDEN & GREGORY

Ms. Kathy Williamson
January 8, 1993
Page 5

facility" under the Georgia Rules, therefore not requiring a solid waste, or special solid waste, handling permit. This issue was decided by a Declaratory Ruling of the DNR Administrative Law Judge after an evidentiary hearing. The case was precedent-setting in several respects, and resulted in clarifying amendments to the Georgia Solid Waste Management Rules as well as important guidance documents issued by the Georgia EPD. For brevity, we refer you to articles on the case which appeared in issues of the Georgia Environmental Law Letter, enclosed. Contact personnel for Marion Sand and Gravel are Mr. Charlie Hunt, (615) 877-4191, and Mr. Bill Ramsey, (615) 756-7651.

We have not submitted a sealed envelope with a cost proposal because, given the variety and complexity of the various questions posed in your December 31, 1992, letter, we could only undertake this representation on an hourly fee basis, which would be based on actual attorney and/or paralegal time expended plus actual expenses, such as long distance telephone and copying expenses. Our hourly rates are based upon the experience of the attorneys involved. The hourly rate for Mr. Montgomery is \$100 and that for Ms. Tolman is \$185. We pride ourselves on our time efficiency and cost-effectiveness. We have the flexibility, however, to discuss blended or special rates and other alternative arrangements.

With respect to availability to begin work, Mr. Montgomery, having newly started at the Firm in January of 1993, is uniquely situated to give his time to this project. In addition, Ms. Tolman is prepared to give the project whatever time and level of effort is necessary and appropriate to meet the schedule dictated by the City's needs. Arnall Golden & Gregory is committed to providing prompt and efficient legal services for our clients, large and small. The City of Sugar Hill would receive no less than our best efforts.

We would be pleased to discuss any aspect of this proposal with you. Thank you again for your consideration.

Very truly yours,

ARNALL GOLDEN & GREGORY



A. Jean Tolman

Enclosures

SMITH, GAMBRELL & RUSSELL

COST PROPOSAL FOR CITY OF SUGAR HILL LEGAL SERVICES

Smith, Gambrell & Russell's services to the City of Sugar Hill will be provided on an hourly basis according to the Fee Schedule attached hereto. Time will be billed to the City based upon the number of hours worked by each individual providing services to the City, times that individual's hourly rate as indicated on the attached. The firm also will bill the City for any expenses or disbursements incurred by the firm on behalf of the City, such as copy expenses, long distance telephone costs, computerized legal research expenses, etc. Statements will be provided to the City on a monthly basis, and are expected to be paid within 30 days of receipt of the statement.

Cost Estimate

It is impossible to determine precisely the amount of fees and expenses to be incurred in connection with the consultation outlined in the City of Sugar Hill's Proposal. Based on the questions asked, however, Smith, Gambrell & Russell has estimated the number of hours anticipated to be devoted to the substantive categories of issues set forth in its Proposal as follows:

- I. Contract Issues - 23 1/2 hours
- II. Solid Waste Management Regulatory Issues - 11 hours
- III. Tort Liability Issues - 11 hours

- IV. Federal Constitutional Issues - 10 hours
- V. Analysis of Potential Ordinances - 12 hours
- VI. Analysis of River Protection Act - 2 hours
- VII. Analysis of Political/Ethical/Legal Obligations - 2 1/2 hours

In addition to the above, the firm anticipates approximately 20 hours being devoted to introductory and reporting meetings. The firm anticipates that of the total of the above hours, approximately 60% will be associate attorneys and 40% will be partners.

Based on the above, Smith, Gambrell & Russell's total estimate of fees for the services as outlined in the scope of questions to be answered is \$15,400.00. Smith, Gambrell & Russell estimates expenses to be incurred of approximately \$1,000.00, depending upon the amount of computerized research which must be conducted.

It must be emphasized that this is an estimate only, and the actual cost incurred will depend upon the actual scope of questions investigated and responded to by the firm.

FEE SCHEDULE

Stephen E. O'Day	\$215/hour
Mark W. Kizner	\$135/hour
Clark G. Sullivan	\$110/hour
Donna Kenon	\$ 75/hour

MORRIS, MANNING & MARTIN

ATTORNEYS AT LAW

1600 ATLANTA FINANCIAL CENTER
3343 PEACHTREE ROAD, N.E.

ATLANTA, GEORGIA 30326

404 233-7000

ATLANTA FINANCIAL CENTER

FACSIMILES
16th FLOOR 404 365-9532
15th FLOOR 404 231-4163

NORTHSIDE OFFICE

SUITE 150
5775-B PEACHTREE DUNWOODY ROAD
ATLANTA, GEORGIA 30342
TELEPHONE 404 255-6900
FACSIMILE 404 843-2317

GWINNETT OFFICE

OAKBROOK PLAZA
SUITE 140
1770 INDIAN TRAIL ROAD
NORCROSS, GEORGIA 30093
TELEPHONE 404 381-6300
FACSIMILE 404 381-8336

ARTHUR B. L. MARTIN
JOHN G. MORRIS
JOSEPH R. MANNING
ROBERT E. SAUDEK
NICHOLAS N. SEARS
FRANK B. PAZZEL
JAMES W. HARRIS
JEFFERSON D. KIRBY III
CHARLES R. BEAUDROT, JR.
LOUISE M. WELLS
E. LAWRENCE STREET
OBY T. BREWER III
DAVID A. RABIN
JOHN C. YATES
BRUCE C. SMITH
T. DANIEL BRANNAN
STANLEY G. BRADING, JR.
JOHN FRANKLIN SMITH
WARD S. BONDURANT
GERALD L. POUNCEY, JR.
ANTHONY E. DRESTA
DARLA GRINSTEAD MCKENZIE
JAYNE P. STOCKTON

LUBA ANN CZURA
DAVID L. MOSS
JEANNA A. BRANNON
BRUCE A. WOBCEK
LAURA M. TATE
LAUREN E. MCGURK
GEORGE E. HIBBS
FRANK W. D-BORDE
RICHARD L. HAURY, JR.
STUART O. BAESEL, JR.
ANN R. SCHILDHAMMER
JOHN D. HIPES
C. WILLIAM McDANIEL
ROBERT W. REARDON
CATHERINE H. LAFIANDRA
PAUL H. ARNE
EDWARD P. HUDSON
BRYAN G. HARRISON
WILLIAM M. REID
MARC J. SMITH
BRADLEY A. BUTCHER
FREDERICK C. C. BOYD III
WILLIAM J. SHEPPARD
PEGGY J. BAILEY

OF COUNSEL
JEREMIAH LUXEMBURGER

January 11, 1993

VIA HAND DELIVERY

Ms. Kathy Williamson, City Manager
City of Sugar Hill
4988 West Broad Street
Sugar Hill, Georgia 30518

Re: Potential Representation of City of Sugar Hill ("the City") Regarding Solid Waste Disposal Options

Dear Ms. Williamson:

We will perform the initial phases of this representation (as set forth in the questions attached to your December 31 letter), including review of existing contracts, advice as to rights and liabilities under those contracts and advice as to strategy for preparation of the solid waste management plan, at a blended rate of \$140.00 per hour. With regard to any future representation, we will work with the City of Sugar Hill in developing a fee structure once the exact scope of work is known.

Sincerely,

MORRIS, MANNING & MARTIN


Gerald L. Pouncey, Jr.

GLP:jmb
613/16

PETERSON DILLARD YOUNG SELF & ASSELIN

Kathy Williamson
January 11, 1993
Page 3

COST PROPOSAL OF PETERSON, DILLARD
ON SOLID WASTE ISSUES LEGAL ADVICE
TO CITY OF SUGAR HILL
(December 31, 1992, Request for Proposal)

We propose to charge One Hundred Twenty Dollars per hour (\$120.00/hour) for such advice, plus actual expenses (no mileage rates, actual long distance phone calls if any, telecopies at \$1.00/page, and photocopies at 25¢/page).

Signed,


William R. Phillips

LAW OFFICES
JACOBS and LANGFORD, P.A.
SUITE 1000 EQUITABLE BUILDING
100 PEACHTREE STREET, N.W.
ATLANTA, GEORGIA 30303

HARRIS JACOBS
JAMES T. LANGFORD
NORMAN J. SLAWSKY

(404) 522-4280
FAX NO. (404) 527-5907

OF COUNSEL:
JOSEPH JACOBS

January 5, 1993

Ms. Kathy Williamson
City Manager
City of Sugar Hill
4988 West Broad Street
Sugar Hill, GA 30518

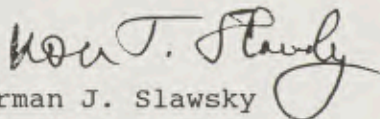
RE: Cost Proposal for Legal Services
on Solid Waste Disposal Options

Dear Ms. Williamson:

This law firm will charge a fee of \$95.00 per hour plus out-of-pocket expenses. While I cannot predict the number of hours for this project, we will work with the City of Sugar Hill and you to make sure the legal services are used efficiently and effectively.

The number of hours may increase if we assist in the negotiation of a contract with Mid-American Waste, Button-Gwinnett Landfill, Inc., or other vendors, or assist in the preparation of a request for proposals for new vendors. I will be glad to discuss this fee proposal in more detail with you.

Yours truly,


Norman J. Slawsky

NJS:gbj

EXAMPLES OF QUESTIONS TO BE ANSWERED

- 1) What are the strengths and weaknesses of the existing contract, could it be strengthened, how can this best be done?
- 2) What is the proper language for certain key elements of the Plan and landfill contract to ensure enforceability without excessive "watch-dogging" activities by the City.
- 3) Municipal solid waste facilities can legally accept certain types of hazardous waste in Georgia. Can we legally restrict their importation into the landfill, and if so, how must we word the Plan and landfill contract to ensure their exclusion?
- 4) In view of current fair trade laws, can we enforce restrictions on the geographic origin of waste buried in the Sugar Hill landfill, especially out-of-state waste?
- 5) After reviewing all data, i.e. the contract, site suitability questions, the current permit application, etc., what is the best-case, worst-case, and most-likely scenarios for closure costs, environmental liability, and civil liability for the City should the landfill be closed.
- 6) What effect, if any, is closure of the landfill likely to have on the collection contract. Furthermore, what impact might this truly have on collection costs?
- 7) What moral or ethical obligation does Sugar Hill have to other cities to maintain/expand the landfill?
- 8) What moral, ethical, or legal obligation does Sugar Hill have to its own citizens to follow their wishes even if doing so means certain and substantial financial burden for such action?
- 9) What is the potential for liability to the City for personal health problems arising from the landfill?
- 10) What is the liability of the City in the post closure period for both options. What potential liability do individuals and businesses incur under these options.
- 11) If the landfill operator should go out of business before or after the landfill is closed, does the City then incur liability for any problems associated with the landfill?
- 12) How can local governments prevent or control out-of-county and out-of-state waste from crossing their borders?
- 13) How can local governments ensure that those disposal facilities that are unavoidable are as safe as possible?
- 14) How can local governments compensate neighbors adversely impacted by proximity to the disposal facilities?

- 15) Can the owner or lessor of the property be protected from liability by environmental damage caused by the lessee?
- 16) What types of ordinances do you recommend to protect the quality of life in the community? (one example would be the heavy truck traffic the type of development would bring.)
- 17) Can local ordinances be retroactive in effect?
- 18) Are contracts or ordinances the best method of controlling operations or should there be both?
- 19) How legally binding is the contract with Mid-American considering the circumstances under which it was signed?
- 20) Can City officials bind communities to long term contracts that do not reflect new government regulations, community needs, and population changes?
- 21) How seriously enforced is the Chattahoochee River Tributary Protection Mandate (Ga. Code Section 12-5-453) and how binding is our zoning ordinance as it relates to this landfill expansion?

MAYOR & COUNCIL MEETING
MONDAY, FEBRUARY 8, 1993
7:30 P.M.

A G E N D A

Meeting called to order.
Invocation and pledge to the flag.
Reading of past minutes.
Swear in New Boardmembers
Appoint Boardmember for Recreation Board

Committee Reports

- A) Planning & Zoning Board
- B) Appeals Board
- C) Recreation Board
- D) Budget & Finance
- E) Solid Waste Task Force

Old Business

New Business

- A) Discussion Concerning Liquor Referendum
- B) Adoption of 1992 Georgia State Energy Code
- C) Inspections Department - Schedule of Fees
- D) Subdivision Name Change - The Links
- E) Zoning Ordinance and City Code Consistency

City Manager's Report

- A) Planning for the Future
- B) Gwinnett County Matching Construction Fund

City Clerk's Report

Director of Golf's Report

Council Reports

Citizen's Comments

Executive Session with City Attorney

Adjournment

MAYOR & COUNCIL MEETING
MONDAY, FEBRUARY 8, 1993
7:30 P.M.

M I N U T E S

Notice posted at 12:00 noon on Friday, February 5, 1993 at City Hall.

In attendance: Mayor George Haggard and Council Members Thomas Morris, Reuben Davis, Roger Everett and Jim Stanley.

Meeting called to order at 7:33 p.m. by Mayor Haggard.

There was a silent invocation followed by the pledge to the flag led by Mayor Haggard.

Minutes

Council Member Morris moves to approve last month's minutes as written. Second to the motion Council Member Everett. Vote unanimous.

Swearing in of New Board Members

New Planning & Zoning Board Members Granville Betts, Gary Chapman, and Bob Parris were sworn in. New Appeals Board Members Lee Frazee and Ed Phillips sworn in. New Recreation Board Member Mike Gheesling sworn in. New Appeals Board Member Cliff London not present to be sworn in.

Appoint Board Member for Recreation Board

New appointee not present at meeting.

Planning & Zoning Board

Council Member Stanley reports that there was no Planning & Zoning Board Meeting held last month.

Appeals Board

Council Member Stanley reports that there was no Appeals Board Meeting held last month.

Recreation Board

Council Member Davis states that there is nothing to report.

Budget & Finance

City Manager Kathy Williamson reports that the City was below budget in expenses and above budget in revenues. Refer to reports for detailed information.

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MAYOR & COUNCIL MEETING
MONDAY, FEBRUARY 8, 1993
MINUTES, CONT'D.
PAGE 2

Solid Waste Task Force

Council Member Morris states that there has been a great deal of progress made with the Solid Waste Task Force. He also states that the Task Force has had one meeting with Mr. Stephen O'Day, the newly hired attorney for the Task Force. Council Member Morris makes a motion to extend the deadline for the Task Force plans until February 22. Council Member Everett seconds the motion. Vote unanimous.

Executive Session

Council Member Morris moves to recess the Council Meeting in order to have an Executive Session with the City Attorney. Second to the motion Council Member Everett. Vote unanimous.

Meeting recessed at 8:00 p.m.

Meeting reconvened at 8:20 p.m.

Discussion Concerning Liquor Referendum

Mayor George Haggard states that the Superintendent of Elections has received petitions to hold a liquor referendum. These petitions have not been validated. The Mayor also states that the earliest this referendum election could be held is the second Tuesday in June 1993.

Adoption of 1992 Georgia State Energy Code

City Manager Kathy Williamson states that she would like the Council's approval to adopt the 1992 Georgia State Energy Code. This code requires builders to install a higher grade of doors, windows and insulation. Council Member Morris moves to adopt the 1992 Georgia State Energy Code. Council Member Everett seconds the motion. Vote unanimous.

Inspections Department - Schedule of Fees

City Manager Kathy Williamson states that the Schedule of Fees is for the Mayor & Council's review and that any decision concerning the schedule should be tabled until next month.

Subdivision Name Change - The Links

Director of Utilities and Development Ken Crowe states that the owner and developer of the new subdivision, Suwanee Woodlands, across from the golf course wants to change the name of the subdivision from Suwanee Woodlands to the Links. The three street names within the subdivision would also be changed. New street names are shown in the information in the packets. Ken Crowe states that all these changes have been approved by Gwinnett County and 911 Emergency System. Ken Crowe states that there are no occupied residences in the subdivision yet.

AR

**MAYOR & COUNCIL MEETING
MONDAY, FEBRUARY 8, 1993
MINUTES, CONT'D.
PAGE 3**

The owner/developer informs the Mayor & Council that he wants to make the change because Links means Golf Course in Scottish and the subdivision is across the street from the Sugar Hill Golf Course. Council Member Everett makes a motion to approve the name changes. Council Member Morris seconds the motion. Vote unanimous.

Zoning Ordinance and City Code Consistency

City Manager Kathy Williamson states that there is an inconsistency in the Zoning Ordinance between the Planning & Zoning Board and the Appeals Board regarding whether each board should have it's own chairman or have one chairman between the two. Council Member Stanley makes a motion for the City Attorney Lee Thompson to draft up whatever changes need to be made so that the ordinance states that the Mayor & Council will have the ability to appoint members of both the Planning & Zoning Board and the Appeals Board and that one member of the Appeals Board will also serve on the Planning & Zoning Board and that each board shall appoint it's own chairman. Discussion. Council Member Stanley withdraws motion after consideration of problems it may bring up. Council Member Morris makes a motion for the City Attorney to make whatever changes are necessary to allow the Planning & Zoning Board and the Appeals Board to elect their own chairman and leave the members the way they are. Council Member Davis seconds the motion. Vote unanimous.

City Manager's Report

City Manager Kathy Williamson states that the staff has been working on a schedule to present to the Planning & Zoning Board on the subjects listed on the enclosed memorandum. These subjects would be presented on a monthly basis.

City Manager Kathy Williamson states that Gwinnett County is willing to assist the municipalities with limited construction projects. See enclosed memorandum regarding construction needs for the City.

City Manager requests to make a few additions to the agenda. The Mayor & Council agree to have the additions discussed.

The first item added to the agenda is discussion of the newly formed column committee. City Manager states that GIRMA, the City's insurance company would not cover the newsletter. Council Member Stanley states that it might be helpful to read aloud the last three paragraphs of the legal recommendation that City Attorney Lee Thompson made. Mr. Thompson states that the legal recommendation is confidential but that it would be up to the Mayor & Council on whether or not they want to read it or not.

AR

MAYOR & COUNCIL MEETING
MONDAY, FEBRUARY 8, 1993
MINUTES, CONT'D.
PAGE 4

The general consensus of the Mayor & Council is to read the last three paragraphs aloud. City Manager Kathy Williamson reads them aloud. Kathy Williamson states that the insurance company did see the guidelines. Column Committee Member Rose Payne states that she believes that the column would be better than an inflammatory newsletter. Council Member Morris states that he does not want the City held liable if someone's article was not printed. He states that after reading the insurance company's opinion and Lee Thompson's opinion he no longer thinks it would be a good idea. Discussion held. Council Member Morris makes a motion to resend the idea of the column committee. Council Member Everett seconds the motion. Vote unanimous.

Director of Utilities and Development Ken Crowe states that McNally & Patrick will not put stamp of approval on the plan to correct the problem causing a flooding problem in Mrs. Joan Hawthorne's yard from the drainage pond behind the Sugar Hill Methodist Church. Council Member Stanley states that he met with officials from the church and they seemed to feel caught between the city and the county. The church is trying to sort out who's boss but they are willing to do whatever is necessary. Discussion held.

Director of Golf's Reports

Director of Golf Wade Queen states that January at the golf course was much better than anticipated due to the weather. The month was 300% over budget as far as rounds. February looks good also. The cart path on #18 is still being worked on.

Council Reports

Council Member Davis states that he would like the flag to be made more visible to the audience. He also states that he would like the State flag displayed at the meetings.

Council Member Stanley states that the City has received a proposed agreement from Gwinnett County to assist the City with construction of the sidewalks today. There is only one question that remains and that is the language of the indemnification clauses that the County has written into the document. They are asking us to hold harmless the County from actions that they might take in the course of the work. Council Member Stanley makes a motion for the Mayor & Council to authorize the Mayor to execute the agreement after getting a recommendation from the City Attorney with the indemnification language revised to suit the Mayor & Council. Council Member Morris seconds the motion. Vote unanimous.

AR

**MAYOR & COUNCIL MEETING
MONDAY, FEBRUARY 8, 1993
MINUTES, CONT'D.
PAGE 5**

Mayor George Haggard asks City Attorney Lee Thompson to clarify the liquor referendum issue. Lee Thompson states that after the names on the petitions have been validated, the earliest the election can take place is June. Citizen Frank Krups of Bent Creek Subdivision asks if liquor by the drink passes can any establishment offer liquor by the drink. Lee Thompson states that as long as they meet certain requirements they can. Citizen Mr. Hosch of 5013 West Broad Street states that since the petitioner is from Suwanee is he still able to petition in Sugar Hill. Lee Thompson states that it does not matter where the petitioner is from.

Citizen's Comments

Ralph Martin states that there are seven large dogs in the immediate area where he lives in Princeton Oaks. The Golden Retriever on one side and the Basset Hound on the other side are left out a good deal of the day. Mr. Martin states that both neighbors have been summoned with a County nuisance ordinance. This has not helped the problem. City Manager Kathy Williamson states that Mr. Martin should get with the City Marshall who will notify the neighbors with the noisy dogs of the City Noise Ordinance.

City Attorney Lee Thompson states that he needs to meet with the Mayor & Council in Executive Session to discuss pending litigation.

Executive Session

Council Member Morris moves to recess the Council Meeting in order to have an Executive Session with the City Attorney to discuss pending litigation. Second to the motion Council Member Everett. Vote unanimous.

Meeting recessed at 9:25 p.m.

Meeting reconvened at 10:45 p.m.

No further business was discussed.

Adjournment

Council Member Morris moves to adjourn the meeting. Second to the motion Council Member Everett. Vote unanimous.

Meeting adjourned 10:45 p.m.

Amy Roark

OATH OF OFFICE
CITY OF SUGAR HILL

"I, Lee Frazee, do solemnly swear or affirm that I will support the Constitution of the United States, the Constitution of the State of Georgia, and the Charter and Ordinances of the City of Sugar Hill; and that I will, to the best of my ability, faithfully perform the duties of the Appeals Board during my continuance therein, so help me God."

Lee Frazee

Lee Frazee

Lang Haggard

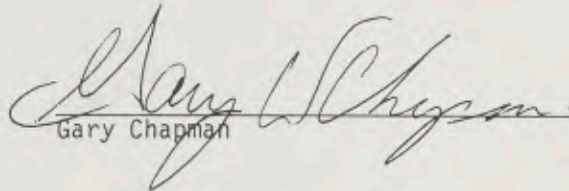
Mayor

2/8/93
Date




OATH OF OFFICE
CITY OF SUGAR HILL

"I, Gary Chapman, do solemnly swear or affirm that I will support the Constitution of the United States, the Constitution of the State of Georgia, and the Charter and Ordinances of the City of Sugar Hill; and that I will, to the best of my ability, faithfully perform the duties of the Planning & Zoning Board during my continuance therein, so help me God."



Gary Chapman



Mayor

2/8/93
Date



OATH OF OFFICE
CITY OF SUGAR HILL

"I, Bob Parris, do solemnly swear or affirm that I will support the Constitution of the United States, the Constitution of the State of Georgia, and the Charter and Ordinances of the City of Sugar Hill; and that I will, to the best of my ability, faithfully perform the duties of the Planning & Zoning Board during my continuance therein, so help me God."

Bob Parris

Bob Parris

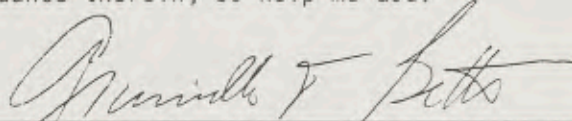
George Haggard
Mayor

2/8/93
Date

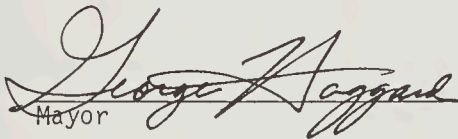


OATH OF OFFICE
CITY OF SUGAR HILL

"I, Granville Betts, do solemnly swear or affirm that I will support the Constitution of the United States, the Constitution of the State of Georgia, and the Charter and Ordinances of the City of Sugar Hill; and that I will, to the best of my ability, faithfully perform the duties of the Planning & Zoning Board during my continuance therein, so help me God."



Granville Betts



Mayor

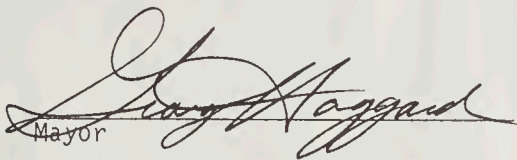
2/8/93
Date



OATH OF OFFICE
CITY OF SUGAR HILL

"I, Ed Phillips, do solemnly swear or affirm that I will support the Constitution of the United States, the Constitution of the State of Georgia, and the Charter and Ordinances of the City of Sugar Hill; and that I will, to the best of my ability, faithfully perform the duties of the Appeals Board during my continuance therein, so help me God."


Ed Phillips


Mayor

2/8/93
Date



OATH OF OFFICE
CITY OF SUGAR HILL

"I, Mike Gheesling, do solemnly swear or affirm that I will support the Constitution of the United States, the Constitution of the State of Georgia, and the Charter and Ordinances of the City of Sugar Hill; and that I will, to the best of my ability, faithfully perform the duties of the Recreation Board during my continuance therein, so help me God."

Mike Gheesling

Mike Gheesling

George Haggard

Mayor

2/8/93
Date





CITY OF SUGAR HILL

4988 WEST BROAD ST. SUGAR HILL, GEORGIA 30518
(404) 945-6716

TO: MAYOR AND COUNCIL

FROM: SANDRA RICHARDS, DIRECTOR OF FINANCE

DATE: FEBRUARY 8, 1992

RE: JANUARY BUDGET RESULTS

OPERATIONS:

The following is the results from January operations. These figures are expressed as variances and represent net income (loss) in each fund.

General	\$ 81,705.71
Sanitation	\$ 22,533.00
Gas	\$110,049.49
Water	\$ 30,685.79
Street	<\$ 23,498.51>
Sewer	<\$ 16,155.93>
Golf Course	<\$ 27,834.91>
Total	\$117,483.64

CASH BALANCE:

At the end of January, the city had a bank balance in operating accounts of \$230,661.59. This does not include money held in investments.

INVESTMENTS:

\$0.00 remain in our investment accounts at the end of January.

CONSTRUCTION:

During January, the city spent \$1,035.00 for construction of the golf course and waste water treatment facility. \$312,419.48 was spent from G.E.F.A funds for the construction of the treatment plant.

M E M O R A N D U M

TO: Mayor & Council
FROM: Tony Bauman - Chief Building Inspector
RE: ADOPTION OF 1992 GEORGIA STATE ENERGY CODE
DATE: February 3, 1993

~~~~~

On April 9, 1992 the Board of Community Affairs adopted the 1992 edition of The Georgia State Energy Code for Buildings which became effective of January 1, 1993. This code is mandatory for compliance by all designers and builders, and has significant changes in the thermal resistance values for the building envelope and the efficiency of heating and air conditioning equipment.

Although these new Energy Code Requirements may mean an additional cost to the builders, energy efficiency should be highly considered here.

As the Chief Building Official of the Inspections Department, this code enforcement is not mandatory unless it is adopted by the Mayor & Council. I recommend this be adopted in order to enforce this new energy code.



**GEORGIA STATE ENERGY**

**CODE**

**FOR BUILDINGS**

**1992 EDITION**



ADOPTED  
BY THE  
BOARD OF COMMUNITY AFFAIRS

**GEORGIA DEPARTMENT  
OF COMMUNITY AFFAIRS**

SIGNIFICANT CODE CHANGES BETWEEN  
THE 1986 AND 1992  
GEORGIA STATE ENERGY CODE

RESIDENTIAL

| <u>INSULATION</u> | <u>1986</u>   | <u>1992</u>                           |
|-------------------|---------------|---------------------------------------|
| SLAB PERIMETER    | R = 2.9       | R = 5                                 |
| CRAWLSPACE        | R = 7         | R = 13                                |
| ROOF              | R = 19        | R = 30                                |
| WALLS             | R = 11        | R = 11 - 16 (depends<br>on wall type) |
| WINDOWS           | SINGLE GLAZED | DOUBLE GLAZED                         |

COMMERCIAL

| <u>INSULATION</u> | <u>1986</u> | <u>1992</u> |
|-------------------|-------------|-------------|
| SLAB PERIMETER    | R = 2.9     | R = 4       |
| CRAWLSPACE        | R = 5.3     | R = 20      |
| ROOF              | R = 10      | R = 10      |
| WALLS             | * R = 3.03  | * R = 3.03  |

\* = This minimum value is without any window or door openings.

## 502.4 AIR LEAKAGE FOR ALL BUILDINGS

502.4.1: The requirements of this section shall apply to all buildings and structures, or portions thereof, and apply to those locations separating outdoor ambient conditions from interior spaces that are heated or mechanically cooled and are not applicable to the separation of interior conditioned spaces from each other.

502.4.2: Exterior doors and windows shall be designed to limit air leakage into or from the building envelope. Manufactured doors and windows shall have air infiltration rates not exceeding those shown in Table 502.4.2. Site-constructed doors and windows shall be sealed in accordance with Section 502.4.3.

TABLE 502.4.2

| ALLOWABLE AIR INFILTRATION RATES <sup>1</sup>                                     |                                                                                                                                            |                                                                                            |
|-----------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------|
| WINDOWS<br>ALL<br>(ft <sup>3</sup> /min per lin ft.<br>of operable<br>sash crack) | RESIDENTIAL<br>DOORS <sup>2</sup><br>Sliding<br>Glass (Patio Type), Swinging<br>(ft <sup>3</sup> /min per ft <sup>2</sup><br>of door area) | COMMERCIAL<br>DOORS<br>Swinging, Sliding<br>(ft <sup>3</sup> /min per lin ft.<br>of crack) |
| 0.34                                                                              | 0.5                                                                                                                                        | 11.0                                                                                       |

1. When tested at a pressure differential of 1.567 lb/ft<sup>2</sup> which is equivalent to the velocity pressure of a 25 mph wind.
2. Compliance with the criteria for air leakage of all types of doors shall be determined by ASTM Specification E283, Standard Methods of Test for Rate of Air Leakage through Exterior Windows, Curtain Walls and Doors.
3. If other types of coverings are used for door openings, they shall be designed not to exceed the same air leakage rate.

502.4.3: Exterior joints in the building envelope that are sources of air leakage, such as around window and door frames; between wall cavities and window or door frames; between walls and foundations, between walls and roof/ceilings and between wall panels; openings at penetrations of utility services through walls, floors and roofs; and all other such openings in the building envelope shall be caulked, gasketed, weatherstripped or otherwise sealed in an approved manner.

502.4.4: Tape, caulking, gasket material and other sealing materials shall have service and aging qualities at least equal to the building materials to which it is applied.

**Table 503.4.1  
STANDARD RATING CONDITIONS AND MINIMUM PERFORMANCE, UNITARY AIR CONDITIONERS AND  
HEAT PUMPS - AIR COOLED, ELECTRICALLY-OPERATED < 135,000 Btu/h COOLING CAPACITY  
EXCEPT PACKAGED TERMINAL AND ROOM AIR CONDITIONERS**

| Reference Standards       | Category               |                                          | Sub-Category & Rating Condition<br>(Outdoor Temp °F) | Minimum Performance   | Jan. 1, 1992 <sup>c</sup> |
|---------------------------|------------------------|------------------------------------------|------------------------------------------------------|-----------------------|---------------------------|
| ARI210/240                | <65,000 Btu/hr         |                                          | <u>Seasonal Rating<sup>b</sup></u>                   |                       |                           |
|                           | Cooling Capacity       | 1 Ø                                      | Split System                                         | 8.9 SEER              | 10.0 SEER                 |
|                           | Cooling Mode           |                                          | Single Package                                       | 8.6 SEER              | 9.7 SEER <sup>a</sup>     |
|                           | <65,000 Btu/hr         | 3 Ø                                      | <u>Standard Rating (95°F db)</u>                     |                       |                           |
|                           | Cooling Capacity       |                                          | Split System & Single Package                        | 8.4 EER               | 9.5 EER                   |
|                           | Cooling Mode           |                                          | <u>Integrated Part-Load Value (80°F db)</u>          |                       |                           |
|                           | >65,000 <135,000 Btu/h | All Ø                                    | Split System & Single Package                        | 7.4 IPLV              | 8.5 IPLV                  |
|                           | Cooling Mode           |                                          | <u>Standard Rating (95°F db)</u>                     | 8.3 EER               | 8.9 EER                   |
|                           | <65,000 Btu/h          |                                          | <u>Integrated Part-Load Value (80°F db)</u>          | 7.3 IPLV              | 8.3 IPLV                  |
|                           | Cooling Capacity       | 1 Ø                                      | <u>Seasonal Rating<sup>b</sup></u>                   |                       |                           |
| Heating Mode (Heat Pumps) |                        | Split Systems                            | 6.4 HSPF                                             | 6.8 HSPH              |                           |
| <65,000 Btu/h             | 3 Ø                    | <u>Split System &amp; Single Package</u> | 6.4 HSPF                                             | 6.6 HSPF <sup>a</sup> |                           |
| Cooling Capacity          |                        | High Temp. Rating (47°F db/43°F wb)      | 2.8 COP                                              | 3.0 COP               |                           |
| Heating Mode              |                        | Low Temp. Rating (17°F db/15°F wb)       | 1.9 COP                                              | 2.0 COP               |                           |
| >65,000 <135,000 Btu/h    | All Ø                  | <u>Split System &amp; Single Package</u> |                                                      |                       |                           |
| Cooling Capacity          |                        | High Temp. Rating (47° db/43° wb)        | 2.8 COP                                              | 3.0 COP               |                           |
| Heating Mode              |                        | Low Temp. Rating (17° db/15° wb)         | 1.9 COP                                              | 2.0 COP               |                           |

a. Effective Jan. 1, 1993.

b. To be consistent with National Appliance Energy Conservation Act of 1987 (P.L. 100-12)

c. The year for which the minimum efficiency is required shall apply to the date of manufacture, not the date of installation.

M E M O R A N D U M

TO: Mayor & Council  
FROM: Inspections Department  
RE: 1993 SCHEDULE OF FEES  
DATE: February 3, 1993

~~~~~  
The Inspections Department would like to Update the Schedule of Permit Fees we are currently using. Provided is a chart showing surrounding municipalities fees and how we currently compare. This Update would include increase revenues, as well as adding categories. To make our schedule of fees more compatible to our surrounding municipalities, and add professionalism to our department we feel this update is necessary.

The Permit totals were calculated as follows:

New Building - 2,000 square feet
Addition/Remodeling - 300 square feet

Figures used for average construction cost:

Residential Interior Finish	-	\$	25.00	square foot
			<u>x</u>	<u>300</u> square foot
		\$	7,500.00	construction cost
Commercial Interior Finish	-	\$	28.00	square foot
			<u>x</u>	<u>300</u> square foot
		\$	8,400.00	construction cost
Residential Addition	-	\$	42.00	square foot
			<u>x</u>	<u>300</u> square foot
		\$	12,600.00	construction cost
Commercial Addition	-	\$	46.00	square foot
			<u>x</u>	<u>300</u> square foot
		\$	13,800.00	construction cost

PERMIT TYPES	INCREASE REVENUE	PROPOSED FOR SUGAR HILL	SUGAR HILL CURRENT CHARGES	GWINNETT	SUWANEE	BUFORD
SINGLE FAMILY	\$400.00 + \$25.00 SEWER INSPECTION + \$25.00 C.O.	\$.20 SQUARE FOOT + \$25.00 C.O. FEE + \$25.00 SEWER INSP.	\$.17 SQUARE FOOT	\$.24 SQUARE FOOT + \$25.00 C.O. FEE \$480.00 + \$25.00 C.O. \$505.00	\$.19 SQUARE FOOT + \$25.00 C.O. FEE \$380.00 + \$25.00 C.O. \$405.00	\$.20 SQUARE FOOT + \$25.00 C.O. FEE \$400.00 + \$25.00 C.O. \$425.00
PERMIT TOTALS		\$450.00	\$340.00			
DIFFERENCE S.H. CURRENT FEES	+ \$110.00			+ \$165.00	+ \$ 65.00	+ \$ 85.00
COMMERCIAL	\$380.00 + \$100.00 SEWER INSPECTION + \$25.00 C.O.	\$.19 SQUARE FOOT + \$25.00 C.O. FEE + \$25.00 SEWER INSP.	\$.17 SQUARE FOOT	\$.19 SQUARE FOOT + \$50.00 C.O. FEE \$380.00 + \$50.00 C.O. \$430.00	SBCCI FORM TABLE	\$.19 SQUARE FOOT + \$50.00 C.O. FEE \$380.00 + \$50.00 C.O. \$430.00
PERMIT TOTALS		\$505.00	\$340.00			
DIFFERENCE S.H. CURRENT FEES	+ \$165.00			+ \$ 90.00	?	+ \$ 90.00
REMODELING SINGLE FAMILY	\$42.00 + \$25.00 C.O.	\$.14 SQUARE FOOT + \$25.00 C.O. FEE	\$.08 SQUARE FOOT \$25.00 MINIMUM	\$.15 SQUARE FOOT + \$25.00 C.O. FEE \$42.00 + \$25.00 C.O. \$ 67.00	\$.13 SQUARE FOOT + \$25.00 C.O. FEE \$37.50 + \$25.00 C.O. \$ 62.50	\$ 75.00
PERMIT TOTALS		\$ 67.00	\$ 25.00			
DIFFERENCE S.H. CURRENT FEES	+ \$ 42.00			+ \$ 42.00	+ \$ 37.50	+ \$ 50.00
INTERIOR FINISH COMMERCIAL	\$42.00 + \$25.00 C.O.	\$.14 SQUARE FOOT + \$25.00 C.O. FEE	\$.17 SQUARE FOOT \$25.00 MINIMUM	\$.14 SQUARE FOOT + \$25.00 C.O. FEE \$42.00 + \$25.00 C.O. \$ 67.00	\$.14 SQUARE FOOT + \$25.00 C.O. FEE \$42.00 + \$25.00 C.O. \$ 67.00	\$ 75.00
PERMIT TOTALS		\$ 67.00	\$ 51.00			
DIFFERENCE S.H. CURRENT FEES	+ \$ 16.00			+ \$ 16.00	+ \$ 16.00	+ \$ 24.00
ADDITION SINGLE FAMILY	\$60.00 + \$25.00 C.O.	\$.20 SQUARE FOOT + \$25.00 C.O. FEE	\$.17 SQUARE FOOT \$25.00 MINIMUM	\$.25 SQUARE FOOT + \$25.00 C.O. FEE \$75.60 + \$25.00 \$100.06	\$.21 SQUARE FOOT + \$25.00 C.O. FEE \$63.00 + \$25.00 \$ 88.00	\$ 75.00 + \$24.00
PERMIT TOTALS		\$ 85.00	\$ 51.00			
DIFFERENCE S.H. CURRENT FEES	+ \$ 34.00			+ \$ 49.06	+ \$ 37.00	
ADDITION COMMERCIAL	\$57.00 + \$25.00 C.O.	\$.19 SQUARE FOOT + \$25.00 C.O. FEE	\$.17 SQUARE FOOT \$25.00 MINIMUM	\$.23 SQUARE FOOT + \$25.00 C.O. FEE \$69.00 + \$25.00 \$ 94.00	\$.23 SQUARE FOOT + \$ 25.00 C.O. FEE \$69.00 + \$25.00 \$ 94.00	\$75.00
PERMIT TOTALS		\$ 82.00	\$ 51.00			
DIFFERENCE S.H. CURRENT FEES	+ \$ 31.00			+ \$ 43.00	+ \$ 43.00	+ \$ 24.00
DEMOLITION		RESIDENTIAL \$ 50.00 COMMERCIAL \$100.00	N/C	\$6.00/1,000 OF CONST COST \$30.00 MINIMUM	\$15.00 MINIMUM + \$1,000.00 BOND	\$100.00
HOUSE MOVED		IN CITY \$100.00 + \$25.00 C.O. FEE OUT/THROUGH \$100.00	N/C	IN - \$100.00 OUT/THROUGH - \$200.00	\$100.00 + \$200.00 BOND	IN - \$100.00 OUT/THROUGH - \$200.00
TRADE LICENSE REGISTRATION		\$10.00 YEARLY	N/C	NO INFORMATION	\$20.00 YEARLY	N/C
COMPLIANCE		\$25.00 MINIMUM CHARGE	N/C FILL OUT AFFADAVIT ONLY	NO INFORMATION	\$15.00 MINIMUM	\$25.00 MINIMUM
GARAGE/STORAGE BUILDING		\$25.00 MINIMUM OVER 600 FEET CHARGE \$.08 SQUARE FOOT + \$25.00 C.C. FEE	\$25.00 TOTAL	NO INFORMATION	\$15.00 MINIMUM \$5.00/1,000 CONST COST + \$25.00 C.O. FEE	\$75.00

**SHOWCASE
BUILDING
CORP.**

(404) 455-3836
FAX 457-6675

Spaning the Spectrum
Development
Construction
Joint-Ventures

January 11, 1993

FAXED TO: 822-7513
COPY BY 1ST CLASS MAIL

Gwinnett County Planning & Development
Development Review Section
75 Langley Drive
Lawrenceville, Ga., 30245

Attention: Ms. Carmen Leatherwood

Dear Ms. Leatherwood:

Approval of changes of
Subdivision Name and Streets

Thank you for taking time from your busy schedule today to research and approve the following name changes:

<u>FORMER NAMES</u>	<u>NAMES APPROVED AS OF 1/11/93</u>
SUBDIVISION: Suwanee Woodlands	The Links
STREETS: Leafmore Lane	Putters Pass
Suwanee Woodlands Trail	Links View Drive
Bay Tree Way	Eagle Close Lane

This letter is sent as per your instructions and acknowledges that we are the owner of record of all lots in the subdivision. In that regard, you have requested that Robert E. Horlbeck, the Professional Engineer of record, send copies to you and Mr. Crowe after the plats are re-recorded with Gwinnett County to reflect the changes in the subdivision and street names.

Regional Offices

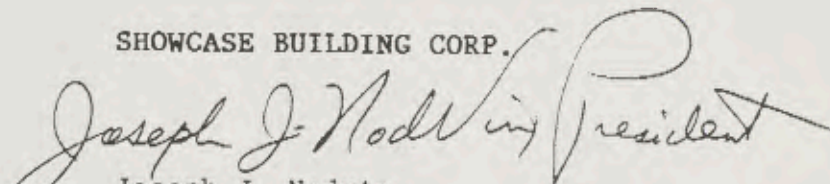
Showcase Medical Professional Park • P.O. Box 888632 • Atlanta, Georgia 30356-0632

page 2 - Ms. Carmen Leatherwood
January 11, 1993

Again, thank you for your assistance in this matter and wish you continued success in your endeavors.

Cordially,

SHOWCASE BUILDING CORP.


Joseph J. Nodvin
President

Attachment: Reduced Plat with approved names

cc: Mr. Robert E. Horlbeck, P.E.
Horlbeck & Associates, Inc.
777 West Peachtree Street
Norcross, Ga., 30071
Faxed to: 449-7038
Copy by 1st Class Mail

cc: Mr. Ken Crowe, Director
Utilities & Development
City of Sugar Hill
4988 West Broad Street
Sugar Hill, Ga., 30518
Faxed to: 945-0281
Copy by 1st Class Mail

FAX CONTROL #: 1738

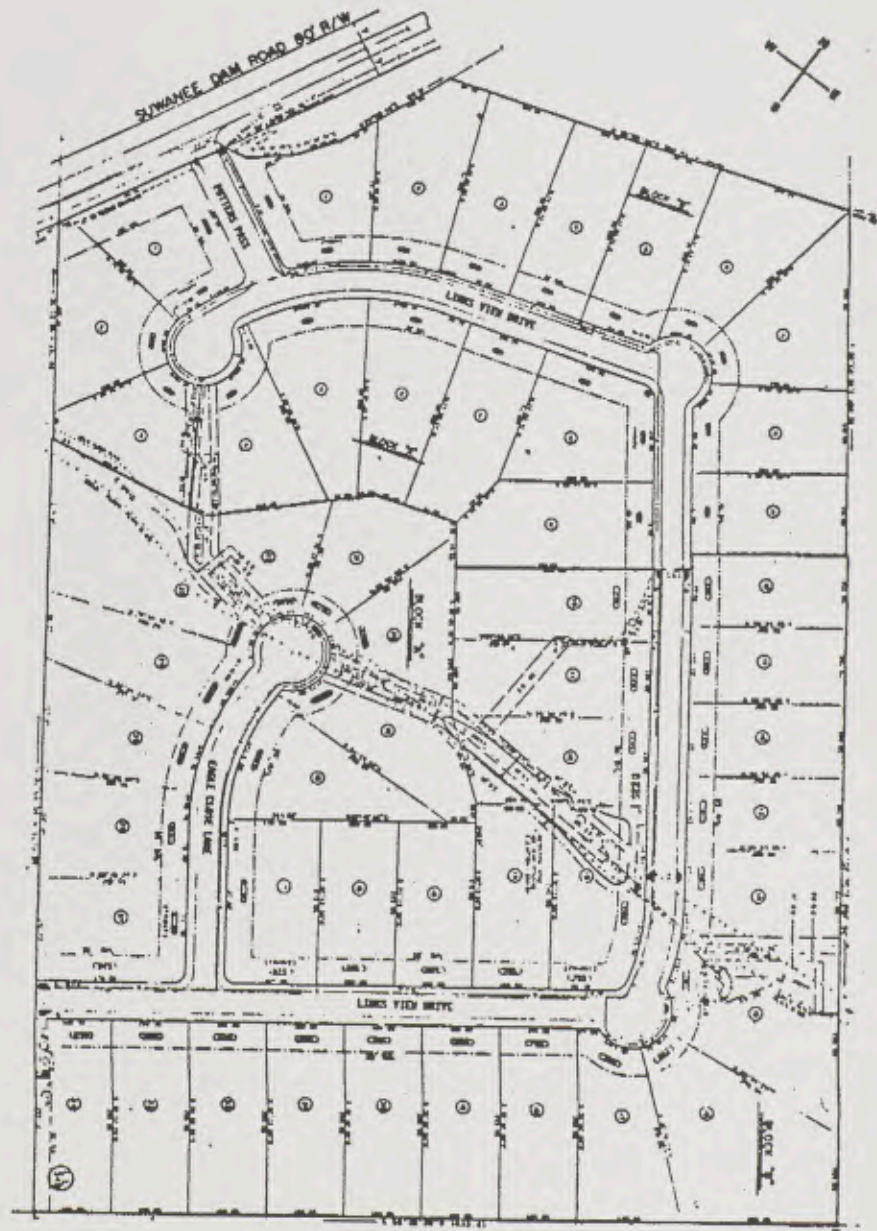
FILE #: 1#LINSU-301-1

JOURNAL #: 7

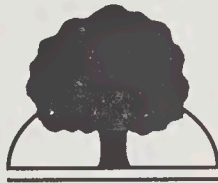
THE LINKS

LAND LOT 348 - 7th DISTRICT

SUGAR HILL, GWINNETT COUNTY, GEORGIA



STREET NAMES: Putters Pass
Links View Drive
Eagle Close Lane



CITY OF SUGAR HILL

4988 WEST BROAD ST. SUGAR HILL, GEORGIA 30518
(404) 945-6716

M E M O R A N D U M

TO: MAYOR & COUNCIL
FROM: CITY MANAGER
DATE: FEBRUARY 4, 1993
RE: PLANNING FOR THE FUTURE

The staff has been working on a schedule to present to the Planning and Zoning Board in reference to the following subjects:

- 1) Updating of the Zoning Ordinances
- 2) Future planning in regards to zoning for commercial and industrial development.
- 3) Planning for the development of the outer loop, four laning of P.I.B. and Highway 23 and Highway 20.
- 4) Future applications for annexations and the City's ability to provide services to those areas.
- 5) Updating of the Comprehensive Plan.

The staff feels that these items are imperative to the future planning of this City. These subjects will be presented to the Planning & Zoning Board on a monthly basis.



CITY OF SUGAR HILL

4988 WEST BROAD ST. SUGAR HILL, GEORGIA 30518
(404) 945-6716

MEMORANDUM

TO: MAYOR & COUNCIL
FROM: CITY MANAGER
DATE: FEBRUARY 4, 1993
RE: GWINNETT COUNTY CONSTRUCTION ASSISTANCE FOR CITIES

The attached Policy Statement from Gwinnett County Transportation Department is stating that the county is willing to assist the municipalities with limited construction projects.

Suggestions from the staff as construction needs for the City are as follows:

- 1) Help to finish the Creek Lane/Craig Drive drainage project.
- 2) Sidewalks within the city limits.
- 3) Purchase of the adjoining property to the park.

If you have any suggestions, please call me.



GWINNETT COUNTY
Department of Transportation
Administration Division
(404) 822-7400

January 20, 1993

The Honorable George Haggard
Mayor, City of Sugar Hill
4988 W. Broad Street
Buford, Ga. 30518

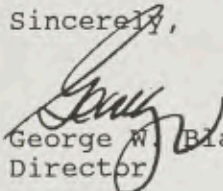
SUBJECT: Gwinnett County Construction Assistance for Cities Policy

Dear Mayor Haggard:

On January 19, 1993, the County Board of Commissioners formally ratified the subject policy for providing limited assistance to cities on construction projects. Enclosed for your information and use is a copy of this policy.

I hope the policy statement is self-explanatory, but please feel free to contact myself or Bill Powell of my staff at 822-7417 if you have any questions.

Sincerely,


George W. Black, Jr., P.E.
Director

GWB\WPP\slp

Enclosure

c: Bill Northquest, County Administrator (w/attachments)
Senior Staff (w/attachments)

c:\wp51\black\cities\cnstasst.let

January 19, 1993

GWINNETT COUNTY CONSTRUCTION ASSISTANCE FOR CITIES
POLICY STATEMENT

The Gwinnett County Transportation Department will provide limited construction assistance to all cities within county boundaries upon approval by the Board of Commissioners and availability of funds.

QUALIFYING PARAMETERS

- (1) The property on which the project is to be constructed must be owned by the city.
- (2) The city's governing authority must formally approve each construction assistance request presented to the county by resolution.
- (3) The city is responsible for producing an engineering plan and cost estimate certified by a registered engineer for each request submitted.
- (4) If approved by the Board of Commissioners, a contract prepared by the Gwinnett County Law Department must be signed by the legal representatives for both the city and county. This contract will specify that the city is responsible for 100% of the engineering cost of the project. The county and city will each be responsible for 50% of the remaining cost of the project, including materials, manpower, equipment usage, and fuel, except that the maximum contribution by the county shall not exceed \$100,000.
- (5) The approved project will be placed on the County's construction priority list which is based on its urgency and the date of its approval.
- (6) Maintenance responsibility for the project rests with the city after construction and the county's acceptance of the contractor's work. Furthermore, city shall assume by contract all legal liability for the project.
- (7) The finished project must be available for public use by city and county residents.

MEMORANDUM

TO: THE MAYOR AND COUNCIL OF THE
CITY OF SUGAR HILL

FROM: LEE THOMPSON

RE: BOARD OF ZONING APPEALS

DATE: FEBRUARY 5, 1993

Article 14 of your Zoning Ordinance establishes a Board of Zoning Appeals. This article of your Zoning Ordinance also covers procedures of the Board, powers of the Board and establishes how Board members are appointed and how officers of the Board are elected. Section 2-171 through Section 2-179 of The Code of the City of Sugar Hill, Georgia also deal with administrative procedures of the Board of Zoning Appeals. This section of the City Code is contained within the administrative provisions of the Code.

During a briefing session with new members of the Board of Zoning Appeals, it was discovered that the language contained within the administrative section of the City Code is slightly different from the language contained within the Zoning Ordinance. Copies of these provisions of the Code and copies of Article 14 of the Zoning Ordinance are attached to this memo.

Kathy Williamson and I have discussed this matter, and I would suggest that you review these provisions. Where there are discrepancies, I would suggest that you advise Ms. Williamson whether you prefer the provisions contained within the administrative portion of your City Code or the provisions contained within the zoning ordinance. I would then suggest that we draft appropriate ordinances to amend the City Code and Zoning Ordinance to make these provisions consistent.

If you have any questions regarding this matter, please contact me at your convenience.

DIVISION 3. BOARD OF ZONING APPEALS*

Sec. 2-171. Adoption of state regulations.

The rules, regulations and provisions contained in Chapter 69-12 of the Official Code of Georgia Annotated governing the creation, appointment, organization, powers and duties of municipal and county boards of zoning appeals are hereby adopted as the rules, regulations and provisions governing the board of zoning appeals of the city.

Sec. 2-172. Composition, appointment and tenure.

The board of zoning appeals shall consist of those members appointed by the council. Except for the initial appointment, the terms of the members shall be for three (3) years each. The three (3) members first appointed shall be appointed for terms of one (1), two (2) and three (3) years, respectively, so that the term of one (1) member expires each year. No member of the board of zoning appeals may hold any other public office or position in the city, except that one (1) member may also be a member of the planning commission.

Cross reference—Planning commission, § 2-151 et seq.

Sec. 2-173. Vacancies.

Vacancies shall be filled by appointments for unexpired terms only and in the same manner as the original appointment.

Sec. 2-174. Removal from office.

Any member of the board of zoning appeals may be removed by the council for cause after written notice and a public hearing.

Sec. 2-175. Compensation.

All members of the board of zoning appeals shall serve without compensation.

Sec. 2-176. Officers and rules of procedure.

The board of zoning appeals shall elect one (1) of its members as chairperson who shall serve for one (1) year or until such person is reelected or a successor is elected. The board shall appoint a secretary who may be an officer of the city or of the planning commission. Meetings of the board shall be held at the call of the chairperson and at such other times as the board may determine. The board shall adopt rules in accordance with the provisions of this section, shall keep minutes of its proceedings, showing the absence, vote, or failure to vote of each member, and shall keep records of its examinations and other official actions, which minutes and records shall be filed in the office of the city clerk and be open to public inspection.

*Cross reference—Planning and development, Ch. 20; zoning, App. A.; board of zoning appeals, App. A, § 1400 et seq.

ADMINISTRATION

§ 2-193

Sec. 2-177. Appeals—Filing with board.

Any person aggrieved or any officer, department, board or bureau of the city affected by a decision of the administrative officer designated as such in the zoning ordinance of the city shall, prior to consideration by the board of zoning appeals, file a notice of appeal with the board and with the officer from whom the appeal is taken. Such notice shall be filed within a reasonable time as provided by the rules of the board, and shall specify the grounds for the appeal.

Sec. 2-178. Same—From decisions of board.

Any person or persons severally or jointly aggrieved by any decision of the board of zoning appeals may appeal to the superior court of Gwinnett County in the manner provided for appeal from a decision of a court of probate, provided that such appeal is filed within thirty (30) days from the date of decision of the zoning board. Failure to file an appeal within thirty (30) days will render the decision of the board of zoning appeals final.

Sec. 2-179. Powers and duties.

The board of zoning appeals shall fix a reasonable time for the hearing of appeals and other matters referred to it, give public notice thereof, as well as due notice to the parties in interest, and decide the same within a reasonable time. The board shall have those powers conferred generally on municipal boards of appeals by chapter 69-12 of the Official Code of Georgia Annotated.

Secs. 2-180—2-190. Reserved.

DIVISION 4. RECREATION BOARD*

Sec. 2-191. Composition, appointment and tenure.

The Sugar Hill Recreation Board shall consist of five (5) persons appointed by the mayor. Except for the initial appointments, the terms of the members shall be for five (5) years each. The five (5) members first appointed shall be appointed for terms of one (1) member to expire each year.

Sec. 2-192. Vacancies.

Vacancies for unexpired terms shall be filled by the mayor, who also shall remove any member for cause, on written charges, after a public hearing.

Sec. 2-193. Compensation.

The members of the recreation board shall serve without compensation but may be reimbursed at the discretion of the mayor and council for actual expenses incurred in connection with the discharge of their official duties.

*Cross reference—Parks and recreation, Ch. 19.

CITY OF SUGAR HILL - ZONING ORDINANCE

...eeding to stop the violation in the case of such building,
...cture, or land.

ARTICLE XIV. BOARD OF ZONING APPEALSSection 1400. Establishment of Board of Zoning Appeals; (Membership; Terms; Vacancies; Removal; Officers).

A board of zoning appeals is hereby created. The board of zoning appeals shall consist of five (5) members who shall be appointed by the mayor and city council. The members shall serve for overlapping terms of three (3) years. Initial appointment to the overlapping terms of three (3) years. Initial appointment to the board of zoning appeals shall be as follows: One (1) member shall be appointed to a one-year term; two (2) members shall be appointed to a two-year term; and two (2) members shall be appointed to a three-year term. All subsequent appointments shall be for terms of three (3) years. Any vacancy in the membership shall be filled for the unexpired term in the same manner as the initial appointment. Members shall be removable for cause by the appointing authority upon written charges and after a public hearing. Except for (1) member who shall be a member of the planning commission, no member of the board of zoning appeals shall hold any other public office. The planning commission member shall serve as chairman of the board and the board members shall elect a vice-chairman who shall serve until replaced or until a new vice-chairman is elected. The board of zoning appeals shall appoint a secretary who may be an officer or employee of the city or of the planning commission.

Section 1401. Procedures of the Board of Zoning Appeals.

The board of zoning appeals shall hold a regularly scheduled monthly meeting and shall meet at other times at the call of the chairman. The chairman, or in his absence the acting chairman, may administer oaths and compel the attendance of witnesses by subpoena.

Cases brought before the board of zoning appeals shall be decided by majority vote of members present and voting. A quorum shall consist of three (3) or more members. Any board member may elect to abstain from any vote. An affirmative vote of at least three (3) members is required to approve a petition before the board.

The board shall keep minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be filed in the office of the city manager and shall be a public record.

Section 1402. Powers of the Board of Zoning Appeals.

The Board of zoning appeals shall have the following powers:

- (1) To hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by the city manager or planning commission or city council in the enforcement of this zoning ordinance.
- (2) To hear and decide special exceptions to the terms of this zoning ordinance upon which the board is required to pass using the following procedures:
 - a. A written application for a special exception shall be submitted to the board indicating the section of this ordinance under which the special exception is sought and stating the grounds on which it is requested.

CITY OF SUGAR HILL - ZONING ORDINANCE

- b. A public hearing shall be held following at least fifteen (15) days' notice to the applicant and to the public. Public notice shall, as a minimum, include posting of a notice on the property and at City Hall for at least fifteen (15) days. Failure to post or maintain the notice shall not, however, invalidate the actions taken.
- c. The board shall certify its findings and decisions in writing, including therein any special terms or conditions which may be appropriate.
- (3) To authorize, upon appeal in specific cases, such variance from the terms of this zoning ordinance as will not be contrary to the public interest where, owing to special conditions a literal enforcement of the provisions of the ordinance will, in an individual case, result in unnecessary hardship, so that the spirit of the ordinance shall be observed, public safety and welfare secured, and substantial justice done. Such variance may be granted in such individual case of unnecessary hardship upon a finding by the board of zoning appeals: that there are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape, or topography; that the application of the zoning ordinance to this particular piece of property would create an unnecessary hardship; that such conditions are peculiar to the particular piece of property involved; that such conditions are not a result of any action of the property owner; and that relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of this zoning ordinance; provided, however, that no variance may be granted for a use of land or building or structure that is prohibited by this ordinance.

Variances may be granted in accordance with the following procedures:

- a. A written application for a variance shall be submitted demonstrating that required conditions for a variance have been met.
- b. A public hearing shall be held following at least fifteen (15) days' notice to the applicant and to the public. Public notice shall, at a minimum, include posting of a notice on the property and at City Hall for at least fifteen (15) days. Failure to post or maintain the notice shall not, however, invalidate the actions taken.
- c. The board shall certify its findings and decisions in writing, including therein any special terms and conditions which may be appropriate.
- (4) In exercising the above powers, the board of zoning appeals may, in conformity with the provisions of this ordinance, reverse or affirm, wholly or partly, or may modify the order, requirements, decision, or determination and to that end shall have all the powers of the city manager or planning commission from whom the appeal is taken and may issue or direct the issuance of a permit.

Section 1403. Appeals to the Board of Zoning Appeals.

Appeals to the board of zoning appeals may be taken by any person aggrieved by, or by any official of the city affected by any planning or zoning enforcement decision of the city manager. Such appeal shall be taken within thirty (30) days from the date the appellant is notified of

CITY OF SUGAR HILL - ZONING ORDINANCE

Decision of the city manager or planning commission by filing with the city manager and with the board of zoning appeals a notice of appeal specifying the grounds thereof. The city manager shall forthwith transmit to the board of zoning appeals all the papers constituting the record upon which the action appealed from was taken.

An appeal stays all legal proceedings in furtherance of the action appealed from, unless the city manager certifies to the board of zoning appeals after the notice of appeals shall have been filed with him, that by reason of facts stated in the certificate a stay would, in his opinion, cause imminent peril to life and property. In such case proceedings shall not be stayed otherwise than by a restraining order which may be granted by a court of record on application, on notice to the city manager, and on due cause shown.

Section 1404. Appeals from Decisions of Board of Zoning Appeals.

Any person or persons, or any board, taxpayer, department, or bureau of the city aggrieved by any decision of the board of appeals may seek review by a court of record of such decision, in the manner provided by the laws of the State of Georgia.

ARTICLE XV. AMENDMENTS

Section 1500. Amendments Permitted.

This zoning ordinance, including the zoning map, may be amended from time to time by the city council of Sugar Hill, Georgia.

Section 1501. Amendment Procedure.

- (1) All applications for amendments shall first be submitted to the Planning Commission for review and recommendation prior to adoption by the City Council. The Planning Commission shall have sixty (60) days within which to complete its review and submit a report and recommendation to the City Council. During the 60 day review period, the Planning Commission may, at its discretion, hold a public hearing on the proposed amendment. At least 15 but not more than 45 days prior to the date of such a hearing, the Planning Commission shall cause to be published a notice of such public hearing in a newspaper of general circulation within the territorial boundaries of the City of Sugar Hill. If the Planning Commission fails to submit a report to the City Council within the 60 day review period, it shall be deemed to have approved the proposed amendment.
- (2) After the 60 day Planning Commission review period, proposed amendments to the Zoning Ordinance shall be submitted to the City Council for adoption or rejection. Before the City Council acts on an amendment to the Zoning Ordinance under this section, it shall hold a public hearing thereon. At least 15 but not more than 45 days prior to the date of the public hearing, the City Council shall cause to be published in a newspaper of general circulation within the territorial boundaries of the City of Sugar Hill a notice of the proposed public hearing. This notice shall state the time, place and purpose of the hearing. If the proposed amendment is a rezoning of property initiated by a party other than the Mayor and Council or the Planning Commission, then:

C.C. COMMITTEE

1. We anticipate to publish one (1) to two (2) pages in the Sugar Hill News & Events each month.
2. Established a Post Office Box at City Hall. (P.O. Box 800001, Sugar Hill, Ga. 30518)
3. Request to be insured by the city.
4. Associated Press manual for each member of the committee to be purchased by City Council. (Approximately \$10.00 each.)
5. Articles will appear under the name Community Correspondence Corner.
6. The committee's official name will be the Community Correspondence Committee (C.C. Committee).

Please see the attached C.C. Committee packet.

*Rose Payne
wants to speak*

STATEMENT OF PURPOSE

The Community Correspondence Committee wishes to provide another vehicle for citizen comment. Presently, the only provision for citizen comment is at the end of the monthly City Council meetings. The Community Correspondence Corner seeks to provide a more open communication between the City Council and the citizens of Sugar Hill. It is our intent to be even-handed, to act in good faith, and to stay within our adopted guidelines.

COMMUNITY CORRESPONDENCE COMMITTEE
ADOPTED GUIDELINES

* Guidelines are based on industry standards.

1. Obtain a signature, address, and telephone number for each letter received.
2. Verify that author is a resident, property owner, utility customer, or a business proprietor in Sugar Hill.
3. Each letter received will go through the "punch list" process. This "punch list" is used for thoroughness and for determining which letters are to be published. The C.C. Committee will have full authority on which letters are to be published. (See attached example of punch list.)
4. Each letter must be concise, address a specific subject, and limited to the City of Sugar Hill issues, community service, involvements, and city affairs.
5. Will not permit private axe grinding.
6. Will not permit libelous letters to be printed. Libelous letters are untruthful, done with malice, (either intentionally, or by wanton disregard) somehow harms and /or damages a person. Also see AP manual.
7. If a letter appears factual and is possibly damaging to a person, do not print unless the facts are verified, and the right of reply has been offered to the opposing person. Both letters should be printed side by side.
8. The C.C. Committee reserves the right to edit for style and size. (See AP manual.)
9. Do not make "not to print" decision based on content only.
10. Limit of 250 words per letter. (This is equal to 1 page, double spaced with 2" margin at top and 1 to 1 1/2" margin on remaining sides using PICA type font.)
11. Use the AP style book and Ap Libel manual for further assistance.

12. Permit public axe grinding in the same way that industry permits. (See examples attached.)
13. We recognize that the Sugar Hill New & Events newsletter is a city publication using tax money, which constitutes government action.
14. We reserve the right to solicit Sugar Hill residents, utility customers, business' and /or property owners for newsletter articles.
15. Private axe grinding of public persons permissible providing that it is not libelous and is not damaging to that person's character. (See attached examples.)

Footnote: Industry guidelines per:

Terese Weever, Atlanta Journal Constitution, 526-5465
Ted Oglesby, Gainesville Times, 1-800-395-5005
Special consultations with Lee Thompson, City Attorney,
and Professor Craig Lisbey, Georgia State University,
651-2365

Community Correspondence Corner

The City of Sugar Hill News & Events / Community of Pride Newsletter

Punch List

Reviewed by: _____

Yes No

1. Verified Author? Author Name & Date Written: _____
Last, First MI Date Written
 2. Sugar Hill Issue, Community Service, or City Affair?
 3. Verified facts and truthfulness?
 4. Is not Libelous? (See AP Libel Manual & Committee Guide Lines)
 5. Is not possibly damaging to a person?
If no, see below, else go to Item 6.
Yes No
 - A. Has right of reply been offered to other side?
 - B. Has reply been received?
 6. Meets 250 Word Limit. (Use AP Style Manual to edit).
-

7. Reviewed by Committee?
8. Print Letter in Newsletter? If no, why?

Community Correspondence Corner

The City of Sugar Hill News & Events / Community of Pride Newsletter

Punch List

Reviewed by: _____

Yes No

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If no, see below, else go to Item 6.
Yes No
 - A. Has right of reply been offered to other side?
 - B. Has reply been received?
 6. Meets 250 Word Limit. (Use AP Style Manual to edit).
-

7. Reviewed by Committee?
8. Print Letter in Newsletter? If no, why?

Public axe grinding

Is council backing off?

It appears that Atlanta City Council members are having second thoughts about their whopping pay raises.

Good thing. If they persist in raising their pay, the public reaction could make that mob that showed up at the Fulton County Courthouse in protest of massive increases in property valuations seem like attendees at a testimonial dinner.

ERNEST QUICKEL

Who's in charge here?

Every member of the Atlanta City Council should resign. I am sickened by their despicable behavior for avoiding responsibility for putting pay hikes for themselves on the 1993 agenda.

Any city representative unwilling to be accountable for his or her actions is of no value to those of us who rely on them to pilot the affairs of the city.

ROB GRADY

Wait for the vote

I do not support the pay increase for Atlanta City Council members, but my constituents of the 8th District do not know my position because of the manner in which the issue was reported by the Journal-Constitution.

An ordinance legislating a salary increase requires a Charter Amendment, which by law has to have three "reads" before City Council. The first two reads are traditionally done by voice vote because we are simply sending the legislation to the committees for discussion. Several council members, including myself, did not vote at all because normally it is standard procedure to send a charter amendment to committees.

I think it would be more helpful and less confusing to the people of Atlanta if the Journal-Constitution reported the votes and names of council members when there is a recorded, verifiable vote.

CLAIR MULLER

Ms. Muller represents District 8 on the Atlanta City Council.

LETTERS TO THE EDITOR

Newspaper distorted facts about physicians' firm

The paper's recent article and editorial on T² Medical Inc. distort the true story of the company. The paper used misquotes, misinformation, unsupported allegations and selected fragments of very complex issues to further its own political views against for-profit medicine.

In 1984, patients receiving infusion therapy were typically hospitalized. A number of prominent Atlanta physicians took a risk and established Georgia Home Therapeutics so their patients could be treated in the comfort and convenience of their homes at rates substantially below hospital charges.

This experiment was incredibly successful because local physician ownership of outpatient treatment facilities is the best way to provide high-quality, cost-effective health care. It provides physicians with the necessary control over the operation to confidently treat patients at home. Our experience is that physicians — more than any other ownership group — are interested in serv-

ing the needs of their patients.

While there are problems with the health-care system, the issue should not be who owns the medical facilities. It should be who provides the highest quality care at the lowest possible cost. Here are the facts.

► **Quality.** The newspaper reluctantly conceded that "no one has questioned the level of care provided by T². . . ." While you apparently dismiss quality as unimportant, our patients understand that this is the most important attribute of any medical provider and that our care is second to none.

► **Cost.** Independent sources have confirmed that home infusion therapy saves 30 percent to 50 percent over hospitalization and that T² is the lowest priced of the major accredited national providers.

Ownership also provides physicians great flexibility in treating those who have difficulty paying their medical bills. In fact, the author failed to mention that we provided more than \$1 million worth of

free care in Atlanta alone last year.

Perhaps the most egregious distortion is the newspaper's allegation of unnecessary treatments. Patients receive infusion therapy only after they have been diagnosed with a disease requiring specific treatment, including pre-certification by the third-party payer. No study has found any abuses or problems with physician-owned infusion therapy.

► **Ethics.** The relationship between T² and its physicians meets every ethical criteria of the American Medical Association.

Atlanta should be proud that a concept launched here eight years ago has grown to more than 220 companies in 33 states and has saved the health care system more than a half-billion dollars. Local physicians who pioneered this concept should be commended, not condemned, for their contributions.

JOSEPH C. ALLEGRA

Dr. Joseph C. Allegra is president and CEO of T² Medical Inc.

LETTERS TO THE EDITOR

Try school-voucher system before shooting it down

Tom Teepen, in his Jan. 12 column, attacks the idea of a federal policy that would provide vouchers to taxpayers to pay for tuition to private schools.

He advances only three reasons why this policy is flawed:

1. The vouchers don't give families enough buying power to take advantage of private schools.

2. Poor children will not be able to afford transportation to private schools.

3. Private schools won't admit the "hard cases," the implication being that all the willing students will be in private schools, and all the troubled students will be stuck in

the public schools.

In response to No. 1: There is not a serious voucher system being advocated by the GOP today for less than \$2,500 per child. The average Catholic school tuition, K-12, in the United States is \$1,200.

In response to No. 2: Talk to inner-city parents about the opportunity to send their children to private school and they are excited. They will get their children to the schools. If nothing else, explore the possibility of limited subsidized transportation.

And in response to No. 3: To believe this is to believe that public schools inherently cannot compete

with private schools. Rubbish! Giving poor and middle-class families the choice to purchase private education will force public-school managers to break the bureaucratic inertia that characterizes public schools.

We heard for years from automobile manufacturers why it was unfair to force domestic companies to compete with their foreign counterparts. Now, the Ford Taurus is the No. 1 selling car in the country.

Competition is good for automobiles, it's good for newspapers, and it's good for education.

TERRY WARD

Smyrna

Private axe grinding of a
public figure

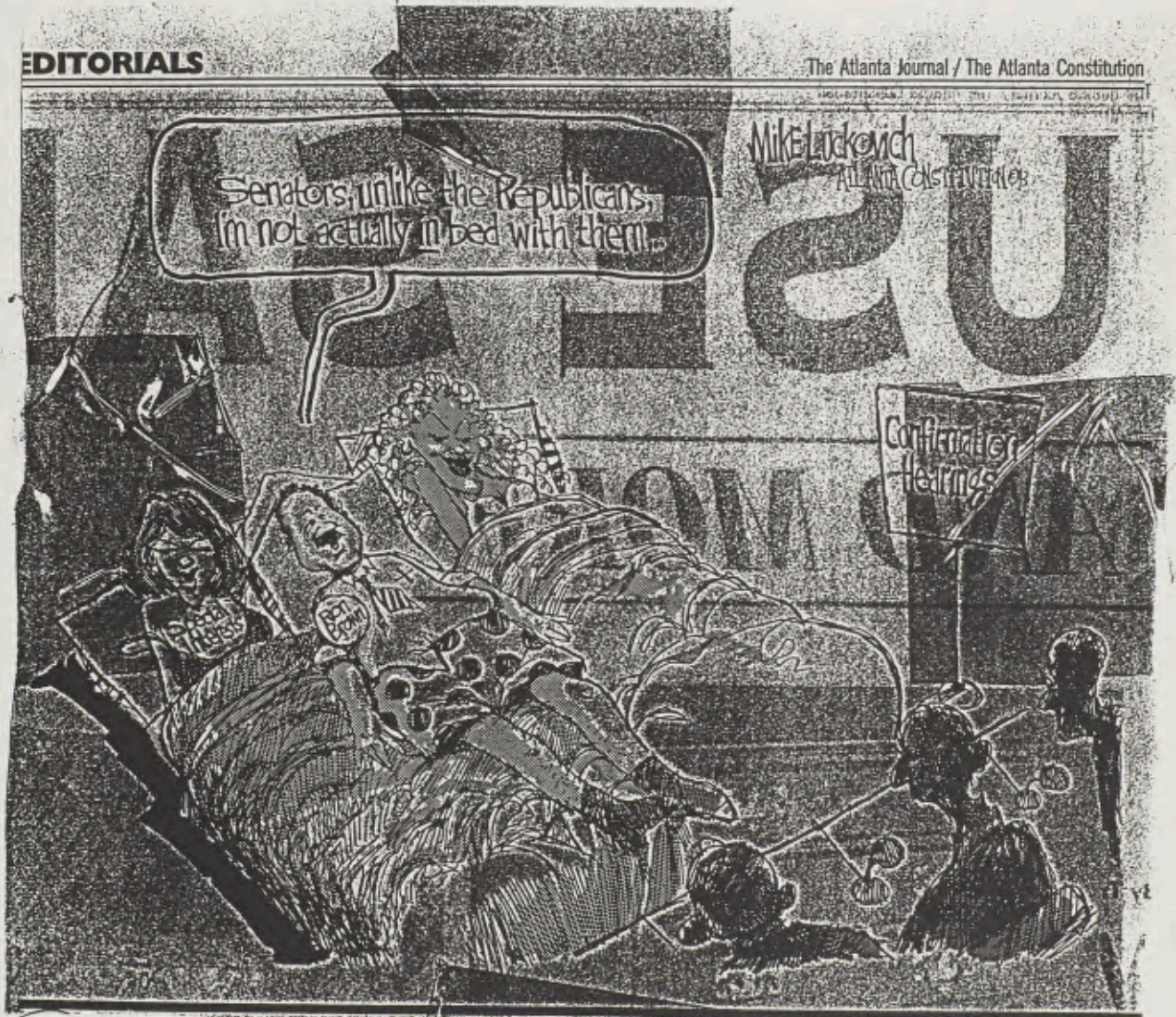
EDITORIALS

The Atlanta Journal / The Atlanta Constitution

Mike Lockovich
Atlanta Constitution

Senators, unlike the Republicans,
I'm not actually in bed with them.

Confidential
Hearings



Private axe grinding of public figure Respect Quayle? Ha!

Surprise, not racism

If Lewis Grizzard was serious in his Jan. 4 column, then the editors should suggest that he occasionally read the newspaper himself.

The only knowledge that I have of either Garrison Hearst's or Andre Hastings's family is what is presented in the Journal-Constitution and by the local radio and TV media.

Prior to the NFL draft deadline, there were several stories saying the only reason these two young men might leave the University of Georgia early would be for the noble prospect of helping their families.

After days of being fed images of deep financial hardship, the readers' reaction to the picture of these two young men and their sporty vehicles is rooted in surprise at apparent contradiction rather than racism, as Mr. Grizzard contends.

One must wonder if Mr. Grizzard's reaction would have been as strong if the readers' comments had been made in regard to a similar photograph of players from Auburn or the University of Florida.

H. C. ALLEN

Tucker

Unbearable burden

I am fed up with the welfare mentality of Cynthia Tucker's columns. A recent column criticized the Reagan-Bush administrations for cutbacks in "federal dollars the cities had relied on for years." Did it ever occur to her that that may be one of the reasons we voted for them in the first place? Does she ever consider that people in the suburbs and rural areas are sick and tired of paying taxes solely so people can waste it in the cities, giving it to deadbeats who refuse to work at all?

Nobody forced inner-city residents to drop out of school and stay illiterate. Nobody forced them to addict themselves to crack cocaine and become drug dealers. Nobody forced them to become parasites on society.

The cities should be self-sufficient. It is shameful to use the tax system to force people to pay money into bottomless ratholes like our cities, just because Ms. Tucker thinks it would be a nice thing to do.

ROBERT ITKIN

Madison, Ga.

I strongly disagree with Owen Ullmann's recent article regarding Dan Quayle winning a little respect now that he is leaving office. Perhaps he is considered to be a better campaigner by some folks, but he wouldn't win any awards from the majority of voters.

The vice president was rarely seen during his first three years in office, except for playing golf and presiding over the Senate. He came out in public view for the campaign, but he did not seem to be a sophisticated campaigner or even knowledgeable about the country's problems. His purpose for campaigning was to work on his election to the presidency in the future.

If his short-term plans are to write a book and hit the lecture circuit at \$25,000 a speech, surely he will hire a ghostwriter and a sixth-grader to correct his spelling?

SHARON C. SHELHORSE

Lawrenceville

Lay off the Clintons

Bill Clinton is not only going to be our next president, we must not forget that he is human and a father. As parents, Mr. and Mrs. Clinton should be able to raise their child with their choices and we ought to honor that. It is a shame that we have to burden ourselves and the child with raising controversy about where she should or should not be going to school.

How quickly we forget the dignity with which Bill Clinton carried out his campaign, focusing on the issues. Why cannot we offer him the same grace?

SURISHTHA SEHGAL

Atlanta

Meek leaders must eventually face the real enemy

George Napper's proposal in a recent Perspective section to require uniforms for public school students is another example of the bureaucratic nonsense that contributes to the spiraling crime rate.

In a world operating on Mr. Napper's logic, a good way to reduce the number of car thefts would be to eliminate private ownership of cars. And we shouldn't keep TVs, jewelry and silverware in our homes, because having expensive things is a

blatant invitation to burglars.

If your home is robbed, it's your own fault. You shouldn't tempt burglars.

And the right way to reduce the number of innocent kids being shot in drug-related, drive-by shootings is to remove all our children from the city and disperse them to other, safer parts of the country.

While we're at it, let's all bar our windows, lock ourselves inside and live in fear.

I won't live like that. I'd rather do whatever I must to get priorities back in order, make my public officials do what I pay them to do, and put criminals where they belong.

Whatever happened to courage, leadership, rights, respect for law, and punishment for crimes? With peace-at-any-price bureaucrats like George Napper in office, no wonder America's in trouble.

GORDON CURTIS

Atlanta

Let's help America first

I am sick and tired of disgruntled, know-everything, yet do-nothing Americans degrading this country for what they call "a lack of concern, interest and action in dealing with crises of the international community." America has done more to feed the hungry, clothe the poor, treat the sick, assist the oppressed and promote good will than any country in the world.

We need a spirit of pride for what America has done and a desire to take care of our own people. After this comes the world.

FRANK HARRINGTON
Decatur

Bring in the Marines

Atlanta is a wonderful place to live and enjoy. We cannot stand by and let it deteriorate before our eyes. We must take immediate action to curb the recent crime wave.

I firmly believe that the crime in our city is so great that the local law enforcement personnel are in dire need of assistance.

We should bring in the military and any other forces the governor and mayor deem necessary to curb his activity. I am aware that involving the military should be a last resort, but we cannot afford to wait any longer.

CARL L. WILLIAMS
Stone Mountain

Rehire state workers

I have been reading how the state's revenue is on an upswing and that the state will have "excess" revenue in its reserves.

I am a technical instructor laid off by the government in 1991 due to budget restraints.

I am a 16-year veteran of the state's vocational-technical profession, am almost 48, and have been selected, along with more than 1,900 other state employees, as a scapegoat for Gov. Zell-Miller's inability to manage state funds.

What about me and the others who have been forgotten? Do we not have the right to first choice in being rehired when we have an "excess" in the state's revenue?

RONALD E. HOPKINS
Dallas, Ga.

Issues oriented Deja vu among airlines

A letter in the Jan. 11 Constitution about Delta Air Lines and its troubles was quite interesting.

A "victimless crime" to say the least, Delta Air Lines thought it was above all the turbulence in the airline industry, one big happy family; too many busy people pointing fingers at Eastern employees to think Delta could have management problems.

Same stories, different airlines. Fat cats are at the top. While the workers deal with rain, snow and irate passengers, fat cats are usually home in bed.

JOY B. MOORE
Fayetteville

Stop blowing smoke

I have to laugh at smokers crying foul over smoking restrictions. Some of these folks are the same people fighting to enforce laws prohibiting other drugs. Some are the same people fighting to ban "dirty" magazines and attempting to dictate to their neighbors for what they can use their land.

As a Libertarian, I think people have a right to decide these issues for themselves, including whether or not to smoke. Laws are not the answer. Telling business owners what is allowed on private property is even more odious than smoking.

But, as someone who's been assaulted by the smoke of uncaring, unknowing and rude nicotine addicts, I can't help thinking that these folks are getting what they deserve.

NOELLE STETTNER
Gainesville

Change street names

Through the labyrinths of the black community run streets that bear the names of old Confederate officers and other names of old vintage Southern persuasion.

The consensus among whites is that the names should remain the same, much to the chagrin of the communities affected.

These communities have the right to change the names to reflect those things of historical significance to their culture. The problem is not solved by conducting opinion polls, but by drafting a petition with enough signatures and presented to the proper elected officials demanding change.

A.D. BEAVERS JR.
Atlanta

To help the Falcons . . .

I've just read several articles about the poor season the Atlanta Falcons have had and the poor prospects for improvement next year. It's mysterious, since we have several all-pros on the squad.

What's even more mysterious is that the fans here in Atlanta don't seem to care! The Falcons attracted more than 700,000 fans in 1992, a new record.

The only way to get an owner's attention is to hit him in the pocketbook. With TV money aplenty, the only way the Falcons will improve is if the fans refuse to go to the games until they do.

JEFF RAM
Atlanta

GWINNETT EXTRA

Talk of Gwinnett

Sports Line

Reader Poll

News tips

Tell the editor

CALL 222-2049



THIS WEEK'S QUESTION

Are you happy with

your garbage pickup?

Why or why not?

AZ Tuesday, January 19, 1993

Q&A

ON THE NEWS

Do you have a question about the news - local, national, or international? Betty Parham and Gerie Ferris will try to get an answer for you.

Call 222-2002 on a touch-tone phone and follow the instructions.

School Matters

NOTES, IDEAS, TRENDS IN EDUCATION

F.

(F.7)

Send letters for publication to:
Letters to the Editor, The Atlanta
Constitution, P.O. Box 689, At-
lanta, Ga. 30302. The fax number
is 770-1011. Letters are subject to
editing for style and space require-
ments. Writers must sign name
and provide address.

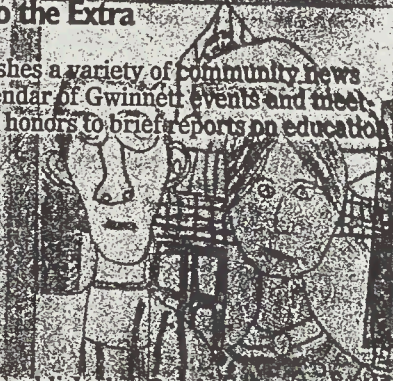
Getting your news into the Extra

The Gwinnett Extra publishes a variety of community news items, ranging from a calendar of Gwinnett events and meetings to residents' personal honors to brief reports on education and business.

➤ Mail items to:
Gwinnett Extra
6455 Best Friend Road
Norcross, Ga. 30071

Letters to the editor

Letters to the editor are published on Sundays. Letters must be signed with the writer's full name and city of residence and include a telephone number for verification. The telephone number will not be published. Deadline for Sunday's paper is 5 p.m. Wednesday.



By [unclear]
Gwinnett
60711

ADVERTISEMENT / GUIDELINES
FOR LETTERS RECEIVED

We are looking for clear, concise letters on issues that concern the Sugar Hill community, including comments and suggestions for the City Council. Letters must include full name, address, and telephone number. This information will be used for verification purposes only and except for the name, will not be printed. Letters may be edited for clarity and space. Letters must be received by 5:00 P.M. on the last Monday of the month. Letters may also be placed in the night depository at City Hall.

Mail letters to: Community Correspondence Corner
 P. O. Box 800001
 Sugar Hill, Ga. 30518

C. C. COMMITTEE MEMBERS

Rose Payne (chairperson)
980 Old Spring Way
Sugar Hill, Ga. 30518
271-7651

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5665 Cardigan Trace
Sugar Hill, Ga. 30518
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Sugar Hill, Ga. 30518
271-1617

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Sugar Hill, Ga. 30518
945-4029

Dawn Burke
611 Forrest Retreat
Sugar Hill, Ga. 30518
932-5849

WORK SESSION
THURSDAY, FEBRUARY 18, 1993
7:00 P.M.

A G E N D A

- A) Meeting with Solid Waste Task Force

WORK SESSION
THURSDAY, FEBRUARY 18, 1993
7:00 P.M.

M I N U T E S

In attendance: Mayor Pro-tem Thomas Morris, and Council Members Steve Bailey, Roger Everett and Jim Stanley, Solid Waste Task Force Members Joan Hawthorne, Ed Schoeck, Diane Spivey, Lori Rostin, Bryon Day, Ed Phillips and Connie Wiggins.

Work session called to order at 7:10 p.m. by Mayor Pro-tem Morris.

Solid Waste Management Plan

Connie Wiggins states that the purpose of this meeting is to write the Solid Waste Management Plan and asks for suggestions on how to proceed. The Task Force decides to split up into seven groups and each group write a section of the plan.

After plan was written, the Task Force was instructed that they would have a typed copy of the Plan by the end of the day tomorrow. The next Task Force meeting was scheduled for Monday, February 22, 1993.

Adjournment

Work session adjourned at 10:30 p.m.

Judy Foster

diane spivey

Introduction

In an effort to address increasing solid waste management problems facing many cities and counties in Georgia, the state commissioned a Joint Senate-House Study Committee to evaluate Solid Waste Management in Georgia. The Committee determined that Georgia is facing solid waste management problems stemming from an increase in population and the related increase in solid waste volume without a like increase in solid waste disposal capacity due to siting difficulties, design regulations, and other concerns. This is commonly referred to as the solid waste dilemma. The Georgia Comprehensive Solid Waste Management Act of 1990 evolved from the Joint Senate-House Study.

The Georgia Comprehensive Solid Waste Management Act, passed in 1990 by the Georgia General Assembly requires that all cities and counties be included in and adopt a Solid Waste Management Plan. The Solid Waste Management Plan must provide for future solid waste handling capabilities, disposal capabilities, accurate record keeping and reporting, and a reduction in the per capita solid disposal rate.

This Solid Waste Management Plan provides a Mechanism which will allow Sugar Hill to meet the minimum requirements of the solid waste management planning and enable the City to reduce solid waste by 25%, provide effective solid waste management, and ensure ten years of solid waste disposal capacity. The seven basic elements covered by the Solid Waste Management Plan include the following:

1. Amount of Waste
2. Collection
3. Waste Reduction
4. Disposal
5. Land Limitations
6. Education and Public Involvement
7. Finance and Implementation

A brief description of each element and the goals established for each follow:

AMOUNT OF WASTE

The amount of Waste Element determines the source, composition,, and quantity of the solid waste generated within Sugar Hill. A total of tons of Municipal Solid Waste was generated from within the City during F.Y. 1992. Approximately tons of the MSW was landfilled and tons of MSW was recovered for recycling during F.Y. 1992. Approximately % of the total amount was generated from single family residential sources, the other waste was generated from commercial and industrial, multi-family residential, and

Goal: The City of Sugar Hill will endeavor to determine the amount and composition of solid waste generated within its jurisdiction in order to have a sound information base upon which to base solid waste management decisions and determine if statewide and local goals have been met.

COLLECTION

The collection Element determines and evaluates waste collection techniques, cost of services, equipment utilized for collection of waste, and the number of customers which receive collection service.

The City provides waste collection service for approximately residential customers and approximately multi-family residential and commercial customers. (How is commercial waste handled?)

Basically types of waste collection services exist within Sugar Hill.

1. Residential...Curbside residential collection & miscellaneous
2. Commercial..

The following amounts are charged for residential and commercial collection of waste:

Description	Cost/Month	Type of service
Residential Collection		Once/week curbside waste collection and recycling
Commercial Collection		
Commercial & Industrial		

During the fiscal year 1992, the city utilized the following equipment for collection of waste:

As of , Sugar Hill provides collection of residential municipal solid waste via a contract with Gwinnett Sanitation, Inc. The city intends to utilize contracted waste collection service for the entire planning period.

Goal: Sugar Hill will ensure the efficient and effective collection of solid waste, recyclables and miscellaneous material within its jurisdiction.

WASTE REDUCTION

The Waste Reduction Element describes present reduction efforts within the City, waste reduction options, and planned reduction techniques. Sugar Hill is implementing an integrated approach to solid waste management emphasizing waste reduction through source reduction and recycling.

Presently waste reduction within the city includes voluntary curbside recycling and

Integrated waste reduction techniques available to and encouraged by the City may include the following:

Source reduction and reuse of material before it becomes MSW

Recycling & composting materials

Goal: Sugar Hill will ensure, at a minimum, a 25% per capita reduction by 1996 of the amount of solid waste being received at disposal facilities by promotion of source reduction, reuse, composting, recycling, and other waste reduction programs today and in the future.

DISPOSAL:

The Disposal element evaluates waste disposal facilities used by the city, cost of disposing of waste, and identification of the size and types of handling facilities within the planning area.

Presently Sugar Hill's residential waste collection contractor is Gwinnett Sanitation, Inc. who disposes of all MSW at Button Gwinnett Landfill on Arnold Road in Lawrenceville. Miscellaneous trash collection is provided by the city through city owned equipment and contracted county prisoner labor. Commercial collection is

Disposal capacity assurance at the Button Gwinnett Landfill for adequate and uninterrupted solid waste handling capability and capacity Sugar Hill is demonstrated through a letter of assurance provided by Button Gwinnett Landfill, Inc. This letter demonstrates the 10 year disposal capacity assurance provision required by the minimum requirements of solid waste management planning.

Goal: Sugar Hill will ensure that solid waste treatment and

disposal facilities serving the City meet regulatory requirements and are in place when needed to support and facilitate effective solid waste handling today and for the subsequent 10 year period.

LAND LIMITATIONS

The Land Limitation Element identifies land areas which are unsuitable for the siting of MSW handling facilities. Land use restriction basically fall into two major categories.

1. Zoning and land use restrictions
2. Environmental Land Use Restrictions

Examples of locations which exhibit land use restrictions for the siting of MSW handling facilities include the following:

Zoning and Land Use Restrictions:

Zoning of handling facility must be appropriate .

Existing Land Use must be considered and protected.

Residential areas

Existing Land use must be considered and protected.

Residential areas

Areas of dense population

Parks and open space

Cultural entertainment and recreational areas

Community facilities such as schools and churches

National historic sites and places

Airports

Proximity to adjacent city and county boundaries

Archeological sites

Environmental Land Use restrictions:

Floodlains

Wetlands

Significant groundwater recharge areas

Areas which could effect water resources as determined by hydrological assessment and topography.

Goal: Sugar Hill will ensure that proposed solid waste handling facilities are located in areas suitable for such developments, and are not located in areas identified as having environmental limitations, are located in areas which have no development or land use limitations, and are compatible with surrounding land uses.

FINANCE AND IMPLEMENTATION

The Financing Element discusses various methods used for financing solid waste management services. Sugar Hill finances all solid waste management services through users fees and

Existing, new and proposed solid waste funding sources are identified in the financing section. Possible funding sources for solid waste management include

Future solid waste management services will include educational and administration programs to ensure that the goals of this plan are accomplished.

Goal: Sugar Hill will endeavor to ensure adequate and stable funding for its solid waste management programs.

The Solid Waste Management Plan Implementation Schedule identifies ongoing and proposed solid waste management programs, the expected cost and sources of funding. The implementation schedule should serve as a means of achieving waste reduction of 25% per capita by July 1, 1996. The implementation schedule is flexible and changes to the schedule by the City may be necessary should it be determined that the annual waste reduction goals are not met.

Suggestions ^{and comments} submitted by
Sugar Hill Task Force on
Waste Management

12-15-92

05/06/92

D R A F T

S O L I D W A S T E M A N A G E M E N T P L A N

f o r t h e

C I T Y O F S U G A R H I L L , G E O R G I A

Mayor

George O. Haggard

City Council

Steven Bailey

Reuben Davis

Roger Everett

Thomas Morris

James Stanley

City Manager

Kathy Williamson

INTRODUCTION

The City of Sugar Hill, Georgia, incorporated in 1939, is located in northern Gwinnett county thirty ~~(30)~~ ^{delete} miles northeast of Atlanta. Current population is approximately 5132 people (Table 1) which represents 2250 single family residents and 60 businesses. City limits take in approximately 9.85 square miles. The largest element of growth has been ~~residential~~ ^{delete} however, there currently exists in the city 637 acres of undeveloped commercial property. This report is to address a ten ~~(10)~~ ^{delete} year _{10-year} planning process for the city's solid waste handling.

The past decade has seen considerable awareness and environmental concern relative to solid waste planning and management. The Georgia State General Assembly passed the Comprehensive Solid Waste Management Act in 1990. This act addresses issues of solid waste management planning, waste reduction, conflict resolution and full cost accounting. The basic requirement of the act is that each local government address the following:

- 1). To ^{assure} ~~demonstrate~~ hauling and disposal capacity ^{delete} for solid waste for a minimum of ten ~~(10)~~ years.

- Go place*
- 2). ~~Plan~~ to reduce the solid waste ~~stream~~ by 25% prior to July 1, 1996.
- that is being landfilled*
per person

This planning process, under the direction of the Department of Community Affairs (DCA) will inventory current programs, assess their ability to meet goals and anticipated needs and provide an implementation strategy to assure success.

The basic elements to be addressed are:

- 1). Amount of Waste
- 2). Collection
- 3). Waste Reduction
- 4). Disposal
- 5). Land Limitations
- 6). Education and Public Involvement
- 7). Finance and Implementation

After the city's approval this report will be submitted to the Atlanta Regional Commission (ARC) to satisfy the Comprehensive Solid Waste Management Act's requirement.

The City of Sugar Hill wants to assure hauling and disposal capacity for solid waste for a minimum of ten years and plans to reduce the solid waste that is being landfilled by 25% per person prior to July 1, 1996.

AMOUNT OF WASTE
Inventory and Assessment

✓ The primary sources of solid waste generated within the city of Sugar Hill would include residential, commercial, industrial and sludge (beginning in 1993).

- Residential waste is based upon the actual weighing of trucks which provide backyard pick-up one day per week. These figures are expressed on Table 2 and in 1992 will average 1,927 tons per year. Based on a population of 5,132 persons this converts to 2.0578 lb/person/day. City trucks run weekly and pick up ^{trimmings} excess yard waste, mattresses, and miscellaneous waste not picked up in a rear-load garbage truck. The quantities are detailed on Table 3 and totalled 8,509 yards in 1991. Projecting non-compact miscellaneous yard and household discards at 250 lbs/yard, this would convert to a 1992 anticipated volume of 1.1513 lbs/person/day or 1063.65 tons/year. Combined, this brings residential waste to 2,990.65 tons/year.

- Commercial and Industrial waste is merged ^{delete} together into one category. As of March 1992 these accounts

Note: Comments from the ARC state - that 8 cubic yards per ton is the conversion factor used in table 3 and they feel 4 cubic yards would be more accurate. This could be ^{page 3,} _{his scales at the landfill.}

total 57 businesses. No heavy industry exists within the city and a list of manufacturing companies (totalling 8) is represented on Table 4. These are light industrial businesses (cabinet fabrication) which represent only 5.5% of commercial yardage picked up in the city. Total commercial waste collected as of April, 1992, is 1702 yards/month which would average 3.316 lb/person/day or 3106 tons/year. The projection of these figures is represented on Table 5 .

- Sludge is currently not produced by the City of Sugar Hill. Beginning in 1993 this city's new waste water treatment plant will come on stream. Projected sludge production is represented on Table 6. This facility will come on stream producing approximately .134 lb/person/day, or 135 tons/year. Projecting ten years, the plant's sludge production will grow to annual rates of 1080 tons/year.

Note: The ARC feels ^{the} 6.6 cubic yards per ton being used for commercial waste is too high and could be verified by scales.

ARC offered a table
(next page) which adjusts
per capita waste reduction
rate.

The committee suggests
that the city pursue
joining the county's
composting program.

SUGAR HILL WASTE ESTIMATE 1992-2002
 Projection With 31% Reduction (1992-1996 25% Reduction Goal Plus 6% Sludge Diversion)

	<u>1992</u>	<u>1993</u>	<u>1994</u>	<u>1995</u>	<u>1996</u>	<u>1997</u>	<u>1998</u>	<u>1999</u>	<u>2000</u>	<u>2001</u>	<u>2002</u>
Population ¹	5,132	5,594	6,097	6,610	7,204	7,853	8,560	9,330	10,080	10,987	11,638
P/P/D ^{2/3}	6.52	6.02	5.53	5.03	4.53	4.53	4.53	4.53	4.53	4.53	4.53
T/P/D ⁴	16.7	16.8	16.9	16.6	16.3	17.8	19.4	21.1	22.8	24.9	26.4
T/P/Y ⁵	6,111	6,146	6,153	6,068	5,956	6,492	7,077	7,713	8,333	9,083	9,621
CY/P/Y ⁶	12,222	12,292	12,306	12,136	11,912	12,984	14,154	15,426	16,666	18,166	19,242

TOTAL CUBIC YARD DISPOSAL CAPACITY ASSURANCE REQUIRED 1992-2002 IS 157,506 CUBIC YARDS.⁷

¹ Estimates for 1992-2001 based on Table 10. Year 2002 estimate is 2001 figure plus average annual increase 1992-2001 of 651.

² Pounds per person per day.

³ A 25% reduction of the 6.52 P/P/D rate=4.89. This figure is reduced by an additional .365 P/P/D to account for the amount of sludge disposed 1993-1996. (4.89 - .365 = 4.53).

⁴ Tons per calendar day.

⁵ Tons per year.

⁶ Cubic yards per year: tons times two.

⁷ Based on current day residential to industrial/commercial waste ratios, 49% of capacity would be required for residential waste and 51% of capacity for industrial/commercial waste.

TOTAL ANNUAL TONNAGE OF WASTE
 REDUCTION (DIFFERENCE BETWEEN 6.52 P/P/D
 AND REDUCED ANNUAL DISPOSAL RATE).

<u>Years</u>	<u>Tons</u>
1993	510
1994	1,102
1995	1,797
1996	2,616

FR
 hood

Waste Stream Characterization

The characterization of waste within the city would closely be represented by the national averages which have been established by many studies. Table 7 represents figures derived by Franklin Associates and can also be applied to the City of Sugar Hill. Also represented on Table 8 is the make-up of municipal solid waste stream.

Quantity of Waste Stream

The quantities of waste have been indicated above in the inventory section and are projected as follows:

<u>Category</u>	<u>Pounds/Person/Day</u>	<u>Table Number</u>
<u>Residential</u> Backyard household	2.0578	2
<u>Commercial/Industrial</u>	3.316	5
<u>Yard Trimmings/Miscellaneous</u> City Trucks	1.1513	3
Sludge	.134	6

On the above mentioned tables the projection by waste category and population trends have been made. Table 9 summarizes total city waste in 1992 will be 6,111 tons and will increase to 14,178 tons (2001) ten years later (2001).

Amount of Waste Imported and Exported from the Planning Area

No waste is exported from the City of Sugar Hill. The city landfill is operated, under contract agreement, by Button Gwinnett Landfill. That facility serves all of the city's waste disposal needs and does accept varying amount of waste from outside the city.

Variation in the Waste Stream

When projecting ten (10) years, there is no anticipated radical changes in the city's waste stream. Sludge will increase gradually as the city's waste water treatment plant increases production.

The committee suggests joining the County's Composting Program.

Needs - Goals - Strategy

The city has a need to provide proper handling for the above outlined waste assessment which will grow from 6,111 tons in 1992 to 14,178 tons in the year 2001. The total decade of waste generated will amount to 97,976 tons (Table 9). To accomplish this need the landfill contractor operator, for the city, has submitted for approval to the State of Georgia Department of Natural Resources, a landfill D & O plan that will accommodate 2,937,000 yards or approximately 2.2* million tons of waste. Also the city and Button Gwinnett Landfill, Inc. are currently ~~working on~~ *considering* ~~and disposal~~ *me spec*

Historical data should be used to state the amount of waste imported to Sugar Hill and also future projections. What percent of the landfill will be out-of-city waste?

* During the development of the Regional Plan, a waste disposal rate of 2 cubic yards per page 6-ton was agreed on. The 2.2 million tons represents a conversion factor of 1.3 cubic

joint plan, utilizing contiguous property to increase the disposal area by approximately 2 1/2 times to a total estimated 5.6 million tons. The city's need and goal will be met by this expansion strategy.

Inventory and Assessment

The current collection system in the City of Sugar Hill is sub-contracted until the year 2001 to Gwinnett Sanitation, Inc. ~~delete~~ for residential and commercial/industrial waste collection and hauling. Backyard collection is provided on a once-per-week basis.

In 1992 the company served all 2250 residents and approximately 60 commercial locations. The need for service will be met by this private contract hauler through the following ten ~~(10)~~ ^{delete} years which will expand to approximately 4500 residential units and 125 commercial locations.

Currently, residents are charged \$7.35 per month with annual increases tied to the Atlanta Consumer Price Index, not to exceed 5% per year. By the year 2001 this cost could increase to approximately \$11.61 per month per ^{household} resident.

The City of Sugar Hill wants to ensure an efficient and effective collection system for solid waste, recyclables and compostables.

COLLECTION

The city provides miscellaneous trash pick-ups on two days per week on items that ^{this is one word} ~~can not~~ be hauled by Gw Sanitation, Inc. ^{delete} in a rear-load truck. This service is accomplished by use of city trucks which are part of street and bridge department. These units are not so dedicated to sanitation services and, therefore, are included in this plan. State prison labor is utilized by the city to pick ^{delete hyphen} up the miscellaneous trash.

Cost of city trucks used for trash collection should be shown (percentage?).

Where does the money come from to pay for the trucks used for collection?

How will additional equipment be purchased and paid for?

The present and future cost of yard trimming pick-up should be included.

What is the cost of the prison crew and guard when they are dedicated to trash collection?

The committee feels the material written above should be included in the plan.

Planning has been done for the future and the system currently in place will meet the needs of the city well into the 21st Century.

This paragraph will have more meaning if those things listed on the previous page are addressed.

WASTE REDUCTION

Inventory and Assessment

Newspaper containers have been in place at city hall and are serviced by Southeast Recycling out of Lawrenceville, Georgia. Approximate quantities are provided to the city by the hauler and currently account for about 250,000 pounds per year (Table 11).

Community churches, schools and other groups* and organizations have collection and recycling drives which represent reduction in waste. The city must appoint a coordinator** to obtain figures of these amounts so they can be applied to reduction.

* List out and name these groups

The committee would like to see the city document the recycling of newspapers so that we could get the EPD credit, if it has not already done so.

** How will the coordinator be paid? Could the city not avail itself of the free services offered by Clean and Beautiful?

The City of
wants to
measure at
least 25%
per person
reduction in
the amount of
waste landfilled
and proposes
to do this
through
education of
the public

^{In}
Beginning- late May, 1992, Gwinnett Sanitation, Inc. ^{delete}
will ^{began} ~~begin~~ a voluntary weekly curbside recycling program.
Items collected will ^{are} ~~be~~ newspaper, cardboard, glass, plastic,
ferrous metals and aluminum. Curbside bins will ^{are} ~~be~~ available
to residents for a deposit cost of \$5.00 each. Items can be
co-mingled. Items collected will be ^{weighed} ~~weighted~~ and reports will
be provided to the city or actual tonnage collected.
Materials will be taken and donated to Gwinnett Clean and
Beautiful for separation and resale. Gwinnet Clean and
Beautiful is a non-profit organization dedicated to
environmental education.

As with most municipalities, the City of Sugar Hill has
an abundance of yard ^{trimmings} ~~waste~~. The city owns and operates a
chipper which material can be included in its waste reduction
efforts. At this time all limbs, leaves and some yard ^{trimmings} ~~waste~~
is collected and processed through the city's chipper. The
mulch is then available for residents to use on their gardens
and yards at no cost. Early 1993, the city will begin
mulching much of its fibrous waste. Consideration must also
be given to the possibility of banning all yard ^{trimmings} ~~waste~~ from
the landfill. A mulching process and property to accomplish
same will be negotiated with Button Gwinnett Landfill and
will be in place in 1993.

Could the location of the mulching operation be stated?
Also, the mulch pick-up location for citizens.

The City of Sugar Hill wants to ensure that all solid waste disposal/treatment facilities meet or exceed all federal, state, and local rules, regulations, and requirements and will handle Sugar Hill's waste for a minimum of ten years.

DISPOSAL
Inventory and Assessment

The City of Sugar Hill owns acreage on the northeast edge of the city which is zoned, permitted and dedicated for landfill. Button Gwinnett Landfill, Inc. ^{delete} has a lease of the property and contracts to operate the landfill. Button Gwinnett Landfill, Inc. ^{delete} has submitted to the Environmental Protection Department of the State of Georgia a design and operational plan for continued operation of the city's landfill. This plan will accommodate 2.2 million tons of waste. Projected waste generated by the city for the next decade is just under 100,000 tons, There is substantial space to support this ten-year plan. The 44-acre plot and its Capacity should be spelled out here

The City of Sugar Hill is currently negotiating an agreement with Button Gwinnett Landfill, Inc., to provide disposal services for the next 20 years which will be aided by including contiguous properties owned by both parties totaling an additional 115 acres (approximately).

The city will continue to plan so the needs of the residents, businesses, and the city are being met.

The City of Sugar Hill wants to ensure that solid waste handling facilities are located in areas suitable for such development, compatible with surrounding uses, and are not located in areas with environmental or other developmental land limitations.

LAND LIMITATIONS

The City of Sugar Hill Landfill operated by Button Gwinnett Landfill, Inc. ^{delete} is located on the northeast side of the city. The land currently filled, the land currently under consideration by Georgia E.P.D., and an additional 95 acres owned by both parties which is currently being negotiated for additional expansion has no limitation. Proper buffering of this facility consistent with State and Federal regulations will satisfy boundary limits.

ARC would like to see this section expanded to include all solid waste handling facilities (transfer stations, recycling centers, etc).

The out-landfill committee would like to see the possible speed federal guidelines,

The out-Planning and Zoning Committee would like to see the provide an ordinance on a landfill in Sugar Hill or a one does not exist.

The City of Sugar Hill wants to increase citizen understanding and awareness of social and environmental issues, problems, concerns, and needs associated with solid waste management.

EDUCATION AND PUBLIC INVOLVEMENT

Solid waste management problems have been in the forefront in the past several years. Newspapers and news media are all highlighting issues concerning the environment. An effective education program should help residents understand environmental concerns such as littering, recycling, waste reduction, composting and mulching and landfilling.

Although the city has no education program set in place, it should work closely with Gwinnett Clean and Beautiful in setting these objectives. Their educational materials, which include various flyers, brochures, fact sheets, films and advertisement.

Gwinnett Clean and Beautiful has
page 11.

Through the city newsletter, educational school programs and public meetings, the city must encourage the residents and businesses to become active in order to meet the primary objective set forth in the Comprehensive Solid Waste Management Act of achieving the 25 percent waste reduction by 1996.

This section could show how the city would develop its education program — e.g., the newsletter could give information on how to avoid premature filling of the landfill. It could show what programs are now in effect.

Because of the volume of yard trimmings, it could provide educational material on composting.

This information could be obtained from the U. G. A. Extension Service.

The City of Sugar Hill wants to achieve a balanced and affordable solid waste management plan which meets the needs of the community and meets or exceeds the requirements of the State Solid Waste Management Act.

FINANCE AND IMPLEMENTATION

In 1991, the audited results for all sanitation services within the City of Sugar Hill produced revenue of \$236,759 as opposed to expense of \$261,230. This generated a deficit of \$24,471 from mid 1990 to the current date the landfill volume has slowed as the city and Button Gwinnett Landfill await approval for landfill expansion of an additional 46 acres which will accommodate 2.2 million tons of waste. This approval is expected by mid 1992. Resumption of tipping activities along with the current percentage arrangement will allow the city sanitation services to operate in the black.

7
mid-1990
?

The surcharge ordinance which has been passed, effective 01-01-92, projected on the above mentioned volumes will generate \$2,200,000 in revenue alone. Additionally, the City of Sugar Hill is negotiating an agreement with Button Gwinnett Landfill, Inc. ^{delete} which will include contiguous properties owned by both parties totalling an additional 115 acres (approximately).

Could the surcharge be increased?

SUMMARY

The intent and purpose of this report is to meet the State and the Department of Community Affairs requirement for the City of Sugar Hill local solid waste management plans as set by the Georgia Comprehensive Solid Waste Management Act.

- Amount of Waste

The total tons of waste generated by the city in 1992 is projected to be 6,111 tons in 1992. This will increase to 9,126 tons in 1996 and in ~~ten~~^{ten} years will total 14,178 in the year 2001 (Table 9).

- Collection

The collection of the waste stream is contracted to Gwinnett Sanitation, Inc. ~~and~~^{delete} G.S.I., Inc. The agreement with this private hauler has been in place since January 1, 1986, and extends to the year 2001. Service levels have been good and the agreement works well for both parties.

ARC states that the amount of waste estimate for 1996 does not reflect a reduction of 25%. They offer a waste reduction strategy.

See page 14 A

Waste Reduction Strategy

Newspaper	2.1%	reduction
Curbside	2.6%	"
Yard Trimmings	5.6%	"
Mulching	10.6%	"
Commercial	4.1%	"

Reduction total

25%

(Total does not include sludge management alternatives)

- Waste Reduction

Current collection of newspaper by Southeast Recycling totals approximately 126 tons per year. Curbside household recycling ^{began in} beginning May, 1992, ^{and} at maturity should yield a reduction of approximately 160 tons in 1993. Yard waste ^{trimmings} is projected to be 17.6% of the 1927 tons picked-up annually. An ordinance restricting yard ^{trimmings} waste can produce 345 tons of material for mulching. In 1991 city trucks hauled 1,078 tons of material to the landfill of which approximately 60% can be processed for mulch yield a reduction of 647 tons per year. The above figures represent a reduction of 1277 tons towards a need of 1528 tons.

The cost of mulching should be included

Encouraging commercial and industrial, ^{possibly} possibly through incentive, and gathering figures from churches, schools and other organizations will help with the balance of 251 tons.

Spell out how this goal will be obtained who will carry it out; how much will it cost?

- Disposal

Expansion approval will yield 2.2 million tons of available space to meet a ten (10) year need of less than 100,000 tons. Ten-year

This section should show existing and planned capacity, outlining a capacity percentage reserved for Sugar Hill and a percentage capacity for [unclear] districts.

This section should address the entire city and not just the area of the landfill

Land Limitations

In the area where the landfill is located on the Northeast side of the city, ^{there} these are no land limitations.

Job description of the coordinator is included. Also budget for this position.

Education and Public Involvement

It will be necessary for the city to appoint an individual to make recommendations, involve the community and businesses and track progress in this plan.

Implementation and Financing

The \$1.00/ton surcharge will adequately fund this solid waste management plan. Implementation and follow-through would be the responsibility of the persons appointed or employed by the City of Sugar Hill.

Does the \$1 surcharge adequately fund this plan?

CITY OF SUGAR HILL, GEORGIA
SOLID WASTE MANAGEMENT PLAN IMPLEMENTATION STRATEGY

SOLID WASTE PLAN ELEMENTS	TEN YEAR PLAN										WHO?	\$ Dollars	Possible Funding Sources				
	1	2	3	4	5	6	7	8	9	10			County	City	State Fed'l	Private	
COLLECTION																	
Gwinnett Sanitation, Inc., (contract private hauler) will provide one per week backyard residential service												private	City charges \$7.35/mo/home \$198,450/yr Hauler bill at \$8.05/mo.				
G.S.I., Inc., (contract private hauler) will provide as need service to all commercial & industrial business in the city												private	\$4,685/mo Bill to commercial user				
City utility trucks will provide "as needed" service to residents & businesses for special waste requirements not handled by contract hauler												city	Maintenance \$300/mo.				
Gwinnett Sanitation, Inc., will provide curbside recycling on a once per week basis beginning 5/23/92, glass, plastic, newspaper, cardboard, aluminum & ferrous will be hauled to GC&B.												private	\$2.00/home/mo. \$4,400/mo.				
Southeast Recycling will continue to provide pick-up of newspaper drop-off boxes												private	n/a				
G.S.I., Inc., will provide hauling of sludge from city waste water treatment plant to landfill												private	To be negotiated				
Monitor the effectiveness of all collecting systems on an annual basis												city	n/a				

CITY OF SUGAR HILL, GEORGIA
SOLID WASTE MANAGEMENT PLAN IMPLEMENTATION STRATEGY

SOLID WASTE PLAN ELEMENTS	TEN YEAR PLAN										WHO?	\$ Dollars	Possible Funding Sources			
	1	2	3	4	5	6	7	8	9	10			County	City	State Fed'l	Private
<p>WASTE REDUCTION</p> <p>Gwinnett Sanitation, Inc., (contract private hauler) will begin weekly curbside collection of co-mingled material (5/23/92)</p> <p>Southeast Recycling continues serving newspaper boxes</p> <p>City to continue chipping activities of branches and heavy yard debris</p> <p>In conjunction with Button Gwinnett Landfill property will be set aside to accomplish mulching of yard waste</p>											private	\$2.00/home/month \$4,400/month		*		
											private	n/a				*
											city	Prison labor \$2,333/month		*		
											private	To be negotiated				*

CITY OF SUGAR HILL, GEORGIA
SOLID WASTE MANAGEMENT PLAN IMPLEMENTATION STRATEGY

SOLID WASTE PLAN ELEMENTS	TEN YEAR PLAN										WHO?	\$ Dollars	Possible Funding Sources			
	1	2	3	4	5	6	7	8	9	10			County	City	State Fed'l	Private
DISPOSAL																
Button Gwinnett Landfill, Inc.:																
Lease payments on 46 acres	—————>										private	\$22,080/yr				*
Lease payments on 25 acres	—————>										private	\$12,000/yr				*
\$1.00/ton surcharge on incoming waste anticipated in 1992	—————>										private	\$ 7,200/mo (4 months)				*
5% of first 10,000 yards	—————>										private	\$ 2,500/mo (4 months)				*
15% of excessive yards	—————>										private	\$14,100/mo (4 months)				*
Total rebate for all 1993 including \$1.00 surcharge + 5% on first 10,000 yards + 15% on remaining yards equal	—————>										private	\$26,890/mo (\$312,680/year)				*
1994 landfill expansion will rebate to city enough funds to support entire sanitation program											private	----				*

CITY OF SUGAR HILL, GEORGIA
SOLID WASTE MANAGEMENT PLAN IMPLEMENTATION STRATEGY

SOLID WASTE PLAN ELEMENTS	TEN YEAR PLAN										WHO?	\$ Dollars	Possible Funding Sources			
	1	2	3	4	5	6	7	8	9	10			County	City	State Fed'l	Private
EDUCATION & PUBLIC INVOLVEMENT																
Quarterly newsletter from city											city		*			
In-school instruction on recycling provided by Gwinnett Sanitation and Gwinnett Clean & Beautiful											private				*	
Periodic mailings by Gwinnett Sanitation											private				*	

L I S T O F T A B L E S

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T A B L E 1

CITY OF SUGAR HILL

Population Statistics & Projections, Sugar Hill, Georgia

<u>Year</u>	<u>Population</u>	<u>Percent Change</u>
1970	1,745	-
1980	2,340	34.0
1990	4,557	94.7
1991	5,132 est.	12.6
1992	5,132 est.	-
1995	6,610 est.	28.7
2000	10,080 est.	52.4
2005	15,360 est.	52.3
2010	23,500 est.	52.9

SOURCE: U.S. Bureau of the Census, 1970-1990.
 Mayes, Sudderth & Etheredge, Inc., 1992
 City of Sugar Hill Comprehensive Plan, 1992

T A B L E 2

CITY OF SUGAR HILL

Backyard Household Waste Pick-Up by Contract Hauler

YEAR: 1991

<u>MONTH</u>	<u>TONS</u>
January	158.45
February	158.45
March	158.45
April	158.45
May	158.45
June	158.45
July	158.45
August	158.45
September	158.45
October	158.45
November	191.20
December	141.50

YEAR: 1992

January	165.50
February	135.60

2,218.30 TOTAL

Actual scaled waste from backyard pick-up were obtained in late 1991 and early 1992. The average waste collected is 158.45 tons/month, approximately 2.05 lb/person/day or 1927 tons/year.

T A B L E 3

CITY OF SUGAR HILL
Landfill tipping of City Truck

YEAR: 1991 (actual)

<u>MONTH</u>	<u>YARDS</u>	<u>TONS/MONTH</u>
January	346	43.25
February	506	63.25
March	614	76.75
April	1160	145.00
May	713	89.12
June	840	105.00
July	1225	153.12
August	745	93.12
September	522	65.25
October	809	101.15
November	614	76.75
December	415	51.89
<hr/>		
TOTALS:	8509	1063.65

Based on an average of 250 lbs per yard, this converts to 1.1513 lbs per person per day. Waste picked up by city trucks includes branches, limbs, heavy yard waste, furniture, mattresses, etc. It is estimated that approximately 60% of this material could be mulched, which could apply toward 25% waste reduction.

T A B L E 4

CITY OF SUGAR HILL INDUSTRIAL FABRICATION

1992

<u>COMPANY</u>	<u>EMPLOYEES</u>	<u>PRODUCTS</u>	<u>POSSIBLE RECYCLABLES</u>
Bailey's Cabinet Shop	89	wood	saw dust, wood
Hill Cabinet Shop	24	wood	saw dust, wood
Nu-Air Company	31	aluminum	aluminum
Riverside Cabinet Shop	23	wood	saw dust, wood
H & H Custom Woodwork	10	wood	saw dust, wood
Marine Trailer, Inc.	12	boat trailers	metal
Roberts Custom Cabinets	--	wood	saw dust, wood
P & H Custom Wood Work	--	wood	saw dust, wood

T A B L E 5

CITY OF SUGAR HILL
Projected Commercial & Industrial Waste

<u>Year</u>	<u>Total yards/month</u>	<u>Tons/Year</u>
1992	1,702	255.3
1993	1,854	278.1
1994	2,021	303.1
1995	2,191	328.6
1996	2,388	358.2
1997	2,604	390.6
1998	2,834	425.1
1999	3,093	463.5
2000	3,342	501.3
2001	3,643	546.4

Based on 300 lb/yard of non-compacted waste picked up on commercial routes. These figures average 3.316 pounds per person per day. Figures for 1992 are actual and all subsequent figures are projected on population increases.

T A B L E 6

CITY OF SUGAR HILL PROJECTED SLUDGE WASTE

<u>YEAR</u>	<u>POUNDS/DAY</u>	<u>POUNDS/PERSON/DAY</u>	<u>TONS/YEAR</u>
1992	0	0	0
1993	750	.134	135
1994	1500	.246	270
1995	2250	.340	405
1996	3000	.416	540
1997	3600	.4584	648
1998	4200	.4906	756
1999	4800	.5144	864
2000	5400	.5359	972
2001	6000	.5460	1080

T A B L E 7

CITY OF SUGAR HILL

Characterization of Municipal Solid Waste

<u>Wastestream Component</u>	<u>National Average</u>
Paper & Paperboard	41.1 %
Yard Waste	17.9 %
Glass	8.2 %
Metals	8.1 %
Rubber, leather, textiles	8.1 %
Food waste	7.9 %
Plastics	6.5 %
Miscellaneous Organic waste	1.6 %

SOURCE: Characterization of MSW in the United States
1960-2000; Franklin Associates, Ltd. 10/19/89
Prepared for the U.S. Environmental Protection
Agency.

T A B L E 8

CITY OF SUGAR HILL
Municipal Solid Waste (MSW) Source

<u>CATEGORY</u>	<u>SOURCE</u>	<u>WASTE TYPE</u>
Residential	Household Yard	glass, plastic, paper, aluminum, food, yard- waste, appliances, misc.
Commercial	Retail, Restaurants, Office	paper products, plastic, food, aluminum, glass
Industrial	Manufacturing & Processing	wood, metal, paper- products, sludges
Miscellaneous/Other	Institution, Construction & Demolition (C&D)	wood, brick, block, roofing, food, plastic, glass, etc.
Sludge	Water waste- treatment plant	sludge

T A B L E 9

CITY OF SUGAR HILL
Tons of Waste Per Year

*ARC wants to see
the heading say
Does Not Include 25% Reduction*

<u>Year</u>	<u>Residential</u>	<u>Commercial & Industrial</u>	<u>City Trucks</u>	<u>Sludge</u>	<u>TOTAL</u>
1992	1,927	3,106	1,078	0	6,111
1993	2,101	3,385	1,175	137	6,798
1994	2,290	3,690	1,281	274	7,535
1995	2,483	4,000	1,389	411	8,283
1996	2,706	4,359	1,514	547	9,126
1997	2,949	4,753	1,650	657	10,009
1998	3,215	5,180	1,799	766	10,960
1999	3,504	5,646	1,960	896	11,986
2000	3,786	6,100	2,118	985	12,989
2001	4,126	6,649	2,308	1,095	14,178

97,976 TONS

T A B L E 1 0

CITY OF SUGAR HILL
Pounds of Waste/Person/Day

*ARC wants to see
 person/day
 deleted*

<u>Year</u>	<u>Population</u>	<u>Residential</u>	<u>Commercial & Industrial</u>	<u>City Trucks</u>	<u>Sludge</u>	<u>TOTAL</u>
1992	5,132	10,561	17,017	5,908	0	33,486
1993	5,594	11,512	18,549	6,440	750	37,251
1994	6,097	12,547	20,217	7,019	1500	41,283
1995	6,610	13,603	21,918	7,610	2250	45,381
1996	7,204	14,825	23,888	8,294	3000	50,007
1997	7,853	16,161	26,040	9,041	3600	54,842
1998	8,560	17,616	28,384	9,855	4200	60,055
1999	9,330	19,201	30,938	10,742	4800	65,681
2000	10,080	20,744	33,425	11,605	5400	71,174
2001	10,987	22,611	36,432	12,649	6000	77,792

Revenues are based on
both tons and yards.

It should be consistent.

Tons may be more
easily understood.

MAYOR & COUNCIL MEETING
MONDAY, MARCH 8, 1993
7:30 P.M.

A G E N D A

Meeting called to order.
Invocation and pledge to the flag.
Reading of past minutes.

Committee Reports

- A) Planning & Zoning Board
- B) Appeals Board
- C) Recreation Board
- D) Budget & Finance

Old Business

- A) Presentation of Solid Waste Management Plan Draft
- B) Bond Refinance
- C) Inspections Department - Schedule of Fees

New Business

- A) 1992 Audit Presentation
- B) 3-Way Stop at Entrance to Sugar Crossings Subdivision
- C) Employees Support Group

City Manager's Report

- A) ICMA Exchange Program

City Clerk's Report

Director of Golf's Report

Council Reports

Citizen's Comments

Adjournment

MAYOR & COUNCIL MEETING
MONDAY, MARCH 8, 1993
7:30 P.M.

M I N U T E S

Notice posted at 12:00 p.m. on Friday, March 5, 1993 at City Hall.

In attendance: Mayor George Haggard and Council Members Thomas Morris, Steve Bailey, Reuben Davis, Roger Everett and Jim Stanley.

Meeting called to order at 7:30 p.m. by Mayor Haggard.

There was a silent invocation followed by the pledge to the flag led by Mayor Haggard.

Minutes

Council Member Everett moves to approve last month's minutes as written. Second to the motion by Council Member Morris. Vote unanimous.

Planning & Zoning Board

Council Member Stanley reports that the Board appointed Jay Asgari as Chairman and Gary Chapman as Vice Chairman of the Planning & Zoning Board. Mr. Stanley states that there is a sight distance problem at Sugar Crossing Lane and Austin Garner Road which is on the Council's agenda later. There was also discussion held concerning buffer requirements and these matters were tabled for further review.

Appeals Board

Council Member Stanley reports that the Board appointed Ed Phillips as Chairman and Bob Karsten as Vice Chairman of the Appeals Board. Mr. Stanley states that Gwinco Muffler was granted a variance for a sign which is 16 square feet per side beyond the allowable square footage. Refer to minutes.

Recreation Board

Council Member Davis reports that spring softball leagues begin next week with 30 teams participating. The Little Miss Sugar Hill Pageants will be held on April 24, 1993 in the North Gwinnett High School auditorium. He reports that Jody Banks is in charge of this project this year and proceeds will go to benefit the park. Mr. Davis thanks City Manager Kathy Williamson for her help to the Recreation Board with projects at the park.

Budget & Finance

Director of Finance Sandy Richards states that February was a good month which made a net income of over \$100,000. Refer to

SA

**MAYOR & COUNCIL MEETING
MONDAY, MARCH 8, 1993
MINUTES, CONT'D.
PAGE 2**

report. She reports that the city's cash balance is over \$289,000 and \$50,000 was spent out of GEFA funds for the continuing construction of the wastewater treatment plant in February.

Presentation of Solid Waste Management Plan Draft

Council Member Morris states that the Mayor and Council has been given a copy of draft #2 of the proposed Solid Waste Management Plan as submitted by the Solid Waste Task Force. Mr. Morris reads a letter submitted by Steven O'Day, the environmental attorney the task force hired, and gives the Mayor and Council a copy of it. Refer to letter. Mr. Morris states that the Mayor and Council will review this Plan and the next step will be to hold a public hearing which will be advertised in the paper in a week or two. Mr. Morris states that once the public hearing has been scheduled, copies of the Plan will be available for the public to pick up at city hall. Council Member Bailey thanks the task force members for their efforts in this difficult task. Council Member Bailey moves to dissolve the Solid Waste Task Force since they have completed their task. Second to the motion by Council Member Davis. Vote unanimous. Council Member Morris also thanks the task force for their dedicated efforts.

Bond Refinance

Director of Finance Sandy Richards states that she would like to bring the Mayor and Council up to date on the progress of the bond refinancing. She states that since this process began, rates have dropped even more which is to our advantage. She reports that by refinancing these bonds, the city is saving over one million dollars. Mrs. Richards reports that the insurance carrier has changed from MBIA, who was the insurance carrier on the original bond issue, to FSA, Financial Securities Assurance, who submitted a lower bid than MBIA, which also adds to our savings. Mrs. Richards reports that with this new structure, the city would be putting aside 40% into a debt service reserve account which will be funded over a 5 year period. This comes to \$320,000 at the end of 5 years which is \$5,000 per month out of cash flow. She states that the other 60% will be funded with the surety bonds from FSA. Mrs. Richards states that she has given the Mayor and Council a memo with the cash flow change that includes the debt service reserves and there is hardly a change at all to the cash flow. Mrs. Richards states that Sara Findley is present from Kutak Rock, the bond counsel for the refinance, to let you know what steps need to be taken now.

Sara Findley states that the city has lost time with the closing transactions, however, it has been to the city's advantage. She states that the city adopted a bond ordinance in January,



**MAYOR & COUNCIL MEETING
MONDAY, MARCH 8, 1993
MINUTES, CONT'D.
PAGE 3**

however, with the insurers changing, FSA has required additional provisions be added to the bond ordinance. Therefore, the first step is to adopt a new bond ordinance which will replace the ordinance adopted in January. She states that they anticipate closing on the bond refinancing before the end of March. Ms. Findley states that she would like for the Council to approve the bond ordinance tonight and authorize the Mayor to sign the petition and complaint for the validation proceeding to take place. Ms. Findley states that once the validation papers have been signed, a date will be set for the validation hearing. The date of this hearing has to be advertised in the paper for two consecutive weeks prior to the hearing. Before the validation hearing, there will have to be a Called Council Meeting regarding this matter.

Ms. Findley asks if anyone has any questions? Council Member Stanley asks if these type bonds can be refinanced again in the future. Ms. Findley states yes, they can be refinanced again because there are provisions for the payment of the 1989 bonds and they are issuing all new bonds under the new bond ordinance and for this reason the city would have the option in the future to refinance the 1993 bond issue. Ms. Findley states that the bond ordinance specifically states that the bonds can be paid off early.

Council Member Stanley asks if the city can issue parity bonds if they satisfy the 115% coverage requirements. Ms. Findley states yes, but there are two conditions in the documents. One condition is the coverage requirements and the other is that the city would have to get consent from FSA as the bond insurer. Mr. Stanley asks what is involved with that. Ms. Findley states that the city would have to establish that you need the coverage test and ask for FSA's consent and it would be to their discretion if they felt comfortable whether additional bonds could be issued. Ms. Findley states that this is a standard requirement for parties that provide this type of insurance.

Council Member Stanley asks what is it exactly the city is buying for that insurance. Ms. Findley states that the city gets a couple of benefits from the insurance. One benefit is that it is an absolute insurance policy that is not subject to being revoked. It absolutely insures all payments of principle and interest on a timely basis for the bonds. Ms. Findley states that another short term benefit is that FSA has a AAA rating and this allows Southtrust Securities to sell the bonds at a much more desirable rate. Mr. Stanley asks if the insurance policy is paid all up front. Mrs. Richards states that she believes this

(A)

**MAYOR & COUNCIL MEETING
MONDAY, MARCH 8, 1993
MINUTES, CONT'D.
PAGE 4**

is a one time expense, but she will have to ask Kendall Holman with Southtrust Securities, who is running late, regarding this matter.

Council Member Stanley asks why are we borrowing an additional million dollars with this bond refinance. Ms. Findley states that actually you are not borrowing \$8.5 million. She states that it is stated in the bond ordinance that they have the authority to issue up to that amount, however, it will actually be right at or just under \$8,000,000, which will be sufficient to refinance and pay all costs involved with the refinance. Mr. Stanley states so the city does not plan to borrow \$8.5 million dollars, only enough to pay off the bonds and the costs of doing so. Council Member Bailey states yes, this is correct. Mrs. Richards states that she will have Mr. Holman explain this to Mr. Stanley.

Council Member Stanley asks if these are 15 year bonds or 20 year bonds. Ms. Findley states that there are some serial bonds and some term bonds which will come due at different times, however, the majority of the bonds will come due in the year 2006.

Ms. Findley gives the new bond ordinance to finance liaison Council Member Bailey for him to review the clean up changes which are underlined. Ms. Findley reviews the changes with the rest of the Mayor and Council. Council Member Bailey moves to adopt the bond ordinance submitted by Ms. Findley. Second to the motion by Council Member Morris. Council Member Everett asks if the bond ordinance is adopted tonight, will these rates be locked in. Ms. Findley states no, the rates will be locked in once Southtrust Securities prices the bonds which should be sometime this week. Council Member Everett abstains from voting. Vote unanimous.

Director of Finance Sandy Richards states that once Kutak Rock has confirmed the city to be a qualified reimbursement, she plans to put the \$700,000 from closing into an investment account. Mrs. Richards states that if the Mayor and Council have any further questions, she will have Kendall Holman call them.

Presentations to City Employees

City Manager Kathy Williamson states that Tony Bauman has recently received his certification as building inspector and she is very proud to have him as the city's chief building inspector. She presents him with his certificate.

(7A)

**MAYOR & COUNCIL MEETING
MONDAY, MARCH 8, 1993
MINUTES, CONT'D.
PAGE 5**

Mrs. Williamson also presents certificates to Wade Queen, Jeff Hefner, Ken Crowe and Sandy Richards for their completion of level one in the management course through the University of Georgia.

Inspections Department - Schedule of Fees

City Manager Kathy Williamson states that the Mayor and Council was given this fee schedule last month to review which shows how our rates compare with other cities in the area. She states that Tony Bauman, Chief Building Inspector, is present to answer questions. Council Member Bailey asks if the demolition rate in the fee schedule is a flat rate? Mr. Bauman states yes it is. Council Member Stanley states that he just received this information and he would like more time to review the fee schedule. Mrs. Williamson states that this item was tabled from last month for review, however, if the Council needs more time to review the fee schedule, it is fine. Council Member Bailey moves to adopt the proposed fee schedule as presented by Mr. Bauman. Second to the motion by Council Member Davis. Vote unanimous.

Mayor Haggard asks if the Council agrees to discuss item "C" under Old Business at this time. There was general consensus to do so.

Employee's Support Group

City Manager Kathy Williamson states that the employees voted to form a support group where employees could voluntarily make payroll deducted contributions to put into a fund for use by employees who need assistance during emergencies. Tony Bauman, Chairman of this support group reviews the plans of the group. He states that after discussing this matter with the City Attorney, Mr. Thompson advised the group to become incorporated because it needed to be an entire separate affair from the city. They are in the process of incorporating the group which will officially be called the Sugar Hill Employee Support Group, Inc. Mr. Bauman states that assistance would vary from babysitting to monetary assistance. City Attorney Lee Thompson states that this is a legitimate program, however, it does need to be kept separate from city affairs and it cannot be mandatory for employees to participate. Mr. Thompson states that he has offered to provide free services to the group if needed. Council Member Morris thanks Mr. Thompson for his generosity.

Bond Refinance, Continued

Director of Finance Sandy Richards states that Kendall Holman with Southtrust Securities has just arrived and informs him that Council Member Stanley had two specific questions. Mrs. Richards states that the first question was is the FSA premium a one time



MAYOR & COUNCIL MEETING
MONDAY, MARCH 8, 1993
MINUTES, CONT'D.
PAGE 6

charge to be paid up front. Mr. Holman states yes it is a one time charge to be paid up front. Mrs. Richards states that his second question was that he feels the city is going into additional indebtedness and our debt service will be greater. Mr. Holman states that the debt service on the 1993 bond issue will be about \$30,000 less than the original 1989 bond issue and explains why. Discussion held on this matter. Mr. Holman asks the Mayor and Council to contact him if they have any further questions.

1992 Audit Presentation

Director of Finance Sandy Richards hands out a copy of the first 14 pages of the audit. She states that the printer should have the bound copies completed by the end of next week. Mrs. Richards introduces Jimmy Whitaker, who is the city's auditor for 1992. Mr. Whitaker thanks the city employees for their assistance in the preparation of this audit. He reviews the highlights of the audit and states that there was a positive cash flow for the year and the city was run in an efficient manner. Refer to hand out. Mr. Whitaker states that he will be happy to answer any questions the Mayor and Council may have after they have reviewed the audit.

3-Way Stop at Entrance to Sugar Crossings Subdivision

Director of Utilities & Development Ken Crowe states that Gwinnett County has approached the city regarding a sight distance problem at the entrance of Sugar Crossings Subdivision off Austin Garner Road. He states that he received a letter from the county asking that the intersection at the entrance be made a temporary 3-way stop until the other entrance is constructed then they are requesting the entrance at Austin Garner Road be closed. Refer to letter. Council Member Bailey asks what this will cost the city. Mr. Crowe states that the city will not bear any expense because the developer will pay for the other entrance which was a part of their original plans, and the county will pay for the hammerhead and barricade and stop signs for the intersection. Mr. Crowe states that all county departments are recommending this. Council Member Morris moves to authorize the county to make this intersection a temporary 3-way stop until the other entrance is built, then close the road. Second to the motion by Council Member Everett. Council Member Stanley asks if a public hearing has to be held in order to close a road. City Attorney Lee Thompson states that there does not have to be a public hearing to close a road. Actually, the road will not be closed, it will only be made into a dead end. Vote unanimous.



**MAYOR & COUNCIL MEETING
MONDAY, MARCH 8, 1993
MINUTES, CONT'D.
PAGE 7**

ICMA Exchange Program

Mayor Haggard reads a letter from the ICMA which congratulates City Manager Kathy Williamson and the city for being chosen to participate in the 1993/94 International Management Exchange Program with Mr. Allan Robert Bawden of Australia. Refer to letter. Mrs. Williamson is asking the Mayor and Council to host Mr. Bawden in September for 2 weeks to have interaction with our residents and Mayor and Council and stay in her home at her expense and attend the Annual ICMA Conference in Nashville, Tennessee. Mrs. Williamson states that she has also been appointed President of the North Gwinnett Kiwanis Club which will require some of her time. Mayor Haggard states that it is an honor to have our City Manager be selected for each of these duties. Mrs. Williamson states that she plans to utilize 5 days of her vacation to attend the International Kiwanis Conference in Neese, France in July. Council Member Morris moves to host Mr. Bawden in September for this exchange program. Second to the motion by Council Member Bailey. Council Member Stanley asks what costs will the city incur for this program. Mrs. Williamson states that the city will need to pay for both their attendance to the Annual ICMA Conference in Nashville and she will come back to the Council at that time to have those funds approved. Mrs. Williamson states that if the city is not willing to fund this, she will do so out of her own pocket because she feels that it is that important for the city. Council Member Bailey states that it is not only an honor for Mrs. Williamson but for the entire city and the city should support her in this endeavor. Vote unanimous.

Director of Golf's Report

Director of Golf Wade Queen states that the golf course has again exceeded his expectations by 3 times the number of rounds he had anticipated. Mr. Queen states that good weather has helped with this. He states that the golf course had their first tournament this past weekend and have several more scheduled throughout the year. Mr. Queen states that the sign at the golf course entrance should be completed within the next couple of weeks. He states that they are saving approximately \$15,000 on this project by utilizing in house labor.

Council Reports

Council Member Stanley states that the Solid Waste Task Force has submitted a draft form of the Solid Waste Management Plan and some revisions have been requested. He states that those changes will have to be incorporated by the Council and he suggests when a final draft is acceptable by the Council, have Steven O'Day review the specific sections he has been asked to review in the

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MAYOR & COUNCIL MEETING
MONDAY, MARCH 8, 1993
MINUTES, CONT'D.
PAGE 8

past. He states that we are far from being done. Mr. Stanley suggests having a work session to incorporate these ideas into the Plan.

Mayor Haggard asks if the Hawthorne's problem has been corrected. City Manager Kathy Williamson states that the city has contacted Mr. Chandler at the church and they are working on correcting the problem.

Mayor Haggard states that the city is doing all they can do about the burglaries in the area, however, he suggests residents contact your county commissioners since the county patrols the city. City Manager Kathy Williamson states that she and the City Marshall have met with Gwinnett County and residents from a few of the subdivisions to set up Neighborhood Watch Programs. Mrs. Williamson states that the city is doing anything they can to help and Gwinnett County does have 2 suspects in the burglaries.

Citizen's Comments

Diane Spivey, of 5647 Pinedale Circle, and former member of the Solid Waste Task Force, states that she resents the fact that the press reported in an article in today's paper that the task force cost the city \$10,000 in legal fees when in actuality they saved the city \$10 to \$20 million in liabilities and litigation and this is what should be emphasized. She also states that the task force made no "demands" only requests. She states that the task force did not distrust City Attorney Lee Thompson, they needed an environmental specialist who would not be biased and she feels this needs to be corrected. Mrs. Spivey gives her personal opinion regarding the city's Solid Waste Management Plan.

Charles Spradlin, of 5635 Austin Garner Road, states that he was the only negative vote on the task force for sending this draft to the Mayor and Council. He states that the reason he voted against this Plan was because the majority of the citizens stated at the public information meeting that they would be willing to incur liability costs by closing the landfill. He states that their request was ignored. Mr. Spradlin gives his personal opinion regarding the procedure the city has gone through in trying to adopt a Solid Waste Management Plan. Mr. Spradlin excludes Council Member Stanley from his comments.

Laurie Henritze states that she would like to clarify a statement made in an article in the paper. Mrs. Henritze states that she is Chairman of the citizens group on the Facility Issues Negotiations Committee and she states that it is not the intent of the committee to re-negotiate the contract with the landfill



MAYOR & COUNCIL MEETING
MONDAY, MARCH 8, 1993
MINUTES, CONT'D.
PAGE 9

operator. She states that this is what was reported and is incorrect. Mrs. Henritze states that the purpose of the committee only relates to the pending expansion application at EPD and does not have anything to do with the contract with the landfill operator. She states this is two different issues.

Bill Payer, of 4860 Parkview Mine Drive, states that the word "vigilante" was used in the newspaper article today. He states that this mentality is unfortunate and is the cause of most of the problems the task force incurred. He states that the task force had a very difficult task to complete and there was a lot of hard work involved in the completion of its task.

Shelia Hines, of Princeton Oaks Subdivision, states that the Mayor is the least qualified person to comment to the press on the task force since he never attended a single meeting.

Gail Kelly, of Parkview North, asks if by agreeing to participate in the ICMA Exchange Program, does this mean the city will fund the expense of the City Manager going to Australia. City Manager Kathy Williamson states that she has applied for scholarship funds and if these are not approved, she will fund the trip herself.

Adjournment

Council Member Morris moves to adjourn the meeting. Second to the motion by Council Member Everett. Vote unanimous.

Meeting adjourned at 9:05 p.m.

Judy Foster

PLANNING & ZONING BOARD MEETING
MONDAY, FEBRUARY 15, 1993
7:30 P.M.

M I N U T E S

Attendance:

Present: Board Members - Jay Asgari, Granville Betts, Gary Chapman, Bob Parris, Edward Shoeck and Liaison Jim Stanley.

Pledge to the flag.

Appoint Chairman

Board Member Ed Shoeck nominates Board Member Jay Asgari as Chairman of the Planning & Zoning Board. Board Member Gary Chapman seconds the motion. Vote unanimous.

Appoint Vice Chairman

Chairman Jay Asgari nominates Gary Chapman as Vice Chairman of the Planning & Zoning Board. Vote unanimous.

Meeting called to order at 7:37 p.m.

Reading and Approval of Previous Minutes

Minutes from the November 16, 1993 meeting were not available to read and approve. They will be available to read and approve with the current minutes at the next monthly Planning & Zoning meeting.

Diane Spivey-Discussion of Solid Waste Management Issue

Diane Spivey states that the Task Force was concerned about new state regulations requiring 500 foot buffers on the landfill site. She states that old regulations require 100 foot buffers. She states that the Task Force wanted the new regulations requiring 500 foot buffers. EPD informed Diane Spivey that an ordinance could be written to address this. She looked over the current zoning requirements to see where she could attach the 500 ft. buffer and there was no where to attach it. Diane Spivey states that she would like to table this issue until the Task Force can get proper legal advice.

Sight Distance Problem at Sugar Crossing Lane and Austin Garner

Director of Utilities and Development Ken Crowe states that during the development of Sugar Crossing Subdivision Gwinnett County deviated from the construction plan both vertically and even a small amount horizontally. This deviation caused a sight distance problem. In the overall construction plans for Sugar Crossing there was a second entrance off Austin Garner Road. See

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PLANNING & ZONING BOARD MEETING
MONDAY, FEBRUARY 15, 1993
MINUTES, CONT'D
PAGE 2

enclosed letter for plans to fix sight distance problem. The developer has agreed to the proposed plan. Ken Crowe states that the Planning & Zoning Board needs to make a recommendation. Board Member Jay Asgari states that the County will be responsible for any expense in correcting the sight distance problem. Board Member Granville Betts states that he would not have a problem with leaving the three way stop there forever. He states that he would have a problem with the rest of the plan because it would be unsightly. Discussion held. Ken Crowe states that DOT feels that this is the most efficient solution. Board Member Bob Parris makes a recommendation to go with the DOT's proposal. Board Member Gary Chapman seconds the recommendation. Chairman Jay Asgari states that The Planning & Zoning Board will make that recommendation to the Mayor & Council.

Discussion of Buffer Requirements

Director of Utilities and Development Ken Crowe states that the current buffer requirements give ranges. This is causing a problem for people who are interested in purchasing property for various uses, and the City is not able to give an exact buffer requirement. Board Member Gary Chapman recommends that the City do away with the lower end of the range and use the higher end. Council Member Stanley states that the higher end of the buffer range is not reasonable. City Attorney Lee Thompson states that the Mayor & Council can increase buffer requirements, but cannot decrease buffer requirements. Discussion held. Ken Crowe states that their does not have to be an answer tonight. Chairman Jay Asgari states that the Planning & Zoning Board would like more time to consider this. Appeals Board Member Ed Phillips recommends the idea of using the same table form that Gwinnett County uses in their Zoning Ordinance.

Discussion of Flood Plain Lots

Director of Utilities and Development Ken Crowe states that the Zoning Ordinance states that no portion of any lot within a hundred year flood plain may be counted as part of the required minimum. Ken Crowe recommends at least a minimum of 7,000 feet if not 8,000 feet. Discussion held.

Meeting adjourned at 8:21 p.m.

Carmy Loark

Planning & Zoning Board of Appeals Meeting
Monday, February 22, 1993
7:30 p.m.

M I N U T E S

In attendance: Boardmembers: Bob Karsten, Cliff London,
Ed Phillips, & Lee Frazee, Director
of Utilities: Ken Crowe, & Mayor
George Haggard.

Absent: Boardmember: Ron West, Liaison Jim Stanley.

Mayor George Haggard calls meeting to order 7:30 p.m.

ORDER OF BUSINESS

Swear in Boardmember

Mayor George Haggard swears in new Boardmember Cliff London to the Planning & Zoning Board of Appeals.

Nominate Chairman & Vice Chairman

Mayor George Haggard calls to nominate a Chairman and Vice Chairman for the Planning & Zoning Board of Appeals. Bob Karsten makes a motion to nominate Ed Phillips as Chairman for the Planning & Zoning Board of Appeals. Second to the motion Cliff London. Vote unanimous.

Ed Phillips makes a motion to nominate Bob Karsten as Vice Chairman for the Planning & Zoning Board of Appeals. Second to the motion Cliff London. Vote unanimous.

Mayor George Haggard turns the meeting over the Chairman Ed Phillips.

Mr. Ken Crowe takes a few minutes to present each present boardmember with booklets containing copies of the Comprehensive Plan, Sugar Hill Zoning Ordinance, & Gwinnett County Zoning Ordinance.

Changing order of Business.

Ed Phillips would like to change the order of business in order to recite the Pledge to the Flag.

Planning & Zoning Board of Appeals Meeting
Monday, February 22, 1993
7:30 p.m.
MINUTES CONT'D.
page 2.

VARIANCE REQUEST

Project # 93-AN Joe Byers - Gwinco Muffler is requesting a variance to add 32 square feet per side. This is 16 square feet per side beyond the allowable square footage.

Mr. Byers states the reason he needs the additional signage is because of a site distance problem. Being so far off of the travel lanes on Peachtree Industrial Boulevard, and with the under brush and vegetative growth in this area people pass by him before they know what type of work he does.

Mr. Ken Crowe states that the Sugar Hill staff's recommendations were for approval, and when Mr. Steve Kennedy was Chief Building Inspector for the City, they met on site with Mr. Byers regarding the placement of the existing sign, and also discussed with him the possibility of requesting a variance for additional signage. Mr. Ken Crowe states this sign will have interchangeable letters and is 16 square feet larger than what the zoning ordinance calls for, however, with the way the right-of-way is on Peachtree Industrial Boulevard the sign is at a tremendous distance from the road and with the vegetation in that area it makes it hard to read the sign from that distance.

Mr. Ed Phillips states he feels the need to encourage industrial growth especially along Peachtree Industrial Boulevard.

Bob Karsten makes a motion to approve the additional 16 square feet for the sign located at 1010 Peachtree Industrial Boulevard. Second to the motion Cliff London. Vote unanimous.

Mr. Ken Crowe states that Leland Owens with the Georgia Department of Transportation, Construction Engineering, will be attending the March 15, 1993 Planning & Zoning Board Meeting, to discuss the I-75, I-85 connector, what we used to call the outer perimeter. Mr. Ken Crowe would like for the Board of Appeals Boardmembers to be present at this meeting.

ADJOURNMENT

Ed Phillips makes a motion to adjourn meeting. Second to the motion Lee Frazee. Vote unanimous.

Meeting adjourned at 7:50 p.m.

Kimberly B Landers



CITY OF SUGAR HILL

4988 WEST BROAD ST. SUGAR HILL, GEORGIA 30518
(404) 945-6716

TO: MAYOR AND COUNCIL

FROM: SANDRA RICHARDS, DIRECTOR OF FINANCE

DATE: MARCH 8, 1992

RE: FEBRUARY BUDGET RESULTS

OPERATIONS:

The following is the results from February operations. These figures are expressed as variances and represent net income (loss) in each fund.

General	\$ 1,222.98
Sanitation	<\$ 4,764.45>
Gas	\$222,047.35
Water	<\$ 24,079.21>
Street	<\$ 15,015.02>
Sewer	<\$ 34,614.31>
Golf Course	<\$ 44,571.70>
Total	\$100,225.64

CASH BALANCE:

At the end of February, the city had a bank balance in operating accounts of \$289,517.43. This does not include money held in investments.

INVESTMENTS:

\$0.00 remain in our investment accounts at the end of February.

CONSTRUCTION:

During January, the city spent \$26,019.86 for construction of the golf course and waste water treatment facility. \$15,500 of this will be reimbursed from G.E.F.A funds. \$50,349.41 was spent from G.E.F.A funds for the construction of the treatment plant.

SouthTrust Securities, Inc.



A Subsidiary of
SouthTrust Corporation

P.O. BOX 2554
Birmingham, Alabama 35290
(205) 254-5968
Fax # (205) 254-5144

Capital Markets

February 26, 1993

Mayor and City Council
of the City of Sugar Hill
4988 West Broad Street
Sugar Hill, GA 30518

Re: Public Utility Revenue Refunding Bonds, Series 1993
Progress Report

I am pleased to report that our work on the bond issue is nearly finished. Virtually all of the required legal work has been completed. We expect to publish the Official Statement and market the bonds next week with the closing scheduled for mid to late March. Some aspects of the bond issue have changed since SouthTrust last appeared before the Council. At the suggestion of your Finance Director, we will detail those changes in the following pages.

The most significant change which has occurred is the replacement of Municipal Bond Investors Assurance (MBIA) by Financial Security Assurance (FSA). FSA holds a Aaa rating from Moody's Investors Service and a AAA rating from Standard & Poor's Corporation. Although MBIA's initial proposal was more advantageous than FSA's, our subsequent negotiations with FSA resulted in a lower fee quote resulting in a cost savings to the City of \$48,687.53.

More importantly, MBIA added conditions to their proposal which removed much of the benefit to the City in undertaking the proposed refinancing. MBIA would have required the retention of both the debt service reserve fund and the reserve and replacement funds as Trustee held accounts, effectively removing these funds from the City's control until the year 2014. In addition, MBIA required that the City's water, sewer and gas funds be administered as completely separate accounts from any other City funds.

FSA has agreed, in a written commitment letter, to our original terms and has been very easy to work with. As mentioned earlier, FSA's fees are also lower than

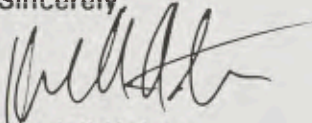
City of Sugar Hill
February 26, 1993
page two

MBIA's quote. The only limitation in their proposal is a requirement that the City retain approximately \$320,000 of the cash generated by the water, sewer and gas funds over the next five years as a debt service reserve fund. This retention is significantly less than the amount of excess cash flow the City is required to produce under the terms of the bond ordinance and does not substantially impact the benefit of the transaction for the City. Attached is a current indication of the structure of the City's 1993 bonds and the economic benefit derived from the transaction.

The other significant change since early January is that interest rates have dropped significantly. Since January 11th, average tax-exempt rates have dropped by approximately 40%. This is the most favorable rate environment for municipal issuers in the last 15 years.

Our objective at this point is to get the City in the market as quickly as possible. We would welcome an opportunity to answer any questions which might arise and look forward to an expeditious closing.

Sincerely



Kendall Holman
Vice President & Manager

cc: Kathy Williamson
Sandy Richards

City of Sugar Hill, Georgia
Public Utility Revenue Refunding Bonds
AAA/Aaa (FSA Insured)
Series 1993
DEBT SERVICE SCHEDULE

DATE	PRINCIPAL	COUPON	INTEREST	DEBT SERVICE
1/01/1994	180,000.00	3.00000%	389,377.08	569,377.08
1/01/1995	160,000.00	3.40000%	419,375.00	579,375.00
1/01/1996	170,000.00	3.70000%	413,935.00	583,935.00
1/01/1997	185,000.00	4.00000%	407,645.00	592,645.00
1/01/1998	200,000.00	4.25000%	400,245.00	600,245.00
1/01/1999	220,000.00	4.45000%	391,745.00	611,745.00
1/01/2000	240,000.00	4.65000%	381,955.00	621,955.00
1/01/2001	270,000.00	4.85000%	370,795.00	640,795.00
1/01/2002	305,000.00	4.95000%	357,700.00	662,700.00
1/01/2003	330,000.00	5.10000%	342,602.50	672,602.50
1/01/2004	360,000.00	5.25000%	325,772.50	685,772.50
1/01/2005	410,000.00	5.35000%	306,872.50	716,872.50
1/01/2006	435,000.00	5.50000%	284,937.50	719,937.50
1/01/2007	460,000.00	5.60000%	261,012.50	721,012.50
1/01/2008	505,000.00	5.70000%	235,252.50	740,252.50
1/01/2009	540,000.00	5.70000%	206,467.50	746,467.50
1/01/2010	575,000.00	5.70000%	175,687.50	750,687.50
1/01/2011	605,000.00	5.85000%	142,912.50	747,912.50
1/01/2012	640,000.00	5.85000%	107,520.00	747,520.00
1/01/2013	680,000.00	5.85000%	70,080.00	750,080.00
1/01/2014	505,000.00	6.00000%	30,300.00	535,300.00
TOTAL	7,975,000.00	-	6,022,189.58	13,997,189.58

SouthTrust Securities, Inc.
Capital Markets

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YIELD STATISTICS

Accrued Interest from 02/01/1993 to 03/01/1993...	35,397.92
Average Life.....	13.481 YEARS
Bond Years.....	107,510.42
Average Coupon.....	5.6014940%
Net Interest Cost (NIC).....	5.6756729%
Bond Yield for Arbitrage Purposes.....	5.6768007%
True Interest Cost (TIC).....	5.6711126%
Effective Interest Cost (EIC).....	5.9031908%

City of Sugar Hill, Georgia
 Public Utility Revenue Refunding Bonds
 AAA/Aaa (FSA Insured)
 Series 1993
 DEBT SERVICE COMPARISON FROM 3/01/1993

DATE	PRINCIPAL	INTEREST	NEW NET D/S	PRIOR NET D/S	SAVINGS
1/01/1994	180,000.00	389,377.08	569,377.08	607,222.50	37,845.42
1/01/1995	160,000.00	419,375.00	579,375.00	613,837.50	34,462.50
1/01/1996	170,000.00	413,935.00	583,935.00	619,412.50	35,477.50
1/01/1997	185,000.00	407,645.00	592,645.00	623,932.50	31,287.50
1/01/1998	200,000.00	400,245.00	600,245.00	632,382.50	32,137.50
1/01/1999	220,000.00	391,745.00	611,745.00	639,415.00	27,670.00
1/01/2000	240,000.00	381,955.00	621,955.00	650,010.00	28,055.00
1/01/2001	270,000.00	370,795.00	640,795.00	668,810.00	28,015.00
1/01/2002	305,000.00	357,700.00	662,700.00	695,110.00	32,410.00
1/01/2003	330,000.00	342,602.50	672,602.50	703,190.00	30,587.50
1/01/2004	360,000.00	325,772.50	685,772.50	718,190.00	32,417.50
1/01/2005	410,000.00	306,872.50	716,872.50	748,190.00	31,317.50
1/01/2006	435,000.00	284,937.50	719,937.50	748,190.00	28,252.50
1/01/2007	460,000.00	261,012.50	721,012.50	749,552.50	28,540.00
1/01/2008	505,000.00	235,252.50	740,252.50	768,740.00	28,487.50
1/01/2009	540,000.00	206,467.50	746,467.50	779,302.50	32,835.00
1/01/2010	575,000.00	175,687.50	750,687.50	781,602.50	30,915.00
1/01/2011	605,000.00	142,912.50	747,912.50	780,442.50	32,530.00
1/01/2012	640,000.00	107,520.00	747,520.00	776,342.50	28,822.50
1/01/2013	680,000.00	70,080.00	750,080.00	779,302.50	29,222.50
1/01/2014	505,000.00	30,300.00	535,300.00	563,587.50	28,287.50
TOTAL	7,975,000.00	6,022,189.58	13,997,189.58	14,646,765.00	649,575.42

SouthTrust Securities, Inc.
 Capital Markets

FILE = NEW93
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GROSS PRESENT VALUE DEBT SERVICE SAVINGS	\$381,810.71
Other Benefits.....	742,608.00
Deposit to Debt Service Fund.....	35,397.92
Amount released from Prior Issue OSR Funds.....	-
Other Costs.....	-
Cash Contribution.....	151,289.00
Transfers from Prior Issue Debt Service Fund.....	-
NET PRESENT VALUE BENEFIT	\$1,008,527.63
Savings as a % of refunded bond principal amount..	25.2770004%

City of Sugar Hill, Georgia
Public Utility Revenue Refunding Bonds
AAA/Aaa (FSA Insured)
Series 1993
SOURCES AND USES

Dated 2/01/1993	Delivery 3/01/1993
Par Amount of Bonds.....	\$7,975,000.00
Accrued Interest from 02/01/1993 to 03/01/1993...	35,397.92
Cash Contribution.....	151,289.00
Total Sources	\$8,161,686.92
Total Underwriter's Discount (1.000%).....	\$79,750.00
Costs of Issuance.....	77,877.00
Gross Bond Insurance Premium.....	83,770.75
Deposit to General Fund.....	13,512.38
Deposit to Debt Service Fund.....	35,397.92
Deposit to Escrow Fund.....	7,867,689.85
Contingency.....	3,689.02
Total Uses	\$8,161,686.92

SouthTrust Securities, Inc.
Capital Markets

FILE = NEW93
2/26/1993 10:38 AM

PRELIMINARY OFFICIAL STATEMENT DATED FEBRUARY , 1993

NEW ISSUE

Ratings: Moody's: "Aaa"
S&P: "AAA"
(FSA Insured)
(See "RATINGS" herein)

In the opinion of Bond Counsel, under existing laws, regulations, published rulings and judicial decisions, interest on the Series 1993 Bonds is (i) excludable from the gross income of a recipient thereof for federal income tax purposes, (ii) exempt from state income taxation within the State of Georgia and (iii) not an item of tax preference for purposes of the federal alternative minimum tax imposed on individuals and corporations. Interest on the Series 1993 Bonds will, however, be taken into account in computing an adjustment in determining a corporate owner's alternative minimum tax, and owners of the Series 1993 Bonds could be subject to the consequences of other provisions of the Internal Revenue Code of 1986, as amended, as further described herein. The Series 1993 Bonds have been properly designated by the City as "qualified tax-exempt obligations" within the meaning of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended. See the caption "TAX TREATMENT" herein.

CITY OF SUGAR HILL (GEORGIA)
Public Utility Revenue Refunding Bonds
Series 1993

Dated: February 1, 1993

Due: January 1, as shown below

The Series 1993 Bonds are being issued pursuant to a Bond Ordinance (the "Bond Ordinance") adopted by the City of Sugar Hill, Georgia (the "City") for the purpose of (i) advance refunding and defeasing the City's Combined Public Utility Revenue Bonds, Series 1989, dated as of March 1, 1989, which were issued in the original aggregate principal amount of \$7,425,199.85 (the "Prior Bonds"), (ii) funding a portion of the debt service reserve fund for the Series 1993 Bonds with a municipal bond debt service reserve insurance policy, and (iii) paying certain costs incurred in connection with the issuance of the Series 1993 Bonds. See the caption "PLAN OF REFUNDING" herein.

The Series 1993 Bonds will be issued as fully registered Bonds without coupons in denominations of \$5,000 and any integral multiple thereof. Interest on the Series 1993 Bonds will be payable on January 1 and July 1 of each year, commencing July 1, 1993 (each an "Interest Payment Date"), by check or draft mailed to the owners of record at the address appearing on the registration books of the City at the close of business on the fifteenth day preceding any Interest Payment Date (the "Record Date"), or at the option of an Owner of not less than \$1,000,000 in aggregate principal amount of the Series 1993 Bonds, by wire transfer in immediately available funds to the bank account number on file with SouthTrust Estate and Trust Company, N.A., Atlanta, Georgia, as paying agent and trustee (the "Paying Agent" and "Trustee") on or prior to the applicable Record Date. Principal of and premium, if any, on the Series 1993 Bonds will be payable upon presentation and surrender thereof at the corporate trust office of the Paying Agent. See the caption "THE SERIES 1993 BONDS" herein.

The Series 1993 Bonds are subject to optional and mandatory sinking fund redemption, as described herein under the caption "THE SERIES 1993 BONDS—Redemption Provisions."

The Series 1993 Bonds will be secured by and payable from the net revenues (the "Net Revenues") accruing in connection with the City's operation of its combined water and sewer system and gas system (collectively, the "System"). As further security for the Series 1993 Bonds, the scheduled payment of principal and interest on the Series 1993 Bonds when due will be guaranteed under an insurance policy to be issued concurrently with the delivery of the Series 1993 Bonds by FINANCIAL SECURITY ASSURANCE INC.



THE SERIES 1993 BONDS SHALL NOT BE DEEMED TO CONSTITUTE A DEBT OF THE CITY NOR A PLEDGE OF THE FAITH AND CREDIT OF THE CITY. THE SERIES 1993 BONDS SHALL NOT BE PAYABLE FROM OR CHARGED UPON ANY FUNDS OTHER THAN THE NET REVENUES OF THE SYSTEM AND ANY OTHER AMOUNTS PLEDGED UNDER THE BOND ORDINANCE, NOR SHALL THE CITY BE SUBJECT TO ANY PECUNIARY LIABILITY THEREON. NO HOLDER OR HOLDERS OF SERIES 1993 BONDS SHALL EVER HAVE THE RIGHT TO COMPEL ANY EXERCISE OF THE TAXING POWER OF THE CITY TO PAY THE SERIES 1993 BONDS OR THE INTEREST THEREON, NOR TO ENFORCE PAYMENT THEREOF AGAINST ANY PROPERTY OF THE CITY; NOR SHALL THE SERIES 1993 BONDS CONSTITUTE A CHARGE, LIEN, OR ENCUMBRANCE, LEGAL OR EQUITABLE, UPON ANY PROPERTY OF THE CITY EXCEPT FOR THE AMOUNTS PLEDGED UNDER THE BOND ORDINANCE TO SECURE THE SERIES 1993 BONDS.

MATURITIES, AMOUNTS, INTEREST RATES AND PRICES OR YIELDS*

* Serial Bonds				* Serial Bonds			
Due January 1	Principal Amount	Interest Rate	Yield	Due January 1	Principal Amount	Interest Rate	Yield
1993	\$	%	%	1998	\$	%	%
1994				1999			
1995				2000			
1996				2001			
1997				2002			

* % Term Bonds due January 1, 20 , Priced to Yield %
* % Term Bonds due January 1, 20 , Priced to Yield %
(Plus accrued interest from February 1, 1993)

This cover page contains certain summary information regarding the Series 1993 Bonds and is not a complete summary of the Series 1993 Bonds or the security therefor. Investors should read this entire Official Statement to obtain information necessary to the making of an informed investment decision.

The Series 1993 Bonds are offered when, as and if issued by the City and accepted by the Underwriter, subject to prior sale, to withdrawal or modification of the offer without notice, and to approval of the legality of the Series 1993 Bonds by Kutak Rock, Atlanta, Georgia, Bond Counsel. Certain legal matters will be passed upon for the City by its counsel, Thompson & Sweeny, Lawrenceville, Georgia and for the Underwriter by its counsel, Kutak Rock, Atlanta, Georgia. It is expected that the Series 1993 Bonds will be available for delivery through the facilities of The Depository Trust Company in New York, New York, on or about March , 1993.

SOUTHTRUST SECURITIES, INC.

Dated: February , 1993

* Preliminary, subject to change.

This Preliminary Official Statement is delivered in final form. It is Preliminary Official Statement and the information contained herein are subject to completion or amendment. These securities may not be sold nor may offers to buy be accepted prior to the time the Official Statement is delivered in final form. This Preliminary Official Statement contains certain information that may be necessary to the making of an informed investment decision. It is not a complete summary of the Series 1993 Bonds or the security therefor. Investors should read this entire Official Statement to obtain information necessary to the making of an informed investment decision.



GWINNETT COUNTY
Department of Transportation
Administration Division
(404) 822-7400

January 28, 1993

Mr. Ken Crowe, Director
Utilities and Development
City of Sugar Hill
4988 West Brad Street
Sugar Hill, GA 30518

Dear Mr. Crowe:

I am writing in reference to the Sugar Crossing Subdivision located on Austin Garner Road, and your letter of January 14, 1993 to Mr. Joseph E. Womble on this subject.

As we have discussed, a severe sight distance problem exists at the intersection of Sugar Crossing Lane and Austin Garner Road as a result of the horizontal and vertical alignment of Austin Garner Road. We have concluded that the sight distance problem associated with the vertical alignment could be improved somewhat by regrading Austin Garner Road in this vicinity. This would, however, be costly and disruptive and would do nothing to cure the much more severe sight distance problem associated with the horizontal alignment. The intersection was placed so close to a sharp horizontal curve on Austin Garner Road that a vehicle left turning into the subdivision is unable to see a car approaching from the south on Austin Garner Road. Curing this problem would entail acquiring the home located across from the subdivision and grading down the hill located off the right-of-way.

We have discussed this problem at length with the developer, city officials and others and have concluded that the most reasonable solution to this problem is to install a multi-way stop as the intersection is an interim measure, and to close the intersection once Sugar Meadow Drive is connected to Austin Garner Road. A sketch of the proposed closure is attached.

The closure would leave the subdivision with one entrance, but this is no different than countless other small subdivisions throughout the County.

We should emphasize that while a multi-way stop is safer than the present condition, it is not a desirable or safe long term solution.

Page 2: Mr. Ken Crowe
City of Sugar Hill

The developer has agreed with our proposed solution, provided that the concurrence of the City of Sugar Hill is obtained, and the work can be carried out with no cost to the developer.

This is to commit that the closure will be carried out by County forces at the appropriate time at no cost to the developer or the City. We now seek the City of Sugar Hill's formal approval of this plan.

Yours sincerely,


George W. Black, Jr., PE
Director/Department of Transportation

JEW/GB/pm

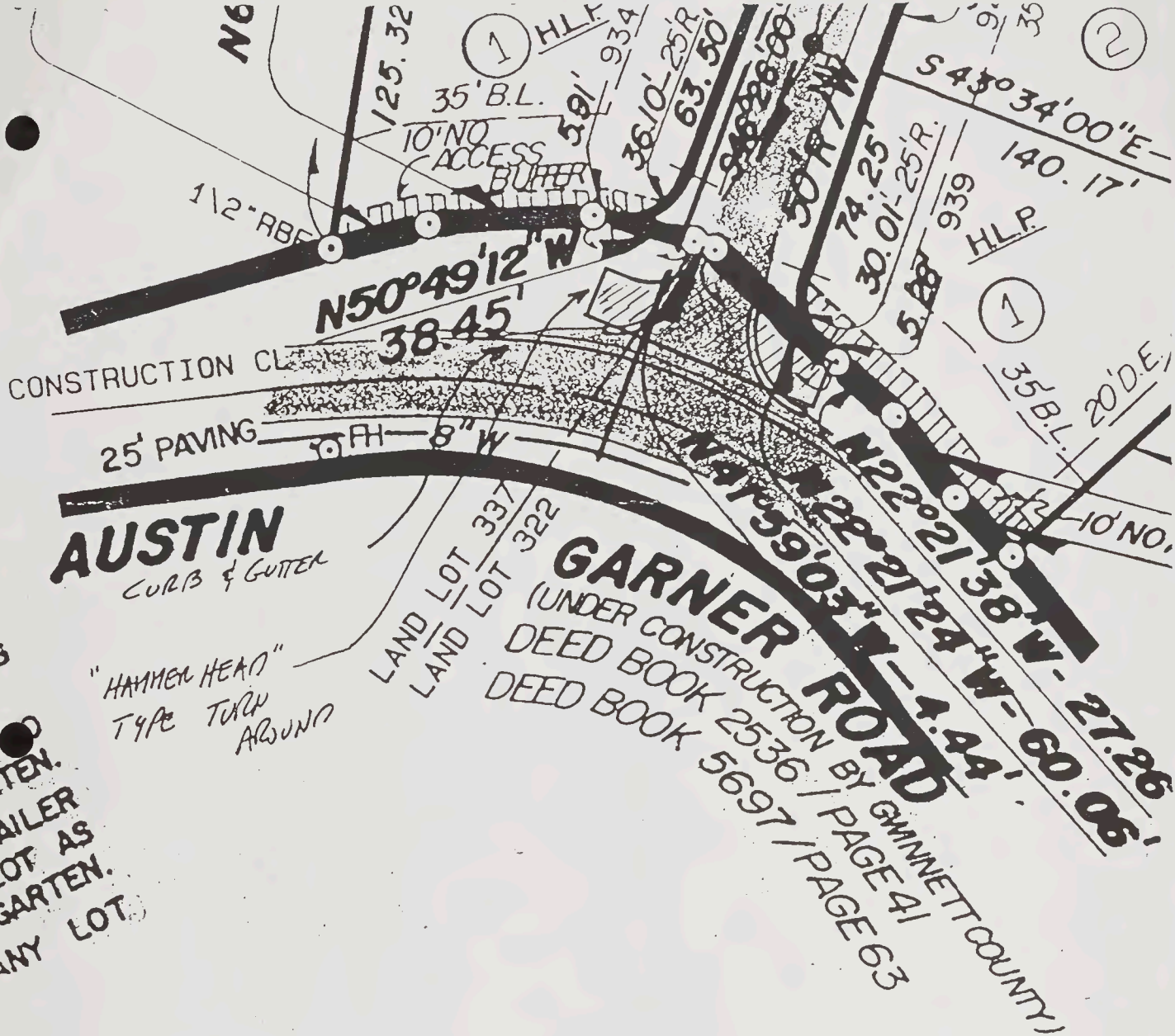
Attachment: Sketch

cc: Alan Richardson

N6

1

2



CONSTRUCTION CL...

25' PAVING

AUSTIN
CURB & GUTTER

"HAMMER HEAD"
TYPE TURN
AROUND

LAND LOT 337
LAND LOT 322

GARNER ROAD
(UNDER CONSTRUCTION BY GWINNETT COUNTY)
DEED BOOK 2536 / PAGE 41
DEED BOOK 5697 / PAGE 63

3
TEN.
AILER
OT AS
GARTEN.
ANY LOT

WANTS RECORD-
WINNETT COUNTY

PLAT OF :

CROSSING

7th DISTRICT
ACRES

ICMA, the professional association
of appointed administrators
serving cities, counties, regional councils,
and other local governments



ICMA

777 North Capital St., NE, #500
Washington, DC 20002-4201

(202) 389-4283
Fax (202) 962-3600

VIA FAX: 404/945-0281

Ms. Kathryn Williamson
City Manager
City of Sugar Hill
4988 West Broad Street
Sugar Hill, GA. 30518

cc: Allan Bawden
Barrie Beattie

Dear Ms. Williamson:

Congratulations! You have been selected to participate in the 1993/94 International Management Exchange Program with Mr. Allan Robert Bawden, Manager - Administration and Planning, City of Morwell, Warragul, Victoria, Australia, a program jointly sponsored by the Institute of Municipal Management, Victorian Division, and ICMA.

The City of Sugar Hill should be very proud of your selection for not only will you represent your City, the State of Georgia and the nation, but you will also represent your profession abroad.

Upon receiving this letter, we encourage you to make telephone contact with Allan, using it as an opportunity to open up discussion on your respective study visit dates, and to discuss family participation details. Spouses are included in the Program and hopefully, will be able to also participate in activities related to their own community and professional interests. The involvement of children is an optional decision. Allan's study visit will lead off, with the attendance of he and his partner at the ICMA Annual Conference, to be held in Nashville/Davidson County, Tennessee, September 19-23. You and your partner will attend the annual meeting of the Victorian Division in Melbourne, February 8-10, 1994. Attendance at both conferences are complimentary, with the host organization covering the registration, hotel and meals for the visiting guest (Allan in Nashville and you, in Melbourne) and your partners. Based upon the recommendations of past participants, it is preferred that both of your study visits (for 10 to 14 days) to each other's community be ahead of the annual conference, thereby giving each of you a better understanding of the issues to be discussed. When you and your partner carry out your respective visits to each other's community, you will be the guests in your host's home, thereby enjoying the cultural aspects of each other's country. Enclosed, please find summaries of tips for successful exchanges, as a guide to you both as you plan to help make each other's study visit both enjoyable and productive. (Since your letter is being fax'd, the enclosures are being sent via mail).

ICMA accepts no responsibility or liability for, and you and family hold ICMA harmless with respect to your personal health and safety of your possessions in the exchange program. Please return the original of this letter, signed, to Ross Hoff, Director, International Member Programs.

Offer extended by:

Bill Hansell
William Hansell, Jr.
ICMA Executive Director

Offer accepted by:

Kathryn Williamson
City Manager, Sugar Hill, GA.

BID OPENING RECORD

61386

City of Sugar Hill, Georgia
 Interceptor Sanitary Sewers
 SRF #92-018

DATE/TIME
 Thursday, March 11, 1993
 2:00 p.m.

Engineers:
 Piedmont Olsen Hensley

Contractor	Total Base Bid
John Pruitt Construction Marietta, GA	
#2 John D. Stephens, Inc. Stone Mountain, GA	\$ 2,348,150.50
#3 Rockdale Pipeline, Inc. Conyers, GA	\$ 2,614,871.00
#1 Reynolds, Inc. Fairburn, GA	\$ 3,598,371.56
#4 Ruby-Collins, Inc. Smyrna, GA	\$ 2,983,921.00

*Bid Bond
okay*
*Bid Bond
okay*
*Bid Bond
okay*
*Bid Bond
okay*

CALLED COUNCIL MEETING
 THURSDAY, MARCH 25, 1993

 9:30 A. M.

A G E N D A

- A) Bond Refinancing
- B) Public Hearing Procedures
- C) City Marshall

CALLED COUNCIL MEETING
THURSDAY, MARCH 25, 1993
9:30 A.M.

M I N U T E S

Notice posted at 12:00 noon on Tuesday, March 23, 1993 at City Hall.

In attendance: Mayor George Haggard, Council Members Thomas Morris, Steve Bailey, Roger Everett and Jim Stanley, City Attorney Lee Thompson and Director of Finance Sandy Richards.

Meeting called to order at 9:45 a.m. by Mayor Haggard.

Bond Refinancing

Sara Findley, with Kutak Rock, brings the Mayor and Council up to date on the bond refinancing. She states that the transaction will be completed by next Tuesday. Discussion held on this matter.

Council Member Bailey moves to allocate all proceeds of the 1989 bonds remaining in the debt service reserve account established in connection with the 1989 bonds to be used to reimburse the city for a portion of such capital expenditures and hereby officially records its intent to use such allocation in the books and records of the city. Refer to resolution. Second to the motion by Council Member Morris. Council Member Everett abstains from voting. Vote unanimous.

Council Member Bailey moves to adopt the supplemental bond ordinance with the final numbers. Second to the motion by Council Member Morris. Council Member Everett abstains from voting. Vote unanimous.

Council Member Bailey moves to change the trustee on the 1989 bond issue from Trust Company Bank to Southtrust Securities. Second to the motion by Council Member Morris. Council Member Everett abstains from voting. Vote unanimous.

Ms. Findley states that the bonds closed at 5.77% interest. She asks that the Mayor and City Clerk be available Monday to sign validation papers and other documents. The validation hearing will be held Monday and the Mayor agrees to be at City Hall at 10:00 a.m. to sign the documents. The actual closing will be held on Tuesday and the Mayor will not need to be present for that.

Kendall Holman arrives and presents reports of actual cost savings utilizing the final figures. This bond refinancing has a net present value benefit of \$926,684.13. Refer to reports. Mr.



**CALLED COUNCIL MEETING
THURSDAY, MARCH 25, 1993
MINUTES, CONT'D.
PAGE 2**

Holman states that a corporate resolution needs to be adopted to open up an account with Southtrust Securities.

Council Member Bailey moves to authorize the Director of Finance to open a banking relationship with Southtrust Securities for the purposes of the bond transactions with the same authority as was delegated to her in the past. Second to the motion by Council Member Morris. Vote unanimous.

Public Hearing Procedures

Council Member Morris is recommending the city adopt the same public hearing procedures that the Georgia Department of Transportation has in order to have maximum exposure for public input. The D.O.T. holds public hearings all day (i.e.: 11:00 a.m. - 9:00 p.m.) to give everyone an opportunity to comment either verbally or in writing. During these hearings, representatives are available to answer any questions the public may have.

Council Member Stanley states that this is a good idea for major matters, however, it is not necessary to that extent for every public hearing the city has, such as some zoning matters. City Attorney Lee Thompson states that the city can adopt a policy and specify how certain public hearings will be held. Mr. Thompson states that Fitzgerald has a similar policy and he will get a copy of it.

Mayor Haggard asks Council Members Morris and Bailey to work with the City Attorney on this matter and report back to the Council with their recommendation. Discussion is held about the possibility of a work session to discuss this matter further.

City Marshall

Council Member Morris states that the Mayor and Council needs to decide how much authority the City Marshall should have and how far they want to go with it in regards to whether or not the city wants its own police department.

City Marshall Chris Robertson states that as of March 22, 1993, the city is considered a law enforcement agency. He states that this had to be done in order for him to work here full time. City Attorney Lee Thompson suggests the city discuss this with our insurance agent because at this time, the City Marshall is only considered a zoning enforcement officer.



**CALLED COUNCIL MEETING
THURSDAY, MARCH 25, 1993
MINUTES, CONT'D.
PAGE 3**

Council Members Morris and Everett state that at a recent neighborhood watch meeting, most residents in attendance wanted a police department and they misunderstood the City Marshall's authority. Council Member Bailey states that it would be a budgetary drain on the city to have our own police department.

There is a general consensus among the Council to have a work session to discuss this matter further and have the City Judge, representatives from both the Sheriff's Department and Police Department and Suwanee Police Chief present to answer questions.

Executive Session

Council Member Bailey moves to go into Executive Session with the City Attorney for the purpose of discussing pending litigation. Second to the motion by Council Member Morris. Vote unanimous.

Meeting recessed at 10:55 a.m.

Meeting reconvened at 11:20 a.m.

There was no further business discussed.

Adjournment

Council Member Everett moves to adjourn the meeting. Second to the motion by Council Member Bailey. Vote unanimous.

Meeting adjourned at 11:20 a.m.

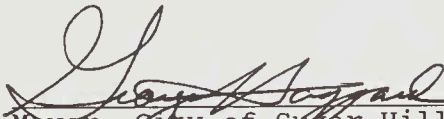
Judy Foster

**RESOLUTION
CITY OF SUGAR HILL**

The Council of the City of Sugar Hill hereby resolves as follows:

The City has used City moneys in excess of the amount of the proceeds of its \$7,425,199.85 Combined Public Utility Revenue Bonds, Series 1989 (the "1989 Bonds") to make capital expenditures associated with the project financed with the 1989 Bonds. These capital expenditures were made following issuance of the 1989 Bonds and prior to the date of the meeting in which this Resolution was adopted. The City hereby allocates all proceeds of the 1989 Bonds remaining in the Debt Service Reserve Account established in connection with the 1989 Bonds to be used to reimburse the City for a portion of such capital expenditures and hereby officially records its intent to use such allocation in the books and records of the City. The City Clerk is hereby authorized and directed to place a copy of this Resolution in the official minutes of the Council meeting in which this resolution was adopted.

It is so Resolved this 25 day of March, 1993.



Mayor, City of Sugar Hill

Attested:



City Clerk (City Seal)

City of Sugar Hill, Georgia
 Public Utility Revenue Refunding Bonds
 AAA/Aaa (FSA Insured)
 Series 1993
 DEBT SERVICE SCHEDULE

DATE	PRINCIPAL	COUPON	INTEREST	DEBT SERVICE
1/01/1994	185,000.00	2.80000%	398,669.79	583,669.79
1/01/1995	160,000.00	3.65000%	429,732.50	589,732.50
1/01/1996	175,000.00	3.90000%	423,892.50	598,892.50
1/01/1997	185,000.00	4.25000%	417,067.50	602,067.50
1/01/1998	200,000.00	4.40000%	409,205.00	609,205.00
1/01/1999	215,000.00	4.60000%	400,405.00	615,405.00
1/01/2000	235,000.00	4.80000%	390,515.00	625,515.00
1/01/2001	265,000.00	4.90000%	379,235.00	644,235.00
1/01/2002	310,000.00	5.05000%	366,250.00	676,250.00
1/01/2003	320,000.00	5.10000%	350,595.00	670,595.00
1/01/2004	365,000.00	5.20000%	334,275.00	699,275.00
1/01/2005	410,000.00	5.75000%	315,295.00	725,295.00
1/01/2006	435,000.00	5.75000%	291,720.00	726,720.00
1/01/2007	460,000.00	5.75000%	266,707.50	726,707.50
1/01/2008	505,000.00	5.75000%	240,257.50	745,257.50
1/01/2009	545,000.00	5.90000%	211,220.00	756,220.00
1/01/2010	580,000.00	5.90000%	179,065.00	759,065.00
1/01/2011	615,000.00	5.90000%	144,845.00	759,845.00
1/01/2012	645,000.00	5.90000%	108,560.00	753,560.00
1/01/2013	685,000.00	5.90000%	70,505.00	755,505.00
1/01/2014	510,000.00	5.90000%	30,090.00	540,090.00
TOTAL	8,005,000.00	-	6,158,107.29	14,163,107.29

SouthTrust Securities
 Capital Markets

FILE = NEW93
 3/18/1993 11:29 AM

YIELD STATISTICS

Accrued Interest from 02/01/1993 to 03/30/1993...	71,277.33
Average Life.....	13.500 YEARS
Bond Years.....	108,067.92
Average Coupon.....	5.6983677%
Net Interest Cost (NIC).....	5.7724531%
Bond Yield for Arbitrage Purposes.....	5.8010134%
True Interest Cost (TIC).....	5.7750910%
Effective Interest Cost (EIC).....	6.0351064%

City of Sugar Hill, Georgia
Public Utility Revenue Refunding Bonds
AAA/Aaa (FSA Insured)
Series 1993
SOURCES AND USES

Dated 2/01/1993	Delivery 3/30/1993
Par Amount of Bonds.....	\$8,005,000.00
Accrued Interest from 02/01/1993 to 03/30/1993...	71,277.33
Transfers from Prior Issue Debt Service Fund.....	102,430.42
Cash Contribution.....	151,289.00
Total Sources	\$8,329,996.75
Total Underwriter's Discount (1.000%).....	\$80,062.50
Costs of Issuance.....	81,247.00
Gross Bond Insurance Premium.....	84,550.98
Deposit to Debt Service Reserve Fund (DSRF).....	13,677.21
Deposit to Debt Service Fund.....	71,277.33
Deposit to Escrow Fund.....	7,998,861.15
Contingency.....	320.58
Total Uses	\$8,329,996.75

SouthTrust Securities
Capital Markets

FILE = NEW93
3/23/1993 5:28 PM

City of Sugar Hill, Georgia
Public Utility Revenue Refunding Bonds
AAA/Aaa (FSA Insured)
Series 1993
DEBT SERVICE COMPARISON FROM 3/30/1993

DATE	PRINCIPAL	INTEREST	NEW NET D/S	PRIOR NET D/S	SAVINGS
1/01/1994	185,000.00	398,669.79	583,669.79	607,222.50	23,552.71
1/01/1995	160,000.00	429,732.50	589,732.50	613,837.50	24,105.00
1/01/1996	175,000.00	423,892.50	598,892.50	619,412.50	20,520.00
1/01/1997	185,000.00	417,067.50	602,067.50	623,932.50	21,865.00
1/01/1998	200,000.00	409,205.00	609,205.00	632,382.50	23,177.50
1/01/1999	215,000.00	400,405.00	615,405.00	639,415.00	24,010.00
1/01/2000	235,000.00	390,515.00	625,515.00	650,010.00	24,495.00
1/01/2001	265,000.00	379,235.00	644,235.00	668,810.00	24,575.00
1/01/2002	310,000.00	366,250.00	676,250.00	695,110.00	18,860.00
1/01/2003	320,000.00	350,595.00	670,595.00	703,190.00	32,595.00
1/01/2004	365,000.00	334,275.00	699,275.00	718,190.00	18,915.00
1/01/2005	410,000.00	315,295.00	725,295.00	748,190.00	22,895.00
1/01/2006	435,000.00	291,720.00	726,720.00	748,190.00	21,470.00
1/01/2007	460,000.00	266,707.50	726,707.50	749,552.50	22,845.00
1/01/2008	505,000.00	240,257.50	745,257.50	768,740.00	23,482.50
1/01/2009	545,000.00	211,220.00	756,220.00	779,302.50	23,082.50
1/01/2010	580,000.00	179,065.00	759,065.00	781,602.50	22,537.50
1/01/2011	615,000.00	144,845.00	759,845.00	780,442.50	20,597.50
1/01/2012	645,000.00	108,560.00	753,560.00	776,342.50	22,782.50
1/01/2013	685,000.00	70,505.00	755,505.00	779,302.50	23,797.50
1/01/2014	510,000.00	30,090.00	540,090.00	563,587.50	23,497.50
TOTAL	8,005,000.00	6,158,107.29	14,163,107.29	14,646,765.00	483,657.71

SouthTrust Securities
Capital Markets

FILE = NEW93
3/18/1993 11:29 AM

GROSS PRESENT VALUE DEBT SERVICE SAVINGS	\$279,115.22
Other Benefits.....	830,011.00
Deposit to Debt Service Fund.....	71,277.33
Amount released from Prior Issue DSR Funds.....	-
Other Costs.....	-
Cash Contribution.....	151,289.00
Transfers from Prior Issue Debt Service Fund.....	102,430.42
NET PRESENT VALUE BENEFIT	\$926,684.13
Savings as a % of refunded bond principal amount..	23.2257345%

City of Sugar Hill, Georgia
Escrow

SUMMARY OF PORTFOLIO CASH FLOW

DATE	PRINCIPAL	COUPON	INTEREST	RECEIPTS	DISBURSEMENTS	CASH BALANCE
03/30/1993	-	-	-	-	-	3,386.18
07/01/1993	15,000.00	2.950%	221,131.89	236,131.89	238,611.25	906.82
01/01/1994	147,000.00	7.625%	221,131.89	368,131.89	368,611.25	427.46
07/01/1994	19,000.00	8.500%	215,527.51	234,527.51	234,418.75	536.22
01/01/1995	165,000.00	7.625%	214,720.01	379,720.01	379,418.75	837.48
07/01/1995	21,000.00	8.500%	208,429.38	229,429.38	229,706.25	560.61
01/01/1996	182,000.00	11.500%	207,536.88	389,536.88	389,706.25	391.24
07/01/1996	28,000.00	7.875%	197,071.88	225,071.88	224,466.25	996.87
01/01/1997	6,399,000.00	6.125%	195,969.38	6,594,969.38	6,595,966.25	-
07/01/1997	-	-	-	-	-	-
01/01/1998	-	-	-	-	-	-
07/01/1998	-	-	-	-	-	-
01/01/1999	-	-	-	-	-	-
07/01/1999	-	-	-	-	-	-
01/01/2000	-	-	-	-	-	-
07/01/2000	-	-	-	-	-	-
01/01/2001	-	-	-	-	-	-
07/01/2001	-	-	-	-	-	-
01/01/2002	-	-	-	-	-	-
07/01/2002	-	-	-	-	-	-
01/01/2003	350,000.00	-	-	350,000.00	350,000.00	-
07/01/2003	-	-	-	-	-	-
01/01/2004	365,000.00	-	-	365,000.00	365,000.00	-
07/01/2004	-	-	-	-	-	-
01/01/2005	395,000.00	-	-	395,000.00	395,000.00	-
TOTAL	8,086,000.00	-	1,681,518.82	9,767,518.82	9,770,905.00	-

SouthTrust Securities
Capital Markets

3/18/1993
11:08 AM

PORTFOLIO INFORMATION

Net Cost of Open Markets.....	7,995,474.97
Cost of Open Market Investments.....	7,995,474.97
Cash Deposit to Escrow.....	3,386.18
Total Cost of Investments.....	\$7,998,861.15
Yield to Receipt.....	5.1201567%
Yield to Disbursement.....	5.0976645%

City of Sugar Hill, Georgia
Escrow

OPTIMIZED DEDICATED PORTFOLIO

MATURITY	TYPE	COUPON	YIELD	DOLLAR PRICE	PAR AMOUNT	PRINCIPAL COST+ACCRUED INTEREST	=	TOTAL COST
07/01/1993	T-BILL	2.950%	3.014%	99.2379167%	15,000	14,885.69	-	14,885.69
12/31/1993	T-NOTE	7.625%	3.198%	103.2656250%	147,000	151,800.47	2,755.74	154,556.21
06/30/1994	T-NOTE	8.500%	3.435%	106.1562500%	19,000	20,169.69	397.06	20,566.75
12/31/1994	T-NOTE	7.625%	3.863%	106.3125000%	165,000	175,415.63	3,093.18	178,508.81
05/15/1995	T-NOTE	8.500%	3.965%	109.1562500%	21,000	22,922.81	665.68	23,588.49
11/15/1995	T-BOND	11.500%	4.234%	117.8750000%	182,000	214,532.50	7,805.39	222,337.89
06/30/1996	T-NOTE	7.875%	4.600%	109.7812500%	28,000	30,738.75	542.11	31,280.86
12/31/1996	T-NOTE	6.125%	4.758%	104.6406250%	6,399,000	6,695,953.59	96,360.63	6,792,314.22
11/15/2002	STRIPS	-	6.400%	54.5270000%	350,000	190,844.50	-	190,844.50
11/15/2003	STRIPS	-	6.570%	50.3100000%	365,000	183,631.50	-	183,631.50
11/15/2004	STRIPS	-	6.730%	46.3190000%	395,000	182,960.05	-	182,960.05
-	-	-	-	-	8,086,000	7,883,855.18	111,619.79	7,995,474.97

SouthTrust Securities
Capital Markets

3/22/1993
12:50 AM

Trade Date.....	3/30/1993
Settlement Date.....	3/30/1993
Net Cost of Open Markets.....	7,995,474.97
Cost of Open Market Investments.....	7,995,474.97
Cash Deposit to Escrow.....	3,386.18
Total Cost of Investments.....	\$7,998,861.15

MAYOR & COUNCIL MEETING
MONDAY, APRIL 12, 1993
7:30 P.M.

A G E N D A

Meeting called to order.
Invocation and pledge to the flag.
Reading of past minutes.
Presentation to Neil Nichols.
Swear in Superintendent of Elections.

Committee Reports

- A) Planning & Zoning Board
- B) Appeals Board
- C) Recreation Board
- D) Budget & Finance
- E) Facility Issues Negotiations Committee

Old Business

New Business

- A) Insurance Bids
- B) Proposed Closing of Hillcrest Drive
- C) Resolution for Interceptor Lines
- D) Approval of Interceptor Line Contractor
- E) Appoint Voting Delegates for Municipal Gas Authority Election

City Manager's Report

City Clerk's Report

Director of Golf's Report

Council Reports

Citizen's Comments

Adjournment

MAYOR & COUNCIL MEETING
MONDAY, APRIL 12, 1993
7:30 P.M.

M I N U T E S

Notice posted at 12:00 noon on Friday, April 9, 1993 at City Hall.

In attendance: Mayor George Haggard, and Council Members Thomas Morris, Steve Bailey, Reuben Davis, Roger Everett and Jim Stanley.

Meeting called to order at 7:35 p.m. by Mayor Haggard.

There was a silent invocation followed by the pledge to the flag led by Mayor Haggard.

Minutes

Council Member Everett moves to approve last month's minutes as written. Second to the motion by Council Member Morris. Vote unanimous.

Presentation to Neil Nichols

Mayor Haggard presents a plaque to Neil Nichols in appreciation for his service to the Recreation Board.

Appoint Superintendent of Elections

City Clerk Judy Foster states that Beulah Fowler resigned as Superintendent of Elections over a month ago and she has been trying to find a replacement for her. Mrs. Foster is recommending the Mayor and Council appoint Deputy Clerk Amy Roark to serve as the city's Superintendent of Elections. Mrs. Foster feels Mrs. Roark will do an excellent job. Council Member Morris moves to appoint Amy Roark to serve as the Superintendent of Elections for the city. Second to the motion by Council Member Davis. Vote unanimous.

Mayor Haggard swears in Amy Roark as the city's new Superintendent of Elections.

Planning & Zoning Board

Council Member Stanley states that the Planning & Zoning Board is recommending changes to the city's zoning ordinance which would allow more lots per acre where flood plains exist. Mr. Stanley explains the proposed changes. He states that this proposed amendment has to be advertised and a public hearing held and he assumes this will be on the agenda for the May council meeting. Ken Crowe states that the reason it was not on the agenda for this meeting is because the newspaper changed their deadline dates.



**MAYOR & COUNCIL MEETING
MONDAY, APRIL 12, 1993
MINUTES, CONT'D.
PAGE 2**

Appeals Board

Council Member Stanley states that there was no Appeals Board meeting last month.

Recreation Board

Council Member Davis states that he hasn't talked to Boardmember Bobbie Queen yet, however, there was another break in at the park since the last council meeting. He reports that softball leagues are continuing.

Budget & Finance

Council Member Bailey reports on the city's finances during the month of March. Refer to report.

Facility Issues Negotiations Committee

Council Member Morris reports that the Committee is continuing to meet and he feels they are beginning to make some progress. The next tentative meeting will be held the week of April 30th. He states that the citizen's committee has a comment to make. Lauri Henritze, Chairman of the citizen's committee, makes a comment on behalf of the committee. Refer to comment.

Insurance Bids

Deputy Clerk Amy Roark states that she has obtained bids for the city's health, life and liability insurance. She has analyzed all the bids and put them in report form to show what each company offers and how much it will cost. Refer to memo. After reviewing the bids, Mrs. Roark is recommending the Mayor and Council continue the current coverage we have through Northwestern National Life Insurance Company for life and health insurance and GIRMA (Ga. Inter-local Risk Management Association) for liability coverage. Council Member Stanley moves to accept Mrs. Roark's recommendation. Second to the motion by Council Member Bailey. Vote unanimous.

Proposed Closing of Hillcrest Drive

City Manager Kathy Williamson states that the county has contacted the city about the possibility of closing Hillcrest Drive from the pavement end to South Richland Creek Road. Refer to letter. This is due to the continued dumping along this road. Mrs. Williamson states that the county needs a letter authorizing the roadway to be closed from each property owner along the road. Resident Wayne Ballew is opposed to closing the road and he states that he speaks on behalf of the Pass' also. Mayor Haggard asks why the city has to get involved when the portion of the road they want to close is in the county. Mrs. Williamson states because the county has to get permission from property owners in the city. Discussion held on this matter. Council Member



**MAYOR & COUNCIL MEETING
MONDAY, APRIL 12, 1993
MINUTES, CONT'D.
PAGE 3**

Everett moves to notify the county that the city is opposed to closing the roadway and the Mayor and Council don't wish to get involved since it is a county road. Second to the motion by Council Member Morris. Vote unanimous.

Resolution for Interceptor Lines

This matter must be held in Executive Session.

Approval of Interceptor Line Contractor

City Manager Kathy Williamson states that bids for the sewer interceptor lines were opened on March 11, 1993 and the low bidder was John D. Stephens, Inc. out of Stone Mountain. Piedmont Olsen Hensley has submitted their letter of recommendation to conditionally award the bid to John D. Stephens Inc. pending final approval of the contractor by EPD. Discussion held on this matter. Council Member Bailey moves to accept the recommendation of P.O.H. Second to the motion by Council Member Davis. Vote unanimous.

Appoint Voting Delegates for Municipal Gas Authority Election

City Manager Kathy Williamson states that this election will be held during the district meeting of the Gas Section so the Mayor and Council needs to appoint Ken Crowe and herself to be the voting delegates, unless any of the council plans to attend. Council Member Bailey moves to appoint Ken Crowe as the city's voting delegate and Kathy Williamson as the alternate. Second to the motion by Council Member Morris. Vote unanimous.

City Clerk's Report

City Clerk Judy Foster states that her office is currently reviewing penalty and fifa charges of other cities and hopes to have this information for the next council meeting for our fees to be updated.

Director of Golf's Report

Director of Golf Wade Queen states that even with the snow and rain last month, the golf course exceeded their projected number of rounds for March. He states that they are putting in tee markers and the entrance is almost completed. They expect to be busy from now on through the summer. Council Member Bailey asks how the sponsorship program is going. Mr. Queen states that they now have enough money to pay for the tee markers, however, there are still 9 sponsorships available. He states that they cost \$1,000 for 3 years if anyone knows of a business that is interested.



**MAYOR & COUNCIL MEETING
MONDAY, APRIL 12, 1993
MINUTES, CONT'D.
PAGE 4**

Mayor Haggard recognizes Recreation Boardmember Bobbie Queen and asks if she has anything to report on the Recreation Board. Mrs. Queen states that the park is now open, the bathrooms are open and ready and softball leagues are still playing. Mayor Haggard asks what was stolen when the park was broken into. Mrs. Queen states that the new concession stand was broken into and they just got chips and candy.

Council Reports

Council Member Morris asks if the Mayor and Council could have a work session on Monday, April 26, 1993 at 10:00 a.m. to review the Solid Waste Management Plan and see what amendments need to be made to send it to ARC. Mr. Morris states that Council Member Davis could attend this meeting if it is held during the day. There is a general consensus among the Mayor and Council to hold this work session on April 26, 1993 at 10:00 a.m.

Mayor Haggard states that he has received several nice letters concerning the City Marshall and commends him for his part in capturing the burglar. City Marshall Chris Robertson gives credit to Sue Pinston, block captain in the neighborhood watch program for Parkview. Mr. Robertson states that there will be a neighborhood watch meeting for Frontier Forest on Wednesday, April 21, 1993.

Citizen's Comments

Joan Hawthorne, of 4571 South Roberts Drive, asks what has been done to correct the drainage problem at her house. Ken Crowe states that he was told by the Sugar Hill United Methodist Church to contact Richard Chandler regarding this matter and he has tried on several occasions to contact Mr. Chandler but he won't return his calls. Mrs. Hawthorne states meanwhile the problem is just getting worse. Mayor Haggard doesn't feel this is a good enough answer and asks if this matter should be turned over to the City Attorney. Mr. Crowe states that McNally & Patrick went out to the property, per the church's request, and they stated that redesign seemed appropriate for resolution of the problem. Council Member Stanley asks if the church was informed of this. Mr. Crowe states yes. Mrs. Hawthorne states that she appreciates what is being done, however, she is getting impatient. City Attorney Lee Thompson states that the city's role should only be to verify that what is out there is what had been approved and has been maintained. That is all the city can do in this matter. Mr. Thompson states that this is Mr. Crowe's call. Council Member Stanley suggests that the church designed the pond one way and the city made them redesign it and the church cannot be



**MAYOR & COUNCIL MEETING
MONDAY, APRIL 12, 1993
MINUTES, CONT'D.
PAGE 5**

responsible if the city made them do it incorrectly. More discussion held on this matter. Mr. Crowe agrees to review the file and verify what was approved and report back to the Mayor and Council.

Diane Spivey, of Pinedale Circle, asks if the Richland Creek interceptor lines are the ones that were originally designed to go under the landfill and if they are still going under the landfill. Council Member Stanley states that they are still planning on going through the proposed landfill expansion, however, it remains to be seen if there will be a landfill there or not. Mrs. Spivey states that the Solid Waste Task Force had questioned how responsible it was to do that. She is also disappointed that the Solid Waste Task Force was rushed to complete the Solid Waste Management Plan and once they had, it has sat for a whole month without any action taken on it. She states that Jim Arnold had taken the opportunity, personally, to trash the Task Force and she does not feel that was the correct forum for that. She states that the Facility Negotiations Citizens are doing an outstanding job.

Cynthia Wright, of Level Creek Road, asks the City Attorney who is the firm he hired to do the transcripts for the Facility Issues Negotiations Committee Meetings. City Attorney Lee Thompson replies West Court Reporting. Ms. Wright asks if he has hired them himself each time, including the last meeting when they did not attend. Mr. Thompson states yes and takes full responsibility for no one showing up for that meeting. He states that at each negotiations meeting, the next meeting is set up tentatively and the court reporter usually calls the day of the meeting to confirm it, however, they did not call to confirm that day and he failed to contact them. Mr. Thompson states that he has already apologized to the Mayor and Council for this misunderstanding. Ms. Wright asks what the time frame is to complete a transcript. Mr. Thompson states normally 2 to 3 weeks unless you put a rush order on it which costs more money.

Executive Session

Council Member Bailey moves to go into Executive Session with the City Attorney. Second to the motion by Council Member Morris. Vote unanimous.

Meeting recessed at 8:45 p.m.

Meeting reconvened at 9:12 p.m.

No further business was discussed.



MAYOR & COUNCIL MEETING
MONDAY, APRIL 12, 1993
MINUTES, CONT'D.
PAGE 6

Adjournment

Council Member Morris moves to adjourn the meeting. Second to the motion by Council Member Everett. Vote unanimous.

Meeting adjourned at 9:12 p.m.

Judy Foster

CITY OF SUGAR HILL

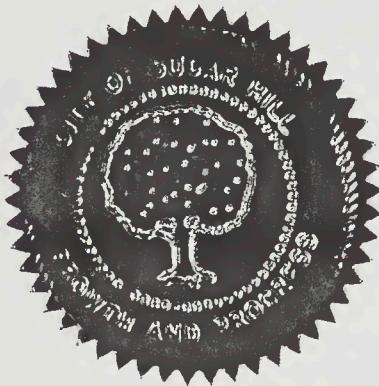
OATH OF OFFICE

"I, Amy Roark, do swear or affirm that I will as superintendent duly attend the ensuing election during the continuance thereof, that I will to the best of my ability prevent any fraud, deceit, or abuse in carrying on the same, that I will make a true and perfect return of the said election, and that I will at all times truly, impartially, and faithfully perform my duties in accordance with Georgia laws to the best of my judgment and ability."

Amy Roark
Amy Roark

4/12/93
Date

George Haggard
Mayor George Haggard





CITY OF SUGAR HILL

4988 WEST BROAD ST. SUGAR HILL, GEORGIA 30518
(404) 945-6716

TO: MAYOR AND COUNCIL

FROM: SANDRA RICHARDS, DIRECTOR OF FINANCE

DATE: APRIL 12, 1992

RE: MARCH BUDGET RESULTS

OPERATIONS:

The following is the results from March operations. These figures are expressed as variances and represent net income (loss) in each fund.

General	\$ 85,052.75
Sanitation	<\$ 4,704.39>
Gas	\$179,565.92
Water	<\$ 6,543.75>
Street	<\$ 13,209.50>
Sewer	<\$ 13,656.31>
Golf Course	<\$ 31,535.74>
Total	\$194,968.98

CASH BALANCE:

At the end of March, the city had a bank balance in operating accounts of \$423,653.71. This does not include money held in investments.

INVESTMENTS:

\$0.00 remain in our investment accounts at the end of March. Proceeds from the bond refunding will be detailed in April's report.

CONSTRUCTION:

During March, the city spent \$30,114.33 for construction of the golf course and waste water treatment facility. \$134,888.26 was spent from G.E.F.A funds for the construction of the treatment plant.

M E M O R A N D U M

TO: Mayor and Council
FROM: Amy Roark, Deputy City Clerk
DATE: April 8, 1993
SUBJECT: 1993 Insurance Bids

On the following pages you will find the insurance bids that the City received for health insurance. After careful review, I recommend that the City stay with JMEBS (Northwestern National Life). Even though some of the bids have lower monthly premiums, Northwestern National Life has the best premium for all that it includes.

I have also included the only bid the City received for property and liability insurance. Along with it I have included the last bills we paid under our current policy through GIRMA for you to compare. The bid proposal policy was very vague and the property values are estimates. I recommend staying with the current policy due to the incompleteness of the Zurich American bid proposal.

1993 INSURANCE PROPOSALS

	Northwestern Nat'l Life	Aetna (PPO)	United Health Care of Ga. (PPO)	BlueCross/ Blue Shield (PPO)
Medical Emp.	163.00	142.06	94.01	157.88
Medical Spouse	NA	150.10	NA	344.17
Medical Spouse & Children	220.00	277.33	322.99	457.51
Dental Emp.	12.60	16.12	14.00	18.12
Dental Spouse	NA	13.93	NA	34.39
Dental Spouse & Children	28.50	31.47	36.60	68.80
Life/ AD&D	6.10	148.00/ 30.40	149.60/ 34.00	NA
Short Term Disab.	17.75/ 250.00	NA	664.00/ 200.00	NA
Deduc. Single/ Family	200.00/ 600.00	200.00/ 600.00	in-none/ 300/900	200.00/ 600.00
Office Visits (PPO)	NA	10.00	15.00	NA
Rate Guarante. 1yr		1yr	1yr	1yr
Presc. Card	NA	NA	10.00	NA
Total Monthly Premium	17,850.00	15,122.79	12,232.76	15,248.00

	Employers Health	Guardian Life Ins	The Principal	American Life Assurance
Medical Emp.	149.37	164.46	188.73	119.27
Medical Spouse	NA	NA	200.83	144.71
Medical Spouse & Children	404.50	349.11	396.11	263.98
Dental Emp.	15.80	*13.13	19.81	8.32
Dental Spouse	NA	NA	19.81	NA
Dental Spouse & Children	41.85	*20.24	36.13	12.37
Life/ AD&D	161.60	463.20	247.59	168.00
Short Term Disab.	308.00/ 100.00	NA	NA	NA
Deduc. Single/ Family	250.00	200.00/ 600.00	200.00/ 600.00	200.00/ 600.00
Office Visits (PPO)	NA	NA	NA	NA
Rate Guarante	1yr	NA	1yr	NA
Presc. Card	5.00gen/ 10.00brand	NA	NA	NA
Total Monthly Premium	15,153.97	23,721.23	11,103.56	14,583.63

* Can be stand alone dental.

	Accordia Lamar Life	American Nat'l	Georgia Dental Plan	*Phoenix
Medical Emp.	avg. 144.20	NA	NA	145.49
Medical Spouse	NA	NA	NA	NA
Medical Spouse & Children	avg. 295.32	NA	NA	387.22
Dental Emp.	avg. 20.00	NA	9.95	13.82
Dental Spouse	NA	NA	17.35	NA
Dental Spouse & Children	NA	NA	23.70	39.53
Life/ AD&D	NA	NA	NA	285.60
Short Term Disab.	624.60/ 200.00	NA	NA	588.00
Deduc. Single/ Family	150.00/ 450.00	250.00/ 750.00	NA	200.00/ 600.00
Office Visits (PPO)	NA	15.00	NA	15.00
Rate Guarante.1yr		1yr	NA	NA
Presc. Card	NA	NA	NA	NA
Total Monthly Premium	14,583.63	15,475.00	9,814.20	18,262.22

*Phoenix is currently being used by the City of Buford.

	Fortis	American Nat'l
Medical Emp.	146.89	112.03
Medical Spouse	NA	NA
Medical Spouse & Childrn	376.15	334.04
Dental Emp.	12.38	16.10
Dental Spouse	NA	NA
Dental Spouse & Children	40.94	42.55
Life/ AD&D	195.30	187.80
Short Term Disab.	638.40	1,124.13
Deduc. Single/	100.00/	250.00/
Family	300.00	650.00
Office Visits (PPO)	20.00	NA
Rate Guarante.	NA	NA
Presc. Card	NA	NA
Total Monthly Premium	17,835.84	16,631.61

HEALTHCARE PROFESSIONAL SERVICES, INC.



PARKER HARVEY, CPCU

PRINCIPAL/BROKER

FRED SEILKOP

FIELD UNDERWRITER

(404) 916-1568

(404) 850-0041

FAX: (404) 850-0132

March 29, 1993

Amy Roark
Risk Management Department
City of Sugar Hill
4988 W. Broad Street
Sugar Hill, GA 30518

Dear Amy:

We are pleased to offer a quotation per your bid specifications on the City of Sugar Hill property and liability program from Zurich-American Insurance Company.

City of Sugar Hill

Property Insurance

	<u>Values</u>	<u>Deductible</u>	<u>Annual Premium</u>	
Building & Contents	\$1,281,555.00	Deductible	\$1,000	\$2,777

Limits

Valuable Papers	\$ 100,000.00	Deductible	\$ 500	\$ 105
Accts. Receivable	\$ 100,000.00	Deductible	\$ 500	\$ 67
Inland Marine	\$ 269,770.00	Deductible	\$ 500	\$ 500
Bus. Interrupt/Ex. Expense	\$1,000,000.00			\$1,721
Electronic Data Processing	\$ 88,474.00	Deductible	\$ 250	\$ 259

Annual Premium \$5,429

Auto Liability/Physical Damage per specifications

<u>Coverage</u>	<u>Limits</u>	<u>Deductibles</u>	<u>Premiums</u>
Liability	\$1,000,000	N/A	\$17,109
Uninsured Motorist	\$ 40,000	N/A	\$ 232
Comprehensive	Per Schedule	\$250	\$ 542
Collision	Per Schedule	\$500	\$ 1,164
Hired Auto	Included	N/A	Inclusive
Non-Owned Auto	Included	N/A	Inclusive
		Total	<u>\$19,047</u>

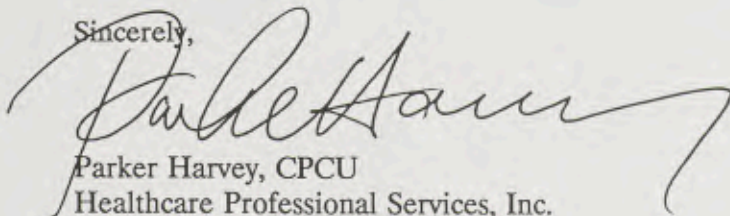
*Optional

Excess Liability Follow-Form

\$1,000,000/\$1,000,000	Annual Premium	\$3,600
\$4,000,000/\$4,000,000	Annual Premium	\$8,100

Financing is available for payment of the premium, if you are interested. If you have any further questions or concerns, please contact our office. Thank you.

Sincerely,



Parker Harvey, CPCU
Healthcare Professional Services, Inc.

Mark Anderson, Agent

PH:kwb



**GEORGIA
MUNICIPAL
ASSOCIATION**

Risk Management and Employee Benefit Services

201 Pryor Street, SW • Atlanta, Georgia 30303 • 404/688-0472 • FAX: 404/577-6663

OFFICERS

Ed Cannington, Jr.
Chairman
Mayor, Lumpkin
Luther Conyers, Jr.
Vice Chairman
Mayor Pro Tem
Bainbridge
James V. Burgess, Jr.
Secretary-Treasurer
GMA Executive Director

TRUSTEES

P. A. 'Pete' Brodie
City Administrator
Augusta
Johnson W. Brown
Mayor
Chamblee
James W. Buckley
Mayor
Swainsboro
James A. Calvin
City Manager
Toccoa
Sonya Carter
City Administrator
Union City
Jerry Cutrer
Councilmember
Roswell
Willie J. Davis
Mayor
Vienna
Dorothy Glisson
Mayor Pro Tem
Sylvania
Ken Hemmons
City Manager
Dublin
Mertha Kennedy
Commissioner
Rome
Bob Knox, Jr.
Mayor
Thomson
Bain Proctor
City Commissioner
Griffin
Emory Stephens
City Manager
Dahlonega

April 7, 1993

Amy Roark, Deputy City Clerk
City of Sugar Hill
4988 W. Broad Street
Sugar Hill, GA 30518

Dear Amy,

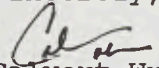
I am pleased to enclosed herewith the City of Sugar Hill's renewal contribution for the coverage period May 1, 1993 through April 30, 1994. The renewal contribution is \$61,582 a slight decrease over the 1992-93 annual contribution of \$66,652.

I am also pleased to inform you that the GIRMA Board of Trustees had declared a renewal credit to be applied against the City of Sugar Hill's 1993-94 annual contribution. The City of Sugar Hill's renewal credit is \$ 3,361 or approximately 5% of the 1993-94 annual contribution. The application of the renewal credit to the 1993-94 annual contribution reduces the City of Sugar Hill's annual renewal contribution for 1993-94 to \$58,221.

The renewal credit is made possible from surplus funds generated by the excellent financial position of the program. The strong financial position of the program is a result of continued participation by members of the program such as the City of Sugar Hill.

If you have any questions concerning the renewal contribution or the application of the renewal credit, please do not hesitate to contact me.

Sincerely,


Calvert Wray
Director of Risk Management
and Employee Benefit Services

CW:dym:vh

Enclosure



ARTHUR J. GALLAGHER & CO. - ATLANTA

2858 WOODCOCK BLVD., SUITE 300 ■ ATLANTA, GA 30341

(404) 455-3337

110 [City of Sugar Hill
P.O. Box 526
Sugar Hill, GA
30518

5178

CUSTOMER NO.
27988DATE
3-31-93

4

PAYMENT DUE UPON RECEIPT

PLEASE DETACH AND
RETURN WITH PAYMENTAMOUNT
REMITTED \$ _____

DATE	POLICY OR CHECK NUMBER	DESCRIPTION	AMOUNT									
3-15-93	BINDER 001	000497 COMM. LIAB. RENEWAL	6,832.00									
3-15-93	BINDER 001	UMBRELLA/COMM RENEWAL	1,500.00									
APR 01 REC'D 												
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="3">AMOUNTS PAST DUE</th> </tr> <tr> <th style="width: 33%;">30 TO 60 DAYS</th> <th style="width: 33%;">60 TO 90 DAYS</th> <th style="width: 33%;">OVER 90 DAYS</th> </tr> </thead> <tbody> <tr> <td style="height: 20px;"></td> <td></td> <td></td> </tr> </tbody> </table>			AMOUNTS PAST DUE			30 TO 60 DAYS	60 TO 90 DAYS	OVER 90 DAYS				PLEASE PAY THIS AMOUNT \$ 8,332.00
AMOUNTS PAST DUE												
30 TO 60 DAYS	60 TO 90 DAYS	OVER 90 DAYS										

5178-0

ARTHUR J. GALLAGHER & CO.

* THIS IS A STATEMENT OF YOUR ACCOUNT AS OF THE DATE INDICATED ABOVE. PAYMENTS RECEIVED AFTER THIS DATE WILL BE DEDUCTED ON NEXT MONTH'S STATEMENT.

GEORGIA INTERLOCAL RISK MANAGEMENT AGENCY

RENEWAL CONTRIBUTION WORKSHEET for MAY 1, 1992-1993

MEMBER: City of Sugar Hill

General Liability Limit \$ 1,000,000

Total Property Values Covered \$ 2,195,844

EXCEPTIONS: Auto Physical Damage and Natural Gas Liability
Excluded

1992-93 GIRMA CONTRIBUTION

PER OCCURRENCE *	1992-93
DEDUCTIBLE	CONTRIBUTION
\$ 2,500	\$ 66,652

* This deductible will apply to all losses and all lines of coverage subject to a maximum of one deductible for all claims arising from a single occurrence.

PAYMENT TERMS

Please circle the payment option you desire below:

Option 1 Payment of 100% annual contribution
by May 30, 1992.

Option 2 Payment of 50% of annual contribution
by May 30, 1992. Remaining balance
paid by June 30, 1992.

Option 3 Payment of 50% of annual contribution
by May 30, 1992. Remaining balance
paid in 5 equal installments.
Installment fee of 11% will be
applied to the balance due.

PLEASE MAKE YOUR CHECK PAYABLE TO G.I.R.M.A.

PLEASE SIGN, DATE, AND RETURN THIS FORM WITH YOUR CHECK
in the envelope provided to Mrs. Valarie Hill, Account
Representative, Arthur J. Gallagher & Co., 2858 Woodcock
Blvd., Suite 300, Atlanta, GA 30341.

The extra copy is for your records.

ACCEPTED FOR City of Sugar Hill

BY: *Linda Richards Finney, Director* 5/29/92

The following was given to Mayor and Council on 4/12/93 by Lauri Henritze, spokesperson for the Facility Issues Negotiation Committee.

"On behalf of the Citizens Facility Issues Negotiation Committee we wanted to address Mayor and Council tonight regarding the current negotiation process.

As you will recall we previously addressed you in an effort to clear confusion about our role and this process. At that time we corrected the idea that we were formed to renegotiate the landfill contract.

Tonight we are here again to clarify our position on our role and purpose. We want to make it clear that as a small group of citizens we did not petition to engage in this process to affect or change the existing lease contracts with Button Gwinnett/Mid American, the Solid Waste Management Plan as recommended by the Task Force and Stephen O'Day, or to discuss changes to current zoning and land use ordinances. To negotiate on issues that would require changes to these is beyond our scope of authority. Furthermore, such changes could, in our opinion, eliminate or weaken the controls the city now has over landfill expansion in our community.

We cannot negotiate on an expansion area beyond the 44 leased acres or a reconfigured site. We have spent the last three meetings expressing this. More than the 44 city acres would be in conflict with the recommended Solid Waste Management Plan as would discussion of less than current standards for buffers. The proposed piping of the central stream under compacted garbage violates the City's Chattahoochee River Protection Ordinance and we do not have the authority or desire to change this.

We are sure that the City's best position would be to rely on the expert advice of a top environmental attorney like Mr. O'Day in these issues rather than negotiations from a group of citizens.

We are not in support of a landfill expansion and we petitioned to engage in these negotiations in an effort to achieve additional protections to our quality of life and property values should Mid American be successful in their efforts to obtain a permit on their application at EPD.

This process is separate from that of developing a ten year Solid Waste Management Plan and we do not want final completion to be delayed for the outcome of these negotiations. Any resulting agreement from our process is to be executed by the chairman of the Citizen Committee and the Mayor, then adopted by city resolution.

The Mid American people have indicated that they require our support of reconfiguration and acres beyond 44 in order to successfully address our concerns. Indeed we are frustrated by the inability to achieve results, the relocation of the entrance to S. Richland Creek is one example. Mid American proposed this to every household in a newsletter last fall (holds up newsletter), but now at a time for commitment on this important issue, it is a problem for them.

The proposed disposition of issues from Mid American which we received Friday offers little assurances that the proposed expansion is one that should be supported. Conversely, we are now more concerned than before this process began.

The last inspection by EPD shows that this company fails to properly operate the existing small site. What additional assurances do we have that convinces us they will do better if the city allows them more? We question our ability to achieve the kind of a assurances the citizens of Sugar Hill are seeking.

We encourage you to take the steps necessary to protect our community, our rights and the quality of life in Sugar Hill. We encourage you to finalize our ten year plan and continue to seek the recommendations of experts in limiting our liability and minimizing negative impacts to our lives and community.

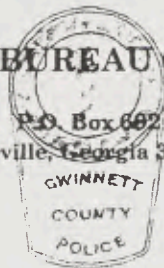
We thank you for this opportunity to address Mayor and Council."

cc: City Clerk

Mayor and Council

GWINNETT COUNTY BUREAU OF POLICE SERVICES

Lawrenceville, Georgia 30246-0602



Wayne Bolden
Chief of Police

(404) 513-5205

March 26, 1993

*Ms. Kathy Williamson
C/O City of Sugar Hill
4988 West Broad Street
Sugar Hill, Ga. 30518*

Dear Ms. Williamson,

Due to the continuing illegal trash dumping along Hillcrest Drive, Buford Ga., I would like to close Hillcrest Drive, Buford Ga. to vehicular travel. This will entail blocking the roadway at the pavement end and South Richland Creek Road. The roadway will continue to be county right of way and should future development require it to be reopened this process can be simply reversed. I believe this will be to everyone's advantage and will be a positive step towards eliminating a severe problem.

I need a letter authorizing the roadway to be closed from each property owner along the road. If you need to talk with me regarding this matter please don't hesitate to do so. The actual department that will close the roadway is Gwinnett County Department of Transportation. The person to contact in that department is Bob Manning 822-7400.

A handwritten signature in cursive script that reads "W.M. Thaxton".

PO3 Wayne M. Thaxton Badge 187
Solid Waste Enforcement Officer
Gwinnett County Police Department
P. O. Box 602
Lawrenceville, Ga. 30246
404-513-5256

cc:file

Offices:
Greenville, SC
Raleigh, NC
Greenville, NC
Atlanta, GA
Chattanooga, TN

PiedmontOlsenHensley

Engineers/Architects/Surveyors

April 12, 1993

P.O. Box 723308, Atlanta, GA 31139-0308
3200 Professional Parkway, Suite 200
Atlanta, GA 30339
(404) 952-8861 Fax: (404) 984-1160

The Honorable George O. Haggard
Mayor
City of Sugar Hill
4988 West Broad Street
Sugar Hill, GA 30518

Subject: Interceptor Sanitary Sewers
City of Sugar Hill, Georgia
SRF Project No. 92-018
POH Project No. 61386

Dear Mayor Haggard:

Enclosed is a copy of the Bid Tabulation for the referenced project. All bids have been fully reviewed by Piedmont Olsen Hensley with the responsive low bidder being John D. Stephens, Inc., of Stone Mountain, Georgia.


From information provided and our experience with this Contractor, we feel they are well qualified for this project. We therefore recommend that this project be conditionally awarded to John D. Stephens, Inc., pending final approval of the Contractor by the Environmental Protection Division of the Georgia Department of Natural Resources. We further recommend that only Schedules I and II be awarded at this time and that award of Schedule III be deferred until all required easements have been obtained.

Therefore, the total recommended amount of award at this time is \$1,897,484.50 (\$1,262,108.50 for Schedule I and \$635,376.00 for Schedule II).

If you should have questions, comments, or need additional information, please contact me.

Sincerely,

PIEDMONT OLSEN HENSLEY


William H. Johnson, P.E.
Project Manager

jbb/027
Enclosure

cc: Kathy Williamson

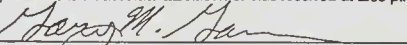
Bid Tabulation
City of Sugar Hill, Georgia
Interceptor Sanitary Sewers
SRF #92-018

Project No. 61386

Time: 2:00 p.m.
Date: Thursday, March 11, 1993
Place: City of Sugar Hill
4988 West Broad Street
Sugar Hill, GA 30518

	Bidder No. 1	Bidder No. 2	Bidder No. 3	Bidder No. 4
Name of Bidder	John D. Stephens, Inc. Stone Mountain, GA	Rockdale Pipeline, Inc. Conyers, GA	Ruby-Collins, Inc. Smyrna, GA	Reynolds, Inc. Fairburn, GA
Bid Bond	St. Paul Fire and Marine Insurance Company	Reliance Insurance Company	Reliance Insurance Company	United States Fidelity and Guaranty Company
Total Base Bid	**\$2,348,467.00	\$2,614,871.00	**\$2,984,241.00	**\$3,598,653.77

I certify that this is an accurate tabulation of bids received at 2:00 p.m., local time, on Thursday, March 11, 1993, for the City of Sugar Hill, Georgia, for the Interceptor Sanitary Sewers.

By: 
Gary M. Gann, PE
Piedmont Olsen Hensley, Inc.

Date: 3/17/93

TO: MUNICIPAL GAS AUTHORITY OF GEORGIA MEMBERS
FROM: M. M. "Red" James, Election Committee Chairman
DATE: April 1, 1993
RE: 1993 Municipal Gas Authority of Georgia Annual Election

This is to notify you that the 1993 Municipal Gas Authority Annual Election will be held in conjunction with the Authority's Annual Membership Meeting at Evergreen Conference Center and Resort in Stone Mountain Park. The Election Meeting will be Friday, May 21, 1993, at 8:00 a.m. in the Laurel Amphitheater.

There are three (3) positions to be filled. These positions are currently held by Mr. Bob Knox, Mr. Frank Sherrill, and Mr. Charles Tyson.

If your delegate or alternate has changed from the names on the attached list **or no delegate or alternate is listed** for your City, a **certified** copy of a resolution naming a delegate and an alternate should be sent to L. Clifford Adams, Jr. **on or before May 18** at Alston & Bird, One Atlantic Center, 1201 West Peachtree Street, Atlanta, Georgia 30309-3424. **New members** that did not vote in last year's election will need to send in a resolution naming a voting delegate and an alternate.

If it is not possible to meet the May 18 deadline, your delegate should bring the resolution to the meeting. If a resolution is brought by your delegate to Stone Mountain, it should be handed to Cliff Adams or me before the meeting is called to order. **Please check the enclosed delegate list and verify your community's voting delegate** and should a resolution be necessary, a sample is enclosed for your convenience.


As you know, we need 67% of the weighted vote for a quorum. Please have your delegate there and on time. Also, please remember that each city must appoint a separate representative to the Election Committee, rather than having one representative represent two or more cities.

Sometime in April, you will be receiving another letter with a list showing the distribution of votes for your information. Should there be any questions, please call Cliff Adams at (404) 881-7998 or me at (912) 924-5921.

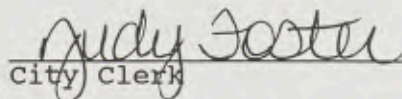
R E S O L U T I O N

BE IT RESOLVED by the Mayor and City Council of the City of Sugar Hill that Ken Crowe is hereby appointed to serve as this City's voting delegate on the Municipal Gas Authority of Georgia's Election Committee, with authority to cast all votes to which this city is entitled. Kathy Williamson is appointed as alternate voting delegate.

This 12th day of April, 1993.


Mayor

Attest:


City Clerk

AGENDA
CALLED MAYOR AND COUNCIL MEETING
APRIL 26, 1993
10:00 A.M.

1. Policies and Procedures for Public Hearings
2. Work Session - Solid Waste Management Plan

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CITY OF SUGAR HILL CITY COUNCIL

City Council meeting was held at the Sugar Hill City Hall, Sugar Hill, Georgia, on April 26, 1993, at 10:00 a.m. Present were Mayor Pro-Tem, Thomas Morris; City Council members Steve Bailey, Jim Stanley, Roger Everett and Reuben Davis. Also present were City Attorney, Lee Thompson; City Manager, Kathy Williamson; City Clerk, Judy Foster; and Task Force Facilitator, Connie Wiggins.

The meeting was called to order by the Mayor Pro-Tem, followed by the pledge to the flag.

TORRIE M. RONEY, CCR-B-1070

WEST COURT REPORTING
584 South Perry Street
P. O. Box 854
Lawrenceville, Georgia 30246-0054
Phone: (404) 963-0003

1 MR. MORRIS: Is everybody ready? We'll
2 call this meeting to order. Our flag is over
3 there. If everybody will stand, we'll pledge to
4 the flag.

5 (Whereupon, the pledge to the flag was
6 pronounced.)

7 MR. MORRIS: We do not have the paperwork
8 that we need on this policies and procedures for
9 public hearings. You do not have an agenda?
10 That's all right, I had to go get me one. So
11 what do you -- do you want to hold off on this
12 until we get the papers on that?

13 MR. BAILEY: Yeah, I believe we talked
14 about getting a more simple text from --

15 MR. THOMPSON: We tried to get one from
16 Fitzgerald, I believe.

17 MR. BAILEY: I guess we'll make a motion
18 that we table that until the regular Council
19 meeting in May.

20 MR. EVERETT: So moved.

21 MR. MORRIS: Any discussion? All in favor?

22 MR. BAILEY: Aye.

23 MR. STANLEY: Aye.

24 MR. EVERETT: Aye.

25 MR. DAVIS: Aye.

1 MR. MORRIS: Work session on the Solid
2 Waste Management Plan.

3 MR. BAILEY: For purposes of review, I make
4 a motion that we go over the text page by page
5 and derive -- go paragraph by paragraph before
6 going on to the next paragraph before we get to
7 the completion of the end. I recognize that may
8 be tedious, but I feel it's necessary so we can
9 go through the complete text.

10 MS. WILLIAMSON: Could I make a
11 recommendation to the Council. Since Ms. Wiggins
12 was the facilitator for the Task Force, maybe she
13 should sit up here; and if there's any questions,
14 we can address those to her since she worked with
15 that. This is Draft 2, dated February 23rd,
16 1993.

17 MR. MORRIS: Yes, February 23rd, 1993.

18 MS. WILLIAMSON: And this draft is --
19 nothing's been changed in this draft since the
20 presentation from the Solid Waste Task Force as
21 it was presented to the Council.

22 MR. MORRIS: No, no.

23 MR. STANLEY: I'd like to make a
24 suggestion. I realize we need to go through it
25 step by step, page by page; but one of the key

1 elements that effects all of it is the
2 recommendations of Stephen O'Day that was
3 transmitted to us March the 8th in a cover letter
4 and includes two sections, the Disposal and the
5 Land Limitations portion of the document. If we
6 could address that first, I think it might make
7 it smoother for us to go through the rest of the
8 meeting. Any problem with that?

9 MR. BAILEY: I have no problem. We can
10 skip straight to that.

11 MR. STANLEY: In general, I think that Mr.
12 O'Day did a very good job of outlining for us the
13 language appropriate to incorporate what the
14 Solid Waste Management Task Force agreed to. And
15 to start with, I would suggest that we adopt
16 these sections that were attached to the March
17 8th letter, and then there's some editing changes
18 I'd like to discuss once we get the basic thing
19 adopted. Does everybody agree with that, we
20 ought to substitute these two sections for the --

21 MR. BAILEY: Your proposal is just to
22 replace the two sections of the proposal with Mr.
23 O'Day's text and come back and edit that?

24 MS. WILLIAMSON: What page was that?

25 MR. BAILEY: Eighteen through 23, I

1 believe. Is that correct?

2 MR. MORRIS: Yeah, 18 through 23.

3 MR. BAILEY: That would probably be
4 simpler, Jim, because all my comments are
5 relative to his. I second that motion.

6 MR. MORRIS: All in favor?

7 MR. BAILEY: Aye.

8 MR. STANLEY: Aye.

9 MR. EVERETT: Aye.

10 MR. DAVIS: Aye.

11 MR. BAILEY: Okay. Now, we're looking at
12 his text now instead of mine.

13 MR. STANLEY: Now, if you want to go back
14 to the beginning and start from the beginning,
15 that's okay with me, but we've got this
16 fundamentally in place.

17 MR. BAILEY: It doesn't matter. Do you
18 want to start at the beginning? Okay.
19 Introduction.

20 MR. STANLEY: When Draft No. 2 was prepared
21 and presented to everyone, I wrote a letter to
22 the City and transmitted some changes; and the
23 first change that appears on Page 1, if we're
24 going page by page, I have a change on Page 1
25 that I'd like to suggest. In the third

1 paragraph, I have suggested adding language which
2 would clarify the intent of the Solid Waste
3 Management Task Force and the City Council so
4 that as ARC and EPD and DCA review the document,
5 they will, on the very first page, understand
6 what it is we're doing and where we're coming
7 from.

8 Now, the change that I suggested is an
9 insertion in the third paragraph after it says,
10 "And ensure ten years of solid waste disposal
11 capacity," then I'm suggesting that we insert the
12 following language. "This plan also expresses
13 the desire of the citizens of Sugar Hill and the
14 intention of the Mayor and City Council of Sugar
15 Hill to limit any further" -- excuse me, "New
16 future sanitary landfill operations within the
17 City to a 44-acre site owned by the City and
18 currently leased to a private landfill operator."
19 And then that remaining text, I would start
20 another paragraph. "The seven basic elements,"
21 would be the beginning of the second paragraph.
22 And I've got this written down. Thomas, if
23 you're the Chair, there's the language that I
24 just read.

25 MR. BAILEY: Now, I believe that particular

1 body of text is redundant in the disposal
2 section, as well.

3 MR. STANLEY: It may be.

4 MR. BAILEY: At least by the adoption of
5 Mr. O'Day's text, it would be.

6 MR. STANLEY: Does anybody else need a copy
7 of that language? So moved.

8 MR. BAILEY: Will it be appropriate to
9 speak with the Mayor about his text?

10 MR. STANLEY: I don't know. Where's the
11 Mayor?

12 MR. MORRIS: I don't know. He couldn't be
13 here this morning for some reason; I don't know
14 why.

15 MR. STANLEY: Do you have some comment from
16 the Mayor?

17 MR. BAILEY: No.

18 MR. STANLEY: Oh, you mean because it says
19 "the Mayor"?

20 MR. BAILEY: Yeah.

21 MR. STANLEY: Well, you can change that to
22 the City Council.

23 MR. BAILEY: Any comment?

24 MR. DAVIS: Do you propose to leave the
25 word "Mayor" in here to where we can just say

1 "City Council?"

2 MR. STANLEY: If that will help you, I
3 will. Since the Mayor's not present, we would
4 revise it to say, "And the intention of the City
5 Council."

6 MR. DAVIS: I'll second.

7 MR. MORRIS: I've got a motion and a
8 second. Any discussion?

9 MR. BAILEY: The only problem I'm having
10 with this, Jim, is it has a set limit on acreage
11 size of the landfill. That could be, by consent
12 of the Council or future councils, made to be
13 larger or smaller. I would hate to put in a
14 limitation at this time that would encumber
15 future councils.

16 MR. STANLEY: Yeah, the Solid Waste
17 Management Plan is just like the Comprehensive
18 Plan and Zoning Ordinance or anything else. It's
19 subject to change by future bodies at any time.
20 But for the immediate present -- the 44-acre
21 limitation is what was recommended by the Solid
22 Waste Management Task Force and by Mr. O'Day; and
23 I think you'll find comparable language occurs
24 again later in the document. I just was trying
25 to make it clear up front --

1 MR. BAILEY: I understand.

2 MR. STANLEY: -- where we were headed with
3 this thing.

4 MR. BAILEY: Like, for instance, a current
5 lease. Well, that lease can be amended from time
6 to time, and this 44-acre tract could change from
7 a legal standpoint like the legal description of
8 the property.

9 MR. STANLEY: And my understanding of the
10 process would be that if sometime in the future
11 the Council wanted to lease additional property
12 or do something that changed the boundaries here,
13 that they would do that, in fact, by amending the
14 Solid Waste Management Plan and the lease.

15 MR. BAILEY: I understand, but I would just
16 feel more comfortable if we just say, "Within the
17 City of Sugar Hill, of lands owned by the City of
18 Sugar Hill."

19 MR. STANLEY: Well, the City owns a lot of
20 land, a lot more than the 44 acres. In fact, the
21 City owns an additional 30 acres right out there,
22 and this language is consistent with the
23 recommendation of the Solid Waste Management Task
24 Force and with the recommendations of Mr. O'Day.
25 So what language revision are you suggesting.

1 MR. EVERETT: I feel like the City would
2 have more control if it was -- the very beginning
3 of it was --

4 MR. BAILEY: City owned property.

5 MR. EVERETT: City owned property.

6 MR. BAILEY: Period.

7 MR. EVERETT: I think they would have a lot
8 more control.

9 MR. BAILEY: And also I want to prestage
10 any kind of a comment that any private landfill
11 would be done in the future so the City could
12 have optimum control. We could restrict it just
13 to our property.

14 MR. STANLEY: Well, limiting it to --

15 MR. BAILEY: You can identify the 44 acres
16 later in the Disposal section is what I'm saying.

17 MR. STANLEY: Limiting it to City owned
18 property is not as restrictive as this is. Would
19 you agree with that?

20 MR. BAILEY: If I'm to gather the 44 acres
21 is the land's currently leased?

22 MR. STANLEY: Right.

23 MR. BAILEY: So assume the lease is not
24 amended or changed?

25 MR. STANLEY: So if we limit it, that part,

1 we would not be as restrictive as we are with
2 this. I think that --

3 MR. BAILEY: Let me explain to you: The
4 problem I'm having is let's say, for instance, I
5 went to a facilitator negotiation meeting and the
6 people wanted to increase buffers and reroute the
7 road and things like that, and I'm not
8 necessarily knowledgeable or not -- for instance,
9 the roadway itself may not have to be on the
10 leased property or consider it as part of the D&O
11 plan of the landfill. You may know.

12 If I say 44 acres, I may be restricting the
13 possibility of allowing them to reroute that road
14 to appease the property owners which are most
15 affected by the landfill operation. We have to
16 say X number of acres, and I'm going to have to
17 change the 44 acres to something else or say so
18 many acres of private land to accommodate that
19 roadway. I'm not familiar enough with that map.

20 MR. STANLEY: It says to limit any future
21 sanitary landfill operations. Now, here's the
22 whole point --

23 MR. BAILEY: Well, I don't know, see,
24 that's the question.

25 MR. STANLEY: The review by Mr. O'Day

1 indicated that our best foremost control is
2 provided by the -- in fact, our primary control
3 is provided by the lease agreement on the 44
4 acres. And the lease agreement does not provide
5 any authority to control any property beyond the
6 44 acres. Now, that's the simple fact of the
7 matter. However, it does not preclude the
8 inclusion of the private lands in part of the
9 overall D&O plan for a landfill.

10 MS. WILLIAMSON: That's affected -- we
11 would have to come in to the City Council for
12 approval of any additional.

13 MR. STANLEY: Well, obviously, I'm trying
14 to preclude that from happening.

15 MS. WILLIAMSON: Well, I mean, it would
16 have to happen anyway, would it not, according to
17 the zoning?

18 MR. BAILEY: I would just feel more
19 comfortable -- we could say something like, "To
20 City owned land as identified elsewhere in this
21 plan," so when we get to that part of the plan
22 here, we identify the land legally. So if we
23 have to change something in the future, we don't
24 have to change two parts of the plan; we just
25 change one.

1 MR. THOMPSON: If this would be of any
2 assistance, I don't know if it will be or not.
3 I'll state it. I don't know what your purpose is
4 for doing that, Jim. You might want to tell us
5 what the purpose is. I think from a legal
6 standpoint, as you said, it's like a land use
7 document or comprehensive plan.

8 If someone goes down and applies with the
9 State, they're not going to be able to get a
10 permit on anything beyond that. But to the
11 extent somebody comes to the Council and requests
12 a rezoning or whatever and that's granted, I
13 think you're going to have to amend this plan,
14 then, to reflect this. I don't believe you can
15 grant a zoning and use this plan to prohibit
16 someone from doing that.

17 So from a legal standpoint, I don't know if
18 it's going to have any significance other than on
19 the State. Anything beyond that is going to have
20 to come back through this Council anyway for
21 future purposes.

22 MR. STANLEY: All right. Let me say it to
23 you in --

24 MR. THOMPSON: I think it states the
25 purpose or a rationale, but I'm not sure it has

1 any binding effect on anybody.

2 MR. STANLEY: I understand that nothing we
3 do is forever, that future councils can change
4 the decisions that we make and the directions
5 that we take and can amend any and all of these
6 documents if something in the future leads them
7 to believe that's in the best interest of the
8 City. Now, what I'm trying to do is to cope with
9 today, the problems that we face today.

10 And my understanding of the guidance given
11 to us by Stephen O'Day was that we have clear
12 authority to limit what happens to the 44 acres
13 and we have language in place in the lease
14 agreements that will allow us to see that what
15 happens on those 44 acres complies with all
16 current City, State, and Federal rules and
17 regulations and laws. Now, we don't have those
18 kinds of controls beyond the 44 acres. So my
19 purpose in introducing this language is to
20 clearly confine landfill operations in Sugar Hill
21 to no more than the 44 acres that we have under
22 lease.

23 Now, anybody that objects to that can only
24 have one motive, and that is to allow landfill
25 operations to occur outside of those 44 acres.

1 Now, you'll have to vote me down on this one. If
2 that's the way you want to do it, do it, but
3 don't ask me to agree to it, because I'm going to
4 vote against it.

5 MS. WILLIAMSON: But let me ask the
6 question -- that's confusing, and maybe this is
7 where Steve is trying to bring this out. Because
8 if the City Council tries to meet the requests of
9 the citizens and so forth that would like to have
10 the entrance of the landfill changed from
11 Sycamore Road at the Appling entrance there so
12 that the trucks won't go into the 44 acres and
13 that would be changed to Richland Creek, then if
14 we limit this --

15 MR. STANLEY: This doesn't in any way limit
16 or effect the location of the entrance. In no
17 way does it limit or effect the location of the
18 entrance.

19 MR. MORRIS: The entrance becomes a part of
20 the landfill, does it not?

21 MS. WILLIAMSON: It says sanitary landfill
22 operations, and I would feel that the trucks
23 coming through would be part of the operations.

24 MR. BAILEY: I just feel it would be better
25 to define that in the later body of the text

1 where it was intended under the "Disposal"
2 section and not in the introduction, even though
3 I have no problem with the first part of the
4 paragraph or the intent.

5 MR. STANLEY: If that's your concern, then
6 let's amend the language to say any future
7 landfill operations, other than entrance roads;
8 and I'm willing to clarify any hanging point
9 here. If the entrance road is your concern,
10 there's a blank space available to write in other
11 than relocation of the entrance road. Are there
12 other concerns?

13 MR. EVERETT: I just feel like in years to
14 come that if we don't specify City owned
15 property, we're going to tie the hands of a
16 future Council years down the road. That's my
17 way of thinking.

18 MR. STANLEY: Well, Roger, you understand
19 that Councils down the road, future Councils have
20 the right to amend --

21 MR. BAILEY: Or change the entire document.

22 MR. STANLEY: -- the Solid Waste Management
23 Plan or the lease agreement or any other
24 document.

25 MR. EVERETT: I know.

1 MR. STANLEY: I mean, nothing that we do is
2 permanent and binding forever on everybody. All
3 of these things are subject to change in the
4 future. There may be some exceptions to that,
5 Counselor, but within the context of this that
6 we're talking about, we're --

7 MR. THOMPSON: I've stated I don't think it
8 makes any difference. I think that what is going
9 to have an effect is your land limitation
10 section, which is going to be where you define
11 what land is potentially acceptable as a landfill
12 site. That's going to restrict what can and
13 cannot be a landfill.

14 If it's not listed in that, then the
15 State's not going to approve it for a future
16 permit. That, I think, is going to have to
17 change or stay the same as you or some future
18 Council decides. And the only way it would
19 change in the future, I would assume, would be
20 someone to come in and have additional land
21 zonings. Because I don't think you have anything
22 outside of that acreage zoned right now. I guess
23 the exception to that would be if the City wanted
24 to use its own land for its own landfill, and I'm
25 not sure that it would have to go through all the

1 requirements that a private enterprise would have
2 to.

3 MS. WILLIAMSON: Well, the fact that any
4 property that the City of Sugar Hill does not
5 show for any future land use or landfill out in
6 that area is going to be shown by the City of
7 Buford on their proposed use plan.

8 MR. STANLEY: Well, my motion, as it stands
9 now, would be to insert language that says, "This
10 plan also expresses the desire of the citizens of
11 Sugar Hill and the intention of the City Council
12 of Sugar Hill that will limit any future sanitary
13 landfill operations within the City, other than a
14 relocated entrance road to a 44-acre site owned
15 by the City and currently leased to a private
16 landfill operator." I've eliminated the concern
17 about the Mayor. I've eliminated the concern
18 about the landfill entrance.

19 MR. BAILEY: Would you entertain insertion
20 of text afterward, "currently leased," or, "as
21 amended from time to time."

22 MR. STANLEY: Okay.

23 MR. DAVIS: What did you want to insert?

24 MR. BAILEY: After the words "currently
25 leased," the words, "as ammended from time to

1 time."

2 MR. DAVIS: "As amended"?

3 MR. BAILEY: "From time to time." That's
4 an acceptable text to me.

5 MR. STANLEY: Does that constitute a
6 second?

7 MR. BAILEY: I think he already seconded
8 it.

9 MS. FOSTER: Could you read the entire
10 thing again, Jim?

11 MR. STANLEY: "This plan also expresses the
12 desire of the citizens of Sugar Hill and the
13 intention of the City Council of Sugar Hill to
14 limit any future sanitary landfill operations
15 within the City, other than a relocated entrance
16 road to a 44-acre site owned by the City and
17 currently leased" -- well --

18 MR. DAVIS: "As amended from time to time."

19 MR. STANLEY: Well, I see your problem.
20 "And currently leased" --

21 MR. BAILEY: It doesn't sound right.

22 MR. STANLEY: No, we've got to modify that.
23 All right, at the last there, "site owned by the
24 City as leased."

25 MR. BAILEY: Or --

1 MR. STANLEY: "Currently or amended."

2 MR. BAILEY: Okay. That makes sense. It's
3 more grammatically correct.

4 MR. STANLEY: Okay. "Within the City,
5 other than a relocated entrance road to a 44-acre
6 site owned by the City, as leased currently or
7 amended from time to time, to a private landfill
8 operator." I amend my motion to that effect.

9 MR. BAILEY: Do we need a second for the
10 amendment?

11 MR. STANLEY: Yeah.

12 MR. BAILEY: I second the amendment.

13 MR. MORRIS: Did I get a second?

14 MS. WILLIAMSON: Mr. Davis seconded.

15 MR. DAVIS: I seconded the original one,
16 and he seconded the amendment.

17 MR. MORRIS: All in favor, let it be known
18 by raising your right hand.

19 (Whereupon, each Council member raised
20 their right hand.)

21 MR. MORRIS: Any opposed?

22 MR. EVERETT: I still think it's best, that
23 the City's got more control if it's got City
24 property in there within the City property.

25 MR. MORRIS: So carried.

1 MS. WIGGINS: Before we leave that page --
2 and I hate to be jumping in -- but so you don't
3 have to go back and redo this before it goes to
4 ARC or a public hearing; after the 25 percent,
5 the third sentence, if we could insert, "Per
6 capita," so that it's consistent with the rest of
7 the goals of the plan.

8 MR. BAILEY: Per capita?

9 MS. WIGGINS: So it would read, "By 25
10 percent per capita," and then the next sentence
11 where it says, "Years of solid waste," insert
12 between "waste" and "disposal capacity,"
13 "collection capability"; because you're required
14 to have collection as well as the disposal.

15 MR. BAILEY: Would you repeat that last one
16 after "years of solid waste."

17 MS. WIGGINS: "Collection capability and
18 disposal capacity."

19 MR. STANLEY: After the word "waste,"
20 insert "collection capability"?

21 MS. WIGGINS: Yes, "collection capability
22 and," three words; does that make sense?

23 MR. STANLEY: Yes. I move to approve that
24 change.

25 MR. BAILEY: Second.

1 MR. MORRIS: Any discussion? All in favor?

2 (Whereupon, each Council member raised

3 their right hand.)

4 MR. MORRIS: So carried.

5 MR. BAILEY: I have no --

6 MR. STANLEY: Page 2?

7 MR. BAILEY: I have none.

8 MR. STANLEY: No.

9 MR. BAILEY: Page 3?

10 MS. WILLIAMSON: Did you have any?

11 MR. BAILEY: Any comments? Are we going
12 too fast?

13 MR. MORRIS: Yeah, down there where it
14 says, "Based on a population of 5,132 persons" --

15 MR. BAILEY: Which page are we on?

16 MR. MORRIS: Page 2. Should that not be
17 "residents"?

18 MS. FOSTER: What paragraph?

19 MR. MORRIS: The second paragraph, end of
20 the paragraph.

21 MS. WILLIAMSON: Because we don't service
22 outside the --

23 MR. BAILEY: "Residents."

24 MR. STANLEY: Okay, "persons" to
25 "residents."

1 MR. MORRIS: Right.

2 MR. BAILEY: Okay.

3 MS. WIGGINS: And one other technical
4 correction: We do need to insert the goal for
5 the amount of waste. That's not in here.

6 MR. BAILEY: And what is it?

7 MS. WIGGINS: We have it written somewhere,
8 I just don't have it right here.

9 MR. BAILEY: Would it have been part of a
10 previous body of text?

11 MS. WIGGINS: I don't know.

12 MR. STANLEY: The goal?

13 MS. WIGGINS: Uh-huh. I think it's in
14 here. I'll show you. It came from the work
15 session we did.

16 MS. WILLIAMSON: Did we get documentation
17 from that?

18 MS. WIGGINS: Uh-huh. I know -- I should
19 have brought my file with me.

20 MS. WILLIAMSON: Do you have it in there?

21 MR. THOMPSON: No.

22 MR. STANLEY: Was it ever in this draft?

23 MS. WIGGINS: Uh-huh. The plan has to have
24 the goals.

25 MR. STANLEY: Like, was it in Draft No. 1

1 or --

2 MS. WIGGINS: Huh-uh. I can go get it
3 faxed over here, because it's going to come up in
4 every section of the plan; because I don't think
5 we have it in here.

6 MS. WILLIAMSON: Let's see if Judy can find
7 it first.

8 MR. STANLEY: I guess we can come back to
9 that one.

10 MS. WILLIAMSON: Yeah, Judy's going to go
11 pull it.

12 MR. STANLEY: Are we on Page 3?

13 MR. BAILEY: I have no comments; did you,
14 Roger?

15 MR. EVERETT: No.

16 MR. STANLEY: None.

17 MR. BAILEY: Collection, do we have to have
18 a goal there too?

19 MS. WIGGINS: Uh-huh.

20 MS. WILLIAMSON: What page is that?

21 MR. BAILEY: Page 5.

22 MR. STANLEY: It says, "Needs and goals."

23 MS. WIGGINS: But there's a specific goal
24 segment.

25 MR. BAILEY: Yeah, see right here, we had

1 the goal. The limitation has to go on it.

2 MS. WILLIAMSON: We ___

3 MS. FOSTER: Is there anything on Page 3 or
4 4?

5 MS. WILLIAMSON: No.

6 MR. STANLEY: Connie, if you've got
7 something at your office they could fax over
8 here, that would seem like the thing to do.

9 MS. WIGGINS: I'll be glad to.

10 MR. MORRIS: Maybe we'll take a five-minute
11 break while she gets that.

12 MR. STANLEY: There's going to be several.

13 MR. MORRIS: We'll need to go back over all
14 these sections again if it's going to be put in.

15 MR. BAILEY: I think the goal is only like
16 a couple of sentences.

17 MR. STANLEY: Yeah, it's not going to
18 affect what we do. What page are ya'll on?

19 MR. BAILEY: We can go to six now.

20 MS. WIGGINS: I'll be right back.

21 MR. STANLEY: I've got nothing on seven,
22 but I have some on eight.

23 MR. MORRIS: Six, you've got -- I note up
24 here in the first paragraph up there it says,
25 "Note: Amount includes prison labor, City

1 employees' salaries, new truck purchase price
2 depreciated over" -- seven years, not ten.

3 MR. BAILEY: Oh, that's right.

4 MR. MORRIS: And in the --

5 MR. BAILEY: It should be seven years.

6 MR. MORRIS: And in the fourth paragraph,
7 it says, "The City has an immediate need for a
8 chipper." You can scratch that. We own a
9 chipper.

10 MS. WILLIAMSON: Where is that, which
11 paragraph?

12 MR. MORRIS: Fourth paragraph, the last
13 sentence in that. It says, "The City has an
14 immediate need for a chipper."

15 MS. WILLIAMSON: Okay.

16 MR. MORRIS: We presently own a chipper, so
17 we don't need it.

18 MS. WILLIAMSON: I was going to ask, within
19 those two paragraphs if, Steve, you thought it
20 would be necessary to put in there about GMA
21 pooled leasing and the purchase of equipment so
22 that future Councils would realize the fact, or
23 whoever would read this, that we have a part in
24 that since we're one of the 12 cities in the
25 state of Georgia.

1 MR. BAILEY: After the "approximately
2 \$100,000," you could put a comma and you could
3 put text relative to say that would be obtained
4 through general or through the GMA pooled leasing
5 arrangement. All that will do is identify the
6 source.

7 MR. STANLEY: Why don't you suggest
8 specific language.

9 MR. BAILEY: "Approximately," or, "That
10 could be obtained."

11 MR. STANLEY: "Which can be obtained
12 through" --

13 MR. BAILEY: "City funds or by a pooled
14 leasing" --

15 MS. WILLIAMSON: "Or through the GMA pooled
16 leasing agreement."

17 MR. STANLEY: "Through GMA pooled leasing."
18 Okay, as I understand the changes, we've changed
19 "ten years" to "seven years." We eliminated in
20 the second sentence of the fourth paragraph a
21 chipper shredder. We added after the
22 "approximately \$100,000" the words, "which can be
23 obtained through City funds or through the GMA
24 pooled leasing program."

25 MS. WILLIAMSON: Uh-huh.

1 MR. STANLEY: And then we eliminated the
2 sentence that reads, "The City has an immediate
3 need for a chipper."

4 MR. BAILEY: Correct.

5 MR. STANLEY: Move to approve those
6 changes.

7 MR. BAILEY: Second.

8 MR. MORRIS: All in favor?

9 MR. BAILEY: Aye.

10 MR. STANLEY: Aye.

11 MR. EVERETT: Aye.

12 MR. DAVIS: Aye.

13 MR. BAILEY: I have nothing on seven.

14 MR. STANLEY: My understanding is that
15 Connie's got some changes for this section, yeah,
16 I know Page 8 and 9, I've got it highlighted to
17 death.

18 MR. MORRIS: Well, one place down here it
19 says "Gwinnett," and it should be "Sugar Hill,"
20 not "Gwinnett."

21 MR. STANLEY: Where is that?

22 MR. MORRIS: The last paragraph.

23 MR. EVERETT: About the fourth line down.

24 MR. MORRIS: It says --

25 MR. BAILEY: So you recommend we change the

1 word "Gwinnett" to the "City of Sugar Hill"?

2 MR. MORRIS: Yeah, we're talking about
3 Sugar Hill, not Gwinnett County.

4 MR. BAILEY: Okay, Sugar Hill.

5 MR. STANLEY: Second.

6 MR. MORRIS: And there's two paragraphs
7 that I don't see the point for them being in
8 there, but --

9 MR. BAILEY: Are you talking about the
10 large food containers?

11 MR. MORRIS: Yeah, the large food
12 containers and the amount of toxic products
13 entering, I mean, that's --

14 MR. BAILEY: It's neither here nor there to
15 me.

16 MR. MORRIS: Right, it just makes the plan
17 longer, and I don't see a reason for that being
18 in there, but --

19 MR. BAILEY: Are you making a motion to
20 strike those two paragraphs?

21 MR. MORRIS: I can't make a motion. I have
22 to make a comment.

23 MR. EVERETT: I'll make a motion to strike
24 No. 2.

25 MR. BAILEY: It doesn't matter to me,

1 second.

2 MR. MORRIS: Any discussion? All in favor?

3 MR. BAILEY: Aye.

4 MR. STANLEY: Aye.

5 MR. EVERETT: Aye.

6 MR. DAVIS: Aye.

7 MR. BAILEY: All right. On Page 8, let's
8 see, the third paragraph, of course, we have the
9 primary focus of -- second sentence towards the
10 end -- should be changed to the City of Sugar
11 Hill. And then the next sentence, I don't know
12 how applicable that is where it starts with,
13 "Gwinnett Clean and Beautiful." Is that
14 applicable to us?

15 MS. WILLIAMSON: Where is that, "The aim of
16 the education program"?

17 MR. BAILEY: Uh-huh.

18 MS. WILLIAMSON: Yes, because they do --
19 that's one reason we give our recycling materials
20 to them so that it will support their educational
21 program.

22 MR. MORRIS: In the fourth paragraph down,
23 "To ensure environmentally sound and cost
24 effective source reduction programs," should be
25 the City, not the County "shall utilize the

1 following."

2 MR. BAILEY: Also, back on the end of the
3 very tail end of the third paragraph, I believe
4 it should be Chapter 6 or Section 6 or Element 6,
5 to be more accurate to the index.

6 MR. STANLEY: Are the chapters even
7 numbered?

8 MR. BAILEY: If you count the introduction,
9 it would be seven. If you exclude the
10 introduction, it would be six.

11 MR. STANLEY: So why don't we change it to
12 say, "Specific programs/activities are listed
13 in" -- what section?

14 MR. BAILEY: "Education and Public
15 Involvement."

16 MR. STANLEY: All right.

17 MR. BAILEY: This gets rid of the subuse.

18 MR. STANLEY: Education -- it says --

19 MR. BAILEY: And then down at the very last
20 paragraph, starting with the words, "During the
21 1980s," do we need that text? I mean, it's
22 probably a fact.

23 MR. MORRIS: Well, right above that it
24 says, "in Gwinnett," and I think it should be,
25 "in Sugar Hill since the 1988."

1 MR. BAILEY: So, "The City of Sugar Hill
2 since 1988"?

3 MR. MORRIS: Right.

4 MR. BAILEY: Changing "Gwinnett" to say
5 "Sugar Hill"? I didn't catch that. I'm glad
6 there's more than one of us going over this.

7 MR. STANLEY: All right, then, you were
8 saying, "During the 1980s," you need all that
9 deleted?

10 MR. BAILEY: I don't know if it should be
11 or not. I'm trying to understand. I assume
12 that's a factual -- do we have to list anything
13 from the County and the point about voluntary
14 programs in our plan?

15 MR. MORRIS: I don't think so.

16 MR. BAILEY: I think we should delete,
17 strike the text starting with "during" to the end
18 where it says "levels" is my recommendation.

19 MR. THOMPSON: Just a suggestion: You
20 might want Connie's input on it. You may want to
21 leave that in, because I think Gwinnett County's
22 programs would encourage recycling in your
23 community, would be one way you're reducing your
24 source.

25 MR. BAILEY: It doesn't matter one way or

1 the other.

2 MR. MORRIS: I don't have a problem with
3 it.

4 MR. THOMPSON: I don't live in Sugar Hill.
5 I live in another city; but I know you carry
6 goods to the Gwinnett County recycling center no
7 matter where you live.

8 MR. STANLEY: That's true. On that basis,
9 let's leave it in.

10 MR. MORRIS: Okay.

11 MR. STANLEY: Okay. You want to clear that
12 page?

13 MR. BAILEY: All right. The first
14 recommendation was change the third paragraph,
15 the word "Gwinnett County" to "City of Sugar
16 Hill." Down there where it says "listed in,"
17 we've amended to change to "Education and public
18 involvement." The second sentence of Paragraph
19 4, change the "County" to "City." Down at the
20 last paragraph, second sentence, change
21 "Gwinnett" to "City of Sugar Hill" and the year
22 1980 to 1988.

23 MR. STANLEY: The first sentence there,
24 1988, where it says since the 1980s, it should
25 say since 1988, period?

1 MS. FOSTER: Okay.

2 MR. EVERETT: Second.

3 MR. MORRIS: Did we get a motion and
4 second?

5 MR. EVERETT: Yeah.

6 MR. MORRIS: All in favor?

7 (Whereupon, each Council member raised
8 their right hand.)

9 MR. MORRIS: So carried. Page 9.

10 MR. BAILEY: Sixth paragraph, the words,
11 "Recycling in Gwinnett," should that --

12 MR. MORRIS: It should be "Sugar Hill."

13 MR. BAILEY: And then the bottom paragraph,
14 there's references to Gwinnett County, Gwinnett
15 Clean and Beautiful; and I do not know if they're
16 appropriate to stay there or should be changed.

17 MR. MORRIS: Say what, Steve?

18 MS. WILLIAMSON: Well, they also --

19 MR. STANLEY: They apply to us.

20 MS. WILLIAMSON: That should be Sugar Hill,
21 because we've got the bins out in here and so
22 forth, so they are waste reduction and recycling.

23 MR. BAILEY: So in two instances where it
24 says "Gwinnett County," change it to the "City of
25 Sugar Hill"?

1 MR. STANLEY: No objection.

2 MR. BAILEY: Let's see, back up on the
3 fifth paragraph where it says, "Newspaper,
4 aluminum," I guess that's factual. Just we're
5 saying Sugar Hill. We are picking that up.

6 MS. WILLIAMSON: Yes.

7 MR. STANLEY: So change it from "Gwinnett"
8 to "Sugar Hill."

9 MR. BAILEY: The rest of the sentence, I do
10 not know how appropriate that is as far as
11 percentages are concerned, how accurate that is.

12 MR. MORRIS: I don't either.

13 MR. STANLEY: That's uniform.

14 MR. BAILEY: Uniform. Okay. So change
15 "Gwinnett" to the "City of Sugar Hill" in three
16 places on Page 9.

17 MR. STANLEY: Four.

18 MR. BAILEY: Four places, excuse me.

19 MS. WILLIAMSON: 1, 2, 3, 4.

20 MR. BAILEY: The last three paragraphs, I
21 believe, is where that all takes place. I make a
22 motion we change Page 9 going from "Gwinnett" to
23 "City of Sugar Hill," those four locations as
24 earlier denoted.

25 MR. EVERETT: I second that.

1 MR. MORRIS: All in favor?

2 MR. BAILEY: Aye.

3 MR. STANLEY: Aye.

4 MR. EVERETT: Aye.

5 MR. DAVIS: Aye.

6 MR. MORRIS: So carried.

7 MR. BAILEY: The very top sentence, it
8 says, "Full backing and financial support of
9 County government." Should not we say "City
10 government"?

11 MS. WILLIAMSON: Uh-huh.

12 MR. BAILEY: Second sentence, it starts
13 with the word "Gwinnett." Should we change that
14 to Sugar Hill.

15 MR. MORRIS: Since that -- all that's
16 referring to County operations. Why do we even
17 need it in there?

18 MR. BAILEY: Well, that's the next
19 question: Do we even need any of that?

20 MR. MORRIS: Do we need any of that?

21 MR. BAILEY: I don't know.

22 MR. THOMPSON: You don't have a collection
23 program that's administered by the Public
24 Utilities Department. You have one administered
25 by a private franchise.

1 MR. BAILEY: Yes.

2 MS. WILLIAMSON: Uh-huh.

3 MR. BAILEY: So should we change where it
4 says "Public Utility Department" to "By a private
5 collection firm" instead, "Collection
6 administered by a private collection firm,"
7 instead of a "Public Utilities Department"?

8 MR. THOMPSON: Then, again, this looks like
9 it came from the County.

10 MS. WIGGINS: It did.

11 MR. STANLEY: Connie, I thought you were
12 going to work-up this.

13 MS. WIGGINS: Well, I started, and my
14 question was: I didn't want to just go through
15 and delete sections that ya'll might want to
16 leave in here.

17 MR. BAILEY: Well, I know this one for sure
18 needs to be in here, at least I felt it should
19 be.

20 MS. WIGGINS: One option might be to
21 specifically reference the City, you know, will
22 participate in some County recycling waste
23 reduction efforts and provide these programs
24 within the corporate boundaries of Sugar Hill,
25 and list what they are. You've got drop off,

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curbside.

MR. BAILEY: Can you say that again. That sounded good.

MR. STANLEY: Back in the beginning.

MS. WIGGINS: Uh-huh. Under the source reduction, that's probably, you know, something you might want to leave in, as well as the reuse section. But under the recycling portion in the second paragraph on Page 8, in the second line, you might want to give Sugar Hill credit for what they've done in the past saying that it has been aggressively pursued in Sugar Hill since the 1980s.

MR. BAILEY: Yeah, we've changed it already.

MS. WIGGINS: And that the City will continue to participate in various County recycling efforts, as well as provide the following services, and then list specifically what the City has going on.

MR. STANLEY: Okay. On the bottom of Page 8, the very bottom, the proposal we had, the sentence, "The City will continue to participate in the Gwinnett County recycling programs."

MR. BAILEY: "Will participate in."

1 MR. STANLEY: "The City will continue to
2 participate in the Gwinnett County recycling
3 programs."

4 MR. BAILEY: Second the amendment to the
5 last paragraph.

6 MR. MORRIS: Motion and second. All in
7 favor?

8 MR. BAILEY: Aye.

9 MR. STANLEY: Aye.

10 MR. EVERETT: Aye.

11 MR. DAVIS: Aye.

12 MR. MORRIS: So carried.

13 MR. DAVIS: Since we're having discussion
14 and everything on this thing page by page, can we
15 not wait and, for the sake of time, just vote on
16 the entire change at the end?

17 MR. STANLEY: "I think not. We're going to
18 have --

19 MR. DAVIS: Or are we --

20 MR. BAILEY: I'd prefer to do it page by
21 page and lock it up and go on.

22 MR. DAVIS: Okay.

23 MR. STANLEY: Okay. We're at the top of
24 Page 10, and we were wondering about the
25 "collection administered by." What's the answer?

1 MR. BAILEY: Well, we say, "franchised
2 program of collection." We currently franchise
3 the collection program.

4 MR. STANLEY: Let's put a period after the
5 word --

6 MR. BAILEY: "Collection."

7 MS. WIGGINS: Yeah, you could --

8 MR. BAILEY: That's it, end of story.

9 MS. WIGGINS: Yeah.

10 MR. BAILEY: And just strike the balance of
11 the text.

12 MR. STANLEY: All right, now, the remainder
13 of that page describes what Gwinnett County does.
14 Is that inappropriate in any way to have it in --
15 we participate in the Gwinnett County program, so
16 I don't see that as being a conflict.

17 MR. EVERETT: I don't know the curbside
18 paragraph is.

19 MR. BAILEY: Doesn't include --

20 MR. EVERETT: Well, no, but it can, though.

21 MR. BAILEY: Well, I mean, it's just
22 information for the reviewer. I don't think it's
23 going to -- we could say, "The City of Sugar Hill
24 expects to provide the cooperation."

25 MR. STANLEY: But our program is a curbside

1 program in terms of recycling.

2 MS. WIGGINS: I would customize that to
3 reflect what's going on in Sugar Hill.

4 MR. STANLEY: In what way?

5 MS. WIGGINS: Under the curbside program,
6 talk about specifically -- where it's in the
7 middle of the paragraph -- when the City
8 implemented the curbside program and what kind of
9 participation range that you're currently seeing;
10 and then delete the last part of that, "The
11 following Gwinnett cities," and leave that
12 portion out.

13 MR. STANLEY: Then we ought to leave out
14 the part that says, "In March 1991, the Gwinnett
15 County Commission insured, by ordinance, that
16 every citizen living within the unincorporated
17 areas of Gwinnett County would be provided
18 residential curbside recycling." All that is
19 out.

20 MR. BAILEY: The next statement says -- we
21 should say, "The franchised waste hauler is
22 required to provide this service at least once a
23 week."

24 MR. STANLEY: All right.

25 MS. FOSTER: "To provide the service every

1 week," is that what it was?

2 MR. STANLEY: Yeah, "every week," and then
3 we can strike, "The following Gwinnett cities are
4 also."

5 MR. BAILEY: We don't need that?

6 MR. STANLEY: We don't need that.

7 MS. WIGGINS: And you do need to put in --

8 MR. STANLEY: And "Snellville is planning,"
9 you can delete that.

10 MS. WIGGINS: -- what participation rate
11 you're currently seeing.

12 MR. STANLEY: I don't know that we know.

13 MR. BAILEY: We don't know. Up here where
14 it says, "City of Sugar Hill's implemented a
15 program for curbside recycling in June of 1992."

16 MS. WIGGINS: Uh-huh. Will that help pin
17 it down a little more?

18 MR. STANLEY: The City of Sugar Hill.

19 MR. BAILEY: Implemented.

20 MR. STANLEY: Implemented.

21 MR. BAILEY: Curbside recycling program.

22 It was June of 1992 and is still growing and
23 being evaluated. We can put that in there,
24 because we still don't really know.

25 MR. STANLEY: All right.

1 MR. BAILEY: Okay. Down at the bottom,
2 last sentence, we say, "Gwinnett County expects."
3 Should we not say "City of Sugar Hill"?

4 MS. WIGGINS: Uh-huh.

5 MR. STANLEY: Okay. You want us to run
6 back through that for you, Judy?

7 MS. FOSTER: Uh-huh, please.

8 MR. STANLEY: Okay. Starting at the top,
9 we changed, "The full backing and financial
10 support of City government through a franchised
11 program," and now it doesn't make any sense.

12 MR. THOMPSON: I think you just need to
13 strike "administered by the Public Utilities
14 Department," then it would make sense.

15 MS. WILLIAMSON: "Administered by the
16 City," couldn't you just put "administered by the
17 City"?

18 MR. STANLEY: It now says, "The full
19 backing and financial support of City government
20 through a franchised program of collection
21 ensures that needed facilities can be created
22 when and in the mix needed."

23 MR. BAILEY: That sounds okay.

24 MR. STANLEY: Okay. Then down to the fifth
25 paragraph, second sentence now begins -- wait a

1 minute, second paragraph, "Sugar Hill." Fifth
2 paragraph, first sentence is okay. Then we
3 insert, "the City of Sugar Hill," and delete
4 "Gwinnett's newly."

5 So it reads: "The City of Sugar Hill
6 implemented a curbside recycling program in June
7 1992, which is still growing and being
8 evaluated," and so on. And then down there in
9 the middle of the paragraph, we strike the
10 sentence that begins, "In March 1991, the
11 Gwinnett County Commission insured, by ordinance,
12 that every citizen living within unincorporated
13 areas of Gwinnett County would be provided
14 residential curbside recycling pickup at no
15 additional fees to the consumer." All that is
16 out. The next sentence begins, "The franchised
17 waste hauler," singular, "is now required to
18 provide this service at least every week."

19 MS. FOSTER: "To provide this service every
20 week"?

21 MR. BAILEY: Yeah, "required to provide
22 this service" --

23 MS. FOSTER: "To provide this service every
24 week as part of their regular service."

25 MR. STANLEY: Uh-huh, and then strike the

1 rest of the paragraph. And then on the last
2 sentence, change "Gwinnett County" to "Sugar
3 Hill."

4 MR. BAILEY: Second.

5 MR. MORRIS: All in favor?

6 MR. BAILEY: Aye.

7 MR. STANLEY: Aye.

8 MR. EVERETT: Aye.

9 MR. DAVIS: Aye.

10 MR. MORRIS: It carries.

11 MR. BAILEY: Mr. Mayor, I make a motion
12 that we adjourn for five minutes for a break,
13 please.

14 MR. EVERETT: I'll second that.

15 MR. MORRIS: All in favor?

16 MR. BAILEY: Aye.

17 MR. STANLEY: Aye.

18 MR. EVERETT: Aye.

19 MR. DAVIS: Aye.

20 (Whereupon, there was a brief recess.)

21 MR. MORRIS: Okay. We'll go back to work
22 on this thing.

23 MR. BAILEY: Page 11 -- as I understand,
24 our esteemed colleagues here have already jumped
25 ahead of us on 11.

1 MS. WIGGINS: Yes.

2 MR. STANLEY: Do you want to do it?

3 MS. WIGGINS: Sure.

4 MR. STANLEY: Pay attention, Judy; this
5 comes quick.

6 MS. WIGGINS: The first full paragraph of
7 Page 11.

8 MR. BAILEY: Starts with "in order."

9 MS. WIGGINS: Uh-huh, we suggest that it
10 read, "In order to increase recycling
11 participation at the residential level, the City
12 will consider the following options," and delete
13 everything else in that paragraph.

14 MR. BAILEY: All right.

15 MS. WIGGINS: Are ya'll ready to go on?
16 Okay. Then the indented section would read
17 "Adjusting disposal fees," strike "particularly
18 on imported solid waste," and insert there, "Pay
19 per container fees."

20 MS. FOSTER: Is that in parenthesis, "pay
21 per container"?

22 MR. STANLEY: "Fees."

23 MS. WIGGINS: Leave in the word "and."
24 Strike "County provided," and leave in
25 "composting facilities may also prove to be

1 economic incentives to recycle," period. And
2 strike the rest of that under "Disposal fees."
3 "Disposal bans" would stay the way it is.

4 And then on the next section, "At present,
5 voluntary participation in recycling programs in
6 Sugar Hill is achieving a high rate of success,
7 an estimated 40 percent," and leave the rest of
8 the sentence as is. That's something the Mayor
9 and Council may want to discuss further about
10 whether or not you want to implement some sort of
11 mandatory recycling program; but I will tell you
12 up front that to do so, you may get into a legal
13 battle about requiring people to put materials
14 that have a monetary value at the curb and taking
15 them away. I'm not sure, legally, that you can
16 do that. Okay. The last paragraph, "Sugar
17 Hill's" instead of "Gwinnett's entire recycling
18 program."

19 MR. STANLEY: It occurs three times.

20 MS. WIGGINS: Uh-huh. So it's "Gwinnett's
21 plan," "Sugar Hill's plan." And then the last
22 sentence, "Sugar Hill intends to employ." The
23 next paragraph, "Composting" stays as is, and --

24 MR. STANLEY: I think we can take the rest
25 of these as one.

1 MR. BAILEY: All right. I'll make a
2 recommendation that we ammend as stated for page
3 11.

4 MR. STANLEY: Second.

5 MR. MORRIS: All in favor?

6 MR. BAILEY: Aye.

7 MR. STANLEY: Aye.

8 MR. EVERETT: Aye.

9 MR. DAVIS: Aye.

10 MR. MORRIS: Carried.

11 MS. WIGGINS: Page 12 would read, "A major
12 part of" instead of Gwinnett's, "Sugar Hill's."
13 And then the last sentence where it says
14 "Gwinnett" will be "Sugar Hill can reduce the
15 amount."

16 That next paragraph, I was mentioning to
17 Jim during the break, some state legislation
18 changed and here is a suggestion for what you
19 might want to put here: "Since July 1, 1990,
20 Sugar Hill has had the authority" -- well, put
21 "The City of Sugar Hill has had the authority to
22 place restrictions on yard trimmings, including,"
23 bla, bla, bla.

24 The last sentence would read, "A total ban
25 on disposal of yard trimmings in landfills should

1 be implemented by the City on or before September
2 1, 1996," and that will be in keeping with the
3 new state legislation.

4 MR. BAILEY: September 1996?

5 MS. WIGGINS: Uh-huh.

6 MS. WIGGINS: The next paragraph would be
7 "in Sugar Hill" instead of "Gwinnett." The rest
8 of that sentence would remain, but strike
9 starting with "transporting" the rest of that
10 paragraph. Okay. And the next paragraph, we're
11 going to strike; and Jim has language about the
12 chipping.

13 MR. STANLEY: We'll strike the sentence
14 down to and including "Lilburn and
15 Lawrenceville."

16 MS. WILLIAMSON: Striking what?

17 MR. STANLEY: So now we're going to insert,
18 "The City of Sugar Hill currently," and then
19 insert the word "provides chipping of limbs and
20 brush." And the rest of the paragraph stays the
21 same.

22 MS. WIGGINS: Okay. Then the next
23 paragraph, third line down, where it says
24 "landfill," that will be changed to "chipped,"
25 because ya'll chip your materials, you don't

1 landfill them. And then the last sentence would
2 read, "As more composting programs are begun in
3 the City, the viability of compost markets will
4 be a key factor," and no other changes on that
5 page.

6 MR. STANLEY: Move to approve 12 with those
7 changes.

8 MR. BAILEY: Second.

9 MR. MORRIS: In favor?

10 MR. BAILEY: Aye.

11 MR. STANLEY: Aye.

12 MR. EVERETT: Aye.

13 MR. DAVIS: Aye.

14 MR. MORRIS: So moved.

15 MS. WIGGINS: Okay. On Page 13, the first
16 sentence, the word "County" would be changed to
17 "City." And the second sentence, "To achieve
18 this," you may want to insert, "the City of Sugar
19 Hill, in conjunction with the Extension Agency
20 and Gwinnett Clean and Beautiful."

21 MR. BAILEY: "In conjunction with"? And
22 the last sentence in that paragraph, "The City
23 will continue to participate in the County's
24 annual Christmas tree mulching program."

25 MS. FOSTER: What was that?

1 MS. WIGGINS: "The City will continue to
2 participate."

3 MS. WILLIAMSON: Can we put, "along with
4 the City's program," because we picked up around
5 250 trees. We gave them to the Parks Service,
6 you know, for the fish hatcheries to breed fish.

7 MS. WIGGINS: Just say that you'll continue
8 in annual Christmas tree collection, however you
9 want to phrase it.

10 MR. STANLEY: Kathy, in that last sentence,
11 first paragraph of Page 13, the last sentence
12 reads, "In addition, the City will continue the
13 annual Christmas tree mulching program." Now,
14 did you want to change that?

15 MS. WIGGINS: She said it wasn't mulched.

16 MS. WILLIAMSON: Some of them were mulched,
17 but we gave over 250 trees to the Parks Service.
18 You know, we donate every year to them as many as
19 we can.

20 MR. MORRIS: Just change it to
21 "collection."

22 MR. STANLEY: "The annual Christmas tree
23 collection and mulching."

24 MS. WILLIAMSON: Whatever.

25 MS. WIGGINS: Just call it recycle and

1 mulching or reuse and mulching.

2 MR. STANLEY: All right. Okay.

3 MS. WIGGINS: Delete the second paragraph.

4 MR. STANLEY: Okay. The third paragraph
5 would read "the City," instead of "the County."
6 The next paragraph says, "As composting
7 processing facilities develop, the City will
8 consider requiring" -- the last paragraph, "Any
9 composting facility developed in the City," and
10 then delete the section entitled "Volume
11 Reduction."

12 MR. BAILEY: Delete the entire section?

13 MS. WILLIAMSON: Let me ask, because I
14 remember reading material about this, we've got
15 Dial-A-Truck up here where the City's truck
16 program --

17 MS. WIGGINS: Well, we said that back over
18 here on Page 12 where we said that the yard
19 trimmings were currently operated by residents
20 and collected by City owned vehicles and state
21 prisoners.

22 MR. MORRIS: State prisoners.

23 MS. WIGGINS: Okay, so change that word.

24 MR. BAILEY: And chipped.

25 MS. WIGGINS: Uh-huh. I think that covers

1 your part about the trash, but not the other
2 question about deleting the truck program. But
3 if that stuff isn't recycled, it will go in
4 collections.

5 MS. WILLIAMSON: But if it's yard waste, it
6 is recycled.

7 MR. STANLEY: Where is the state prisoners?

8 MS. WIGGINS: Back on Page 12. Have we
9 thoroughly confused things now?

10 MR. STANLEY: Well, we're ready to adopt
11 Page 13.

12 MR. BAILEY: Second.

13 MR. MORRIS: All in favor?

14 (Whereupon, each Council member raised
15 their right hand.)

16 MR. MORRIS: So carried.

17 MS. WIGGINS: Page 14, the second
18 paragraph, a suggestion that we insert at the
19 beginning of that paragraph, "The City will
20 participate with Gwinnett Clean and Beautiful and
21 implement" -- wait a minute. "The City will
22 participate with Gwinnett Clean and Beautiful, as
23 well as many other community organizations in
24 implementing a household hazardous waste
25 education program." And then the third sentence,

1 "There are no special household hazardous waste
2 collection programs in Sugar Hill at this time."
3 I don't think there were any other changes,
4 except down when we get to "inventory and
5 assessment" under "Summary and Strategy" in
6 "Sugar Hill," and that's it.

7 MR. BAILEY: Move to adopt changes.

8 MR. MORRIS: And seconded?

9 MR. EVERETT: Second.

10 MR. MORRIS: In favor?

11 MR. BAILEY: Aye.

12 MR. STANLEY: Aye.

13 MR. EVERETT: Aye.

14 MR. DAVIS: Aye.

15 MR. MORRIS: So carried.

16 MS. WIGGINS: Okay, on Page 15, "In order
17 to achieve Sugar Hill's waste reduction goals and
18 objectives, the following strategies will be
19 implemented." Now, under this, ya'll may want to
20 give some initial thought to what the strategies
21 are under the second bullet after the paragraph,
22 instead of "Support Gwinnett Clean and
23 Beautiful's Council," you might want to say
24 "participate in," which ya'll already do that.

25 MR. STANLEY: Move to approve 15 with those

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changes.

MR. BAILEY: Second.

MR. MORRIS: All in favor?

MR. BAILEY: Aye.

MR. STANLEY: Aye.

MR. EVERETT: Aye.

MR. DAVIS: Aye.

MR. MORRIS: So carried.

MS. WIGGINS: On the next page, you might want to scan over the rest of those, and then change the next to the last paragraph, "Table 11 outlines" per Gwinnett County outlines --

MR. BAILEY: Table 11 title has to be changed as well. We'll do that when we get to it.

MR. STANLEY: That's correct, Table 11 is Gwinnett County Waste Reduction Strategy.

MS. WIGGINS: Uh-huh.

MR. STANLEY: So that's okay. But are we changing that to "Sugar Hill"?

MS. WIGGINS: Uh-huh.

MR. STANLEY: It's now Sugar Hill. What about --

MR. BAILEY: Move to adopt the changes on Page 16, as well as the title on Table 11.

1 MR. EVERETT: Second.

2 MR. MORRIS: All in favor?

3 MR. BAILEY: Aye.

4 MR. STANLEY: Aye.

5 MR. EVERETT: Aye.

6 MR. DAVIS: Aye.

7 MR. MORRIS: So carried.

8 MS. WIGGINS: Then no changes on Page 17.

9 MR. BAILEY: Move to adopt Page 17 as
10 written.

11 MR. EVERETT: Second.

12 MR. MORRIS: All in favor?

13 MR. BAILEY: Aye.

14 MR. STANLEY: Aye.

15 MR. EVERETT: Aye.

16 MR. DAVIS: Aye.

17 MR. MORRIS: So carried.

18 MR. STANLEY: All right. We're in the
19 disposal section now, and we're referring to Mr.
20 O'Day's recommended document, rather than the
21 draft document. And on Page 1 of Mr. O'Day's
22 document in the third paragraph toward the end,
23 it says, "Mid-America Waste Systems/Mid-America
24 Waste Systems." It seems like that should be
25 "Mid-America Waste Systems/Button Gwinnett

1 Landfill."

2 MR. BAILEY: I don't know.

3 MR. STANLEY: Yeah, it's used other places.

4 MR. BAILEY: So you're saying change where
5 it says "Mid-America Waste Systems" -- oh, it
6 says that twice, doesn't it?

7 MR. STANLEY: Yeah.

8 MR. BAILEY: So you want to say "Button
9 Gwinnett"?

10 MR. STANLEY: Yeah, "Button Gwinnett
11 Landfill" is the second part of that.

12 MR. BAILEY: Do you see what he's talking
13 about? He repeats it twice.

14 MR. EVERETT: Oh, yeah, I see it.

15 MR. BAILEY: It should say, slash, "Button
16 Gwinnett Landfill." I had a problem on the
17 second paragraph, the date was November 30th,
18 2001. Make it the year 2000.

19 MR. STANLEY: Okay.

20 MR. BAILEY: I have no other changes for
21 this page.

22 MS. WIGGINS: Do you want to put the other
23 change he suggested in here?

24 MR. STANLEY: Which one? We're just
25 adopting.

1 MR. BAILEY: We've adopted his entire text
2 as a body.

3 MS. WIGGINS: For a readability standpoint,
4 you might want to move the heading "Inventory and
5 Assessment" down over the second paragraph and
6 put "Goal" at the top there and then make all the
7 other sections.

8 MR. BAILEY: Take this heading and move it
9 to here and leave the goal at the top line?

10 MR. STANLEY: Move to approve with those
11 changes.

12 MR. BAILEY: Second.

13 MR. THOMPSON: Can I get clarification
14 about what you did about Mid-America. If I
15 missed that --

16 MR. STANLEY: Well, it says, "Under a lease
17 with Mid-America Waste Systems/Mid-America Waste
18 Systems."

19 MR. BAILEY: It's redundant. It should
20 say, "Button Gwinnett Landfill, Incorporated."

21 MR. THOMPSON: I guess I'm not seeing --

22 MR. BAILEY: Fourth line down, third
23 paragraph.

24 MR. STANLEY: Are you referring to the
25 O'Day document?

1 MR. THOMPSON: Uh-huh.

2 MR. STANLEY: Third paragraph.

3 MR. THOMPSON: Uh-huh.

4 MR. BAILEY: Fourth line from the end at
5 the bottom.

6 MR. STANLEY: We just replaced that second
7 Mid-America Waste Systems with Button Gwinnett
8 Landfill.

9 MR. THOMPSON: I was looking at the wrong
10 line. I didn't know until --

11 MR. BAILEY: Did we vote and approve on
12 this page yet?

13 MR. MORRIS: I think we did. Did we?

14 MR. BAILEY: All in favor?

15 MR. MORRIS: All in favor?

16 MR. BAILEY: Aye.

17 MR. STANLEY: Aye.

18 MR. EVERETT: Aye.

19 MR. DAVIS: Aye.

20 MR. MORRIS: All right. So carried.

21 MR. BAILEY: Can we go to the top of the
22 page here on Page 2 of Mr. O'Day's document where
23 it starts out the Arnold Road facility. I move
24 to strike that entire sentence, "Arnold Road
25 facility." I consider that quite subjective

1 being -- I don't see how that pertains to the
2 Solid Waste Plan.

3 MR. STANLEY: Let me tell you why it's in
4 there. The mandate of the planning group was to
5 write a plan that indicated that you had a method
6 of disposing of your waste for ten years. And
7 the reason that's in there is so that we will
8 have indicated that there is sufficient capacity
9 available somewhere for the next ten years.

10 MR. MORRIS: You haven't at the Arnold Road
11 facility, because we don't know. That's kind
12 of --

13 MR. STANLEY: The landfill people told us
14 it would.

15 MR. BAILEY: If we could put something
16 like --

17 MR. STANLEY: If you want to strike the
18 whole thing, it's okay with me.

19 MR. BAILEY: I'd prefer just to strike the
20 whole thing. To me it's opinion.

21 MS. WIGGINS: If you do, they're going to
22 send it back to you and say you've got to show
23 proof that you've got capacity.

24 MR. THOMPSON: That's one purpose of this
25 plan is to show where you're going to put your

1 trash. If they don't get the expansion approved
2 out here on this other site, then you've got to
3 designate where your trash is going to go to.

4 MS. WIGGINS: Could you list, "At this time
5 Arnold Road and Speedway Landfill will have
6 sufficient capacity," and list both of them?

7 MR. STANLEY: See, the whole hang up that
8 we had all through the process was that the lease
9 agreement and the franchise agreements only run
10 for seven years, and then we really don't know
11 for sure what happens beyond the end of the
12 franchise. But we know that there's landfill
13 capacity out there. So we just kind of said so
14 hoping that we would pass that check.

15 MR. BAILEY: So this is a way to indicate
16 to the reader that beyond the year 2001, the
17 balance of the ten year plan, that we feel it is
18 adequate capacity regardless of what we may or
19 may not do as far as expansion.

20 MR. STANLEY: The capacity's out there.
21 Whether we end up using it or not is another
22 matter.

23 MR. BAILEY: Well, it doesn't say we have
24 to use Arnold Road or anything. Is Arnold Road
25 the only place they take it to? Maybe we should

1 add Speedway and be a little more accurate.

2 MR. STANLEY: All right. "The Arnold Road
3 and Speedway facilities have" --

4 MR. BAILEY: "Sufficient." The next
5 paragraph it states, "As was noted in the
6 previous paragraphs, Mid-America Waste Systems
7 leases a total of 44 acres from the City of Sugar
8 Hill." The balance of that paragraph says
9 starting with "the remainder of the unfilled
10 balance" -- I recommend that we strike and add
11 this amendment. I've indicated the purpose of
12 this change replacement at the bottom if you read
13 it.

14 This is similar to what we did in the
15 introduction already. That's the reason why I
16 was reluctant to do it in the introduction,
17 because I thought this would cover it.

18 MR. STANLEY: I agree it covers the same
19 ground.

20 MR. BAILEY: I just wanted to strengthen it
21 up a little bit, especially itemization about the
22 regulations, ordinances and to get rid of the
23 potentially suitable situation in the original
24 text and stipulate what has already been past
25 EPD.

1 MR. STANLEY: Well, what about this
2 underlying portion of the O'Day text, "If this
3 44-acre site is approved for a new or expanded
4 solid waste facility, all solid waste management
5 and disposal activities will be handled in
6 accordance with the terms of the lease
7 agreement." And let's see --

8 MR. BAILEY: I'm not a lawyer, so I don't
9 know how that stands up legally.

10 MR. THOMPSON: Well, I think you're going
11 to have to have some reference in here to the
12 fact that if it is approved in the future --
13 because as I read this language, you're saying
14 that you're going to dispose of the waste on
15 municipal land, and that may or may not be the
16 case. If you don't get an expansion, you're not
17 going to be disposing of it on municipally owned
18 land.

19 MR. BAILEY: I was just referring to those
20 lands in the City of Sugar Hill. I wasn't
21 excluding any of the outside landfill operations
22 at Arnold Road or Speedway. But I understand
23 your point, Lee.

24 MR. THOMPSON: And --

25 MR. BAILEY: I was trying to tighten it up

1 to exclude any private lands. That was my
2 intent.

3 MR. THOMPSON: And I guess maybe I -- I'm
4 not sure that you've got this in the right place.
5 Maybe that needs to go under "Land Limitations,"
6 because I think what you're doing here is
7 disposal. And I guess the concern I have is if
8 there's nothing permitted by the EPD in the City
9 of Sugar Hill, other than what you've already got
10 out there, it's going to run out within ten
11 years. And so you're going to have to dispose of
12 your trash somewhere else, wherever your
13 franchise person takes it, which may be
14 Mid-America or Arnold Road, which aren't going to
15 be Sugar Hill lands. And what you're trying to
16 do -- I think what you may be trying to do may
17 more appropriately go into the land limitation
18 portion of the plan which --

19 MR. STANLEY: Which is the next section
20 down.

21 MR. THOMPSON: When you limit it to 44
22 acres, I think what you're trying to do is say
23 you want to limit not only the 44 acres, but the
24 City owned properties, is that --

25 MR. BAILEY: Right. But I also wanted to

1 indicate to the reader that we do already have
2 site suitability granted for that land which his
3 text does not mention anywhere.

4 MR. THOMPSON: Let me ask you if you want
5 to do this. Do you want to -- if the permit is
6 granted for the expansion, do you want to require
7 that Sugar Hill's garbage is put in that
8 facility?

9 MR. STANLEY: No.

10 MR. BAILEY: Huh-uh.

11 MR. STANLEY: Why would we care?

12 MR. THOMPSON: That seems to be what --

13 MR. MORRIS: As long as -- I could care
14 less where they haul it to.

15 MR. THOMPSON: That's what I read this as
16 saying, it says, "Dispose of all municipal solid
17 waste at past, present, or future facilities
18 fully or partially located within the City."

19 MR. STANLEY: No, it's just saying any
20 landfill would be on property wholly owned by
21 City of Sugar Hill.

22 MR. BAILEY: If you wanted to add this
23 sentence in that, add that to that.

24 MR. STANLEY: I think Lee is not objecting
25 to the language, but he's suggesting this

1 paragraph ought to be inserted in the Land
2 Limitation section rather than this Disposal
3 section, if I'm reading it right.

4 MR. BAILEY: All right. It doesn't matter
5 to me where specifically --

6 MS. WILLIAMSON: He should have been an
7 attorney, shouldn't he.

8 MR. THOMPSON: How about this, Steve -- and
9 I'm just suggesting. This may or may not work.
10 We're going by Mr. O'Day's now, right?

11 MR. BAILEY: Yeah, that's his body we've
12 adopted.

13 MR. THOMPSON: If we go down on Page 2 of
14 his, down to the end of his second sentence in
15 the second paragraph, it says, "The remainder of
16 the unfilled balance of the 44 acres is
17 potentially suitable for landfilling," and then
18 put, "and has been granted site suitability
19 approval by the Georgia Environmental Protection
20 Division as used for an expansion space for
21 landfill operations and a permit application is
22 currently pending before the EPD." Take your
23 language --

24 MR. BAILEY: Uh-huh, and insert it there?

25 MR. THOMPSON: Yeah, if you want to put

1 that in.

2 MS. WILLIAMSON: Permit license is
3 currently paid.

4 MR. THOMPSON: And then period after "EPD."

5 MR. BAILEY: And "has been granted," okay.

6 MR. STANLEY: "Has been granted site
7 suitability."

8 MS. WILLIAMSON: And then the second where
9 it starts, second sentence, is that what you're
10 saying?

11 MR. BAILEY: You think --

12 MS. WILLIAMSON: Pursuant to the above,
13 disposal of all municipal solid waste, present or
14 future, facilities are partially located within
15 the City of Sugar Hill, Incorporated, boundaries
16 shall be solely on property owned by the City of
17 Sugar Hill and will be handled in accordance with
18 the terms of the lease agreement and landfill
19 operator."

20 MR. THOMPSON: Uh-huh. Now, you may want
21 to change slightly his language if you don't
22 think -- if you think this is stronger where it
23 says -- I think you do want to leave in, though,
24 what he's got, "If this 44-acre site is approved
25 for a new or expanded solid waste facility, all

1 solid waste management and disposal activities
2 will be handled in accordance with the terms of
3 the lease agreement with Mid-America Waste
4 Systems."

5 MR. BAILEY: Do you have to put something
6 like "as ammended from time to time"?

7 MR. STANLEY: No.

8 MR. THOMPSON: That's up to you.

9 MR. BAILEY: I would prefer "as amended
10 from time to time," because a lease agreement
11 could be, you know, a dynamic document.

12 MS. WILLIAMSON: Could you say --

13 MR. BAILEY: And the balance says, "Strict
14 adherence." We want to make sure that they
15 understand that all laws and regulations are
16 adhered to.

17 MS. WILLIAMSON: He's a contractor, right?

18 MR. STANLEY: Okay. Steve, help me out.
19 We came in here after -- we put in your first
20 sentence and "has been approved by EPD for use as
21 expansion space for landfill operations."

22 MR. BAILEY: "And the permit application is
23 currently pending before EPD."

24 MR. STANLEY: Okay. You want that part in
25 there?

1 MR. BAILEY: Well, that's the facts, isn't
2 it? I want the reader to know what we're doing.

3 MR. STANLEY: Okay.

4 MR. BAILEY: Period. And then resume the
5 rest of Mr. O'Day's original text.

6 MR. THOMPSON: At the end of the next to
7 the last sentence, do you want to insert, "As it
8 may be amended from time to time"?

9 MR. BAILEY: That's correct, after the word
10 "waste systems, as amended from time to time."

11 MR. STANLEY: And then the O'Day language
12 takes the place of the rest of that.

13 MR. BAILEY: Uh-huh. And I think -- would
14 that not be consist with what we did on the
15 introduction?

16 MR. STANLEY: Yes, it is.

17 MS. WILLIAMSON: Steve, could we add -- it
18 says, "In accordance with the terms of the lease
19 agreement with the landfill operator contractor
20 to the landfill operator."

21 MR. BAILEY: Instead of naming Mid-America
22 specifically.

23 MS. WILLIAMSON: Uh-huh, in case it would
24 change, it would be whoever we had a contract
25 with.

1 MR. BAILEY: Yeah, because we could change
2 that at some point in time in the future.

3 MS. WILLIAMSON: Yeah, and they are the
4 contractor.

5 MR. BAILEY: We'd have to change it all
6 over the place.

7 MR. STANLEY: That would be a change in
8 style from the whole beginning.

9 MR. BAILEY: Let's leave it alone.

10 MR. STANLEY: Let's understand, though,
11 that could change any time. We could come back
12 and have a different operator sometime.

13 MS. WIGGINS: Lee, on the last part of that
14 sentence, Stephen O'Day's part where it talks
15 about Subtitle D requirements, if another federal
16 law is referred to by reference, for example, the
17 Clean Water Act or Clean Air Act or others, does
18 that imply that this has to meet all those
19 requirements, as well?

20 MR. STANLEY: Well, we have --

21 MR. BAILEY: It says, "Laws, regulations
22 and ordinances."

23 MS. WIGGINS: Would it help if you said
24 local, state, federal laws, regulations and
25 ordinances.

1 MR. STANLEY: Well, it does. It says, "To
2 all laws, regulations and ordinances." That
3 means all. And then we specifically pointed out
4 Subtitle D as one you want to pay particular
5 attention to. I think I'm happy with that.

6 MR. BAILEY: I had no other problems with
7 the rest of the balance of this page, Mr. O'Day's
8 Page No. 2.

9 MR. STANLEY: Neither did I.

10 MS. FOSTER: Let me make sure I've got
11 this.

12 MR. BAILEY: All right, start at the top.

13 MS. FOSTER: Starting at, "The remainder of
14 the unfilled balance of the 44 acres is
15 potentially suitable for landfilling and has been
16 granted site suitability approval by the Georgia
17 Environmental Protection Division for use as
18 expansion space for landfill operations, and a
19 permit application is currently pending before
20 EPD."

21 MR. BAILEY: That's correct.

22 MS. FOSTER: And then pick up again, "If
23 this 44-acre site is approved," and the rest of
24 that paragraph.

25 MR. BAILEY: And then at the end, "With the

1 terms of lease agreement with Mid-America Waste
2 Systems as amended from time to time.

3 MS. FOSTER: Where is that?

4 MR. STANLEY: The end of the sentence that
5 ends "waste systems."

6 MS. WILLIAMSON: Right here.

7 MR. BAILEY: "As ammended from time to
8 time."

9 MS. FOSTER: Okay.

10 MR. BAILEY: And we'll be consistent.

11 MS. WIGGINS: Does that buffer section need
12 to stay where it is, because it's repeated in the
13 Land Limitations section.

14 MR. BAILEY: It doesn't hurt to have it
15 twice, does it?

16 MR. STANLEY: I've got some comments.

17 MR. BAILEY: I make a motion we adopt the
18 changes as noted.

19 MR. DAVIS: Second.

20 MR. MORRIS: All in favor?

21 MR. BAILEY: Aye.

22 MR. STANLEY: Aye.

23 MR. EVERETT: Aye.

24 MR. DAVIS: Aye.

25 MR. MORRIS: So carried.

1 MR. BAILEY: Next page, okay. Now, under
2 Land Limitations, where would you recommend
3 inserting the rest of that within the text?

4 MR. THOMPSON: Well, let's figure that out.

5 MR. STANLEY: I'd say right up here in the
6 beginning.

7 MR. BAILEY: Then this does have a goal on
8 it? Would that go under the subtitle,
9 "Comprehensive Land Use Plan"?

10 MR. STANLEY: No, I think it would go right
11 in here.

12 MR. BAILEY: As Paragraph 4 underneath the
13 introduction part of Land Limitations.

14 MR. STANLEY: Are you talking about
15 starting with "disposal" on to this point?

16 MR. BAILEY: Right, "Disposal" with a
17 capital D, of course. Add a fourth paragraph
18 starting with the word "disposal of," then the
19 recommended text as I hand it to you. Capitalize
20 the D, "Of all municipal solid waste of past,
21 present, future facilities located within the
22 City of Sugar Hill," all the way to "as ammended
23 from time to time," and insert that as Paragraph
24 4.

25 MR. STANLEY: I agree with that.

1 MR. BAILEY: Land Limitations, Paragraph 4.

2 MS. FOSTER: Paragraph 4 under Land
3 Limitations?

4 MR. BAILEY: Yes. I agree with Jim. I
5 can't think of any other place we can take it.

6 MR. THOMPSON: Yeah, I think we're putting
7 it in the appropriate place. I'm just wondering
8 since we took the first sentence out and put it
9 somewhere else, do we need anything more?

10 MR. STANLEY: We just left out "pursuant to
11 the above" and started with the word "disposal."

12 MR. THOMPSON: And I understand that, but
13 the end of it says, "And will be handled in
14 accordance with the terms of the lease agreement
15 with the landfill operator." Are we anticipating
16 that there would be --

17 MR. BAILEY: Change the landfill operator
18 or you could put Mid-America there, I don't care.

19 MR. THOMPSON: I guess what I'm saying:
20 Are you restricting it in any particular area, or
21 are you just saying any future landfill, if any
22 come into the city, you want it on City owned
23 property?

24 MR. BAILEY: That's exactly right. We
25 don't want outside landfill operations to come

1 into the City, other than the ones we control
2 through lease.

3 MR. STANLEY: You're going a step further
4 now.

5 MR. BAILEY: That may be my intent.

6 MR. MORRIS: It needs --

7 MR. BAILEY: I don't want a Cherokee County
8 situation.

9 MR. THOMPSON: I think you can put it in
10 there. I don't know if I can tell you that's
11 legal today or not.

12 MR. STANLEY: Well, you know, you've got --

13 MR. MORRIS: We can try it, and if it's
14 not, it's not.

15 MR. STANLEY: The zoning ordinance doesn't
16 provide any place for landfills.

17 MR. BAILEY: That's right, it doesn't, not
18 currently.

19 MR. MORRIS: But that can change.

20 MR. BAILEY: That can change, too. We can
21 put it in there. It can be contested later.

22 MR. THOMPSON: Well, I guess to the extent
23 you're going to amend this, if you cite it
24 landfill or approved the zoning for it -- I guess
25 I just want you to recognize that I'm not sure if

1 somebody came in and wanted a piece of land zoned
2 for a landfill --

3 MR. BAILEY: That we couldn't say, "Sorry,
4 you can't have a landfill operation unless we own
5 the land."

6 MR. THOMPSON: Yeah, I'm not sure we can
7 constitutionally say that.

8 MS. WILLIAMSON: You can always turn the
9 permit down, a special use permit.

10 MR. MORRIS: I think you're looking at a
11 lawsuit either way you go on that one, anyway.

12 MR. THOMPSON: I guess I'm just trying to
13 clarify. That's the purpose you want to put this
14 in here is that you want all future landfill
15 operations to be on City owned property.

16 MR. BAILEY: Correct.

17 MR. THOMPSON: With a person having some
18 kind of lease arrangement with the City.

19 MR. BAILEY: So we can maintain control.

20 MR. MORRIS: You could do that, then you
21 can always back off.

22 MR. BAILEY: We can take it off later.

23 MR. MORRIS: If it's determined that it's
24 not legal.

25 MR. BAILEY: I know it may sound

1 restrictive to some people, but --

2 MR. MORRIS: It probably is.

3 MR. BAILEY: Probably is and intended to
4 be.

5 MR. STANLEY: Be careful, Lee. We need
6 advice here. That's what you --

7 MR. THOMPSON: First of all --

8 MR. BAILEY: That's why he gets the big
9 bucks, right.

10 MR. THOMPSON: Let's word it and make it --
11 it says -- what I think it's saying, "Disposal of
12 municipal solid waste at past, present or future
13 facilities fully or partially located within the
14 City of Sugar Hill, Incorporated, boundaries
15 shall be solely on property owned wholly by the
16 City of Sugar Hill and will be handled in
17 accordance with the terms of," let's see, "a
18 lease" --

19 MR. BAILEY: Okay. I agree with you of
20 a --

21 MR. THOMPSON: -- "with the landfill
22 operator as it may be amended from time to time."

23 MR. BAILEY: Put a period after time.

24 MR. THOMPSON: Yeah. I'm not sure you need
25 that anymore, but --

1 MR. BAILEY: "With landfill operator,"
2 period.

3 MR. THOMPSON: Period. In terms of -- I
4 think you could say, "Any such lease."

5 MR. BAILEY: "Of any such lease"?

6 MR. THOMPSON: "Shall require strict
7 adherence to all laws, regulations and
8 ordinances, including compliance with all state
9 regulations implementing federal U.S. Subtitle D
10 requirements."

11 MR. BAILEY: So I make that motion that we
12 add that as Paragraph 4 in the Land Limitations.

13 MR. EVERETT: I'll second that.

14 MR. MORRIS: All in favor?

15 MR. BAILEY: Aye.

16 MR. STANLEY: Aye.

17 MR. EVERETT: Aye.

18 MR. DAVIS: Aye.

19 MS. WIGGINS: Before ya'll leave that page,
20 from the readability standpoint, would it make
21 sense to put the goal heading up there and insert
22 a subheading above those next three paragraphs.

23 MR. BAILEY: What would be the recommended
24 heading?

25 MR. STANLEY: She's just saying put --

1 MS. WIGGINS: Development permits or --

2 MR. BAILEY: Oh, you mean like --

3 MR. STANLEY: The goal's here.

4 MS. WIGGINS: Like, where you have
5 Chattahoochee, we have goal before the first
6 paragraph and between the two.

7 MR. BAILEY: Okay. I understand.

8 MS. WIGGINS: I don't know what heading,
9 but it seems to be related to development
10 permits.

11 MR. BAILEY: That's fine, that sounds good
12 to me.

13 MS. WIGGINS: Just so when people are
14 looking for areas they want to refer to, it will
15 be easily found.

16 MR. BAILEY: I have no other remarks for
17 that page.

18 MR. STANLEY: Did you change the end of
19 this at all, "all state regulations implemented"?

20 MR. BAILEY: Well, he said, "The terms of
21 any such lease."

22 MR. MORRIS: Yeah, "The terms of any such
23 lease shall" --

24 MR. STANLEY: "Any such lease shall require
25 the regulations and ordinances, including

1 compliance with all state regulations.

2 MR. BAILEY: "State" may have to be
3 capitalized, I don't know.

4 MR. THOMPSON: Okay. I know what I'm
5 having a problem with, Steve.

6 MR. BAILEY: Okay.

7 MR. THOMPSON: It says, "Disposal of all
8 municipal solid waste."

9 MR. BAILEY: Uh-huh.

10 MR. THOMPSON: And this is probably why you
11 had it in "Disposal." The way I read this, it
12 would be waste that's generated by the City of
13 Sugar Hill that's disposed in one of these
14 facilities. It would only be disposed in one
15 that's owned by the City. Do you also want it to
16 be --

17 MR. BAILEY: No, if we did that, then we'd
18 say we couldn't take it to Speedway or Arnold
19 Road. I don't want to say that. I don't want to
20 restrict that so our waste must only go in our
21 landfill.

22 MR. THOMPSON: No, you're not saying that,
23 but what I'm saying is are you saying --

24 MR. BAILEY: By municipal I mean any
25 municipality. I don't necessarily mean the City

1 of Sugar Hill. You use the word municipal and
2 dispose of all solid waste, I don't care.

3 MR. STANLEY: Hang on a minute; let him
4 finish one whole thought.

5 MR. THOMPSON: I think you want to take the
6 word "municipal" out of there. I think you just
7 want to say, "Disposal of all solid waste at
8 past, present or future facilities."

9 MR. BAILEY: All right. So ammended; so
10 moved. We will delete the word "municipal."

11 MR. MORRIS: Second?

12 MR. EVERETT: Second.

13 MR. MORRIS: All in favor?

14 MR. BAILEY: Aye.

15 MR. STANLEY: Aye.

16 MR. EVERETT: Aye.

17 MR. DAVIS: Aye.

18 MR. MORRIS: So carried.

19 MR. THOMPSON: If you're bringing in trash
20 from Forsyth County, it's not municipal.

21 MS. WIGGINS: Let me raise a point before
22 you get off that. If you look at the way solid
23 waste is defined in the State Solid Waste
24 Ordinance, it would also include industrial
25 waste, which there's a distinction between

1 municipal solid waste and regular solid waste.
2 And have we changed that in doing what you just
3 did, meaning that if there were an industry here
4 that is permitted to have on-site disposal, they
5 can no longer do that?

6 MR. THOMPSON: That could be.

7 MR. BAILEY: We want on-site disposal.

8 MR. MORRIS: We can always go back and
9 change that.

10 MS. WILLIAMSON: Industrial waste is --

11 MR. MORRIS: Can we not go back and change
12 it at that point?

13 MR. STANLEY: What's the point of deleting
14 the word "municipal"?

15 MR. THOMPSON: I'll change this. Let's
16 just leave it in.

17 MR. MORRIS: And I done scratched it out.

18 MR. BAILEY: Motion to reinsert municipal.

19 MS. WIGGINS: I don't want ya'll to do
20 something ya'll don't want to do.

21 MR. THOMPSON: I'm reading it in Steve's
22 original, the way he wrote it with the first
23 sentence, and I'm trying to -- I'm just wanting
24 to make sure I get his purpose clear. Your
25 purpose is --

1 MR. BAILEY: All right.

2 MR. THOMPSON: This won't take but a
3 second. Your purpose is that any facility that
4 disposes municipal waste is defined by state law
5 not the waste of this city, but municipal waste?

6 MR. BAILEY: That's correct.

7 MR. THOMPSON: That's located in the City
8 of Sugar Hill at all?

9 MR. BAILEY: Right.

10 MR. THOMPSON: Has to be on City owned
11 property?

12 MR. BAILEY: That's correct.

13 MR. THOMPSON: Okay. Then I think that's
14 what we've done, but it is not your intent --

15 MR. BAILEY: I didn't say the City of Sugar
16 Hill.

17 MR. THOMPSON: That city waste for the City
18 of Sugar Hill has to be disposed in a facility
19 that's located within the city?

20 MR. BAILEY: No, that would be
21 contradictory to our lease agreement.

22 MR. STANLEY: Now that we've done all this
23 and agreed to it, I want to raise a question
24 about that. I don't want the whole thing to get
25 thrown out because we've been unreasonably

1 restrictive at some point. Does that constitute
2 unreasonably restrictive, I guess?

3 MR. BAILEY: Restraint of trade?

4 MR. STANLEY: Well, I'm talking more in
5 terms of --

6 MR. THOMPSON: Ben Aldridge is back there
7 smiling. Maybe you ought to ask him what he
8 thinks. I'm not sure you could ever enforce
9 that.

10 MR. STANLEY: Neither am I.

11 MR. THOMPSON: If you came down to it,
12 because -- but I'm not sure it's going to make a
13 lot of difference in this, because this is
14 basically a planning policy.

15 MR. BAILEY: That's right; it's a plan, not
16 a contract.

17 MR. THOMPSON: Somebody could not get their
18 facility permitted without it being called for
19 here; and technically, you don't call for
20 anything except City owned property to be used
21 for landfill purposes. We're going to get into a
22 problem, then, when the private company comes in
23 and wants to take their private land and have it
24 zoned and use it for landfill purposes.

25 MR. STANLEY: And you say --

1 MR. THOMPSON: But I think your battle is
2 probably going to be over your zoning. If you
3 grant your zoning, you're going to need to amend
4 this to reflect the change.

5 MR. BAILEY: But that is also going to be
6 a guide post to zoning, that it should always be
7 on city land, as a plan.

8 MR. THOMPSON: That's --

9 MR. MORRIS: And it may not hold up, but --

10 MR. THOMPSON: I think if you use that as
11 your purpose for denying a zoning, you're going
12 to have legal problems.

13 MR. BAILEY: No, I would assume they would
14 deny it through other mechanisms.

15 MR. STANLEY: I hate to insert something
16 that's going to -- you know, that we're clearly
17 going to not be able to defend. If you're
18 telling us that that is an unreasonable taking of
19 property rights, that what we're saying with
20 those words is that we intend to not allow any
21 citizen anywhere in Sugar Hill to use their
22 properties for a landfill, period, that sounds to
23 me to be restrictive beyond what will ultimately
24 be allowed. Would you agree with that?

25 MR. THOMPSON: Yes.

1 MR. STANLEY: Steve, what we don't want to
2 do, if we end up in court, is to lose.

3 MR. BAILEY: No, you know I don't like
4 that.

5 MR. STANLEY: So I wouldn't give anybody a
6 smoking gun to fight us with. I mean, I
7 understand what you're trying to do, and it's
8 commendable; but if it creates a situation where
9 we're sure to lose this part of the suit, then I
10 don't want it in there.

11 MR. BAILEY: If our learned counsel feels
12 it's undefendable, I'll make a motion to remove
13 this.

14 MR. STANLEY: Why don't we think about this
15 over lunch.

16 MR. MORRIS: Do I hear a motion to adjourn
17 for how long?

18 MR. STANLEY: Forty-five minutes.

19 MR. MORRIS: Recess for 45 minutes.

20 MS. WILLIAMSON: We're recessing, not
21 adjourning.

22 (Whereupon, a luncheon recess was taken.)

23 MR. MORRIS: Our little recess is over.

24 Let's get back at it. So where did we leave off?

25 MS. WILLIAMSON: She can tell you.

1 MR. STANLEY: Page 3 of O'Day.

2 MS. WILLIAMSON: Oh, yes.

3 MR. THOMPSON: My opinion is that's not a
4 wise thing to do. I don't believe it would be
5 held to be valid to restrict all future landfill
6 to City owned property.

7 MR. BAILEY: Okay.

8 MR. THOMPSON: It's my opinion. It doesn't
9 necessarily mean you have to abide by it.

10 MR. BAILEY: As I understand, we already
11 have it amended, right? We voted to put it in
12 there?

13 MR. MORRIS: It's my understanding we voted
14 to put it in there.

15 MR. BAILEY: All right. I'm sticking with
16 it.

17 MR. EVERETT: I'll second that.

18 MR. STANLEY: Wait a minute.

19 MR. BAILEY: What are you seconding?

20 MR. MORRIS: You don't have to second it.
21 It's already in there.

22 MS. WILLIAMSON: Was your intention for
23 this -- well, your intention was any landfill,
24 then, so a private landfill couldn't come in?

25 MR. BAILEY: Even though I do recognize --

1 I heard it earlier -- that it's possible that
2 some future industry may wish to have their own
3 on-site waste disposal, and I could see where
4 this would be contrary to that plan or that
5 philosophy.

6 MS. WILLIAMSON: Well, could you just add
7 to this in --

8 MR. MORRIS: If it were to come up, could
9 you not change it at that time, though?

10 MS. WIGGINS: If it's municipal solid
11 waste, then it wouldn't apply, because industrial
12 solid waste is defined differently.

13 MR. BAILEY: So this paragraph wouldn't
14 apply to that anyway. I still feel -- it's my
15 preference we just leave it in there. I make a
16 motion -- if you want to make a motion to remove
17 it, that's fine.

18 MR. STANLEY: I voted opposed.

19 MR. MORRIS: Do you recall --

20 MR. BAILEY: We've already got it in there,
21 I assume.

22 MS. WILLIAMSON: It was a unanimous vote to
23 start with.

24 MR. BAILEY: So someone will have to make a
25 motion to remove it. I haven't heard one.

1 MR. STANLEY: I make a motion that we
2 remove that language.

3 MR. DAVIS: I second that motion.

4 MR. STANLEY: And the reason -- and the
5 discussion part of this thing is, there are a
6 couple of concerns. One is that it would
7 preclude a future industry or private land owner
8 from being able to go through the normal process
9 of getting a disposal site approved, number one.
10 Number two, because the City attorney advises
11 that it won't hold up in court, and I suspect we
12 may end up in court on all or part of this thing.

13 And I would hate for our position to be
14 undermined by losing on any given issue, any
15 portion of the thing. So I don't want us to go
16 in with something we clearly or strongly suspect
17 we can't defend. So those are the reasons why I
18 would prefer not to include this language
19 requiring all landfills to be located on City
20 property.

21 MR. MORRIS: Any more discussion on it? All
22 in favor of taking it out, raise your right hand.

23 (Whereupon, Council members Stanley and
24 Davis raised their right hands.)

25 MR. MORRIS: All opposed?

1 (Whereupon, Council members Bailey and
2 Everett raised their right hands.)

3 MR. MORRIS: Thank you, gentlemen.

4 MR. BAILEY: I knew this was going to
5 happen sooner or later.

6 MR. STANLEY: Let's go ahead.

7 MR. MORRIS: Well, I've thought about both
8 sides of it; and the way I stand right now, my
9 vote would be to leave it in.

10 MR. STANLEY: Okay.

11 MR. BAILEY: The other problem I had with
12 the Land Limitations paragraph -- and I've had it
13 from day one since we've written it -- is I see
14 no itemization of lands potentially suitable for
15 landfill operations mentioned. Am I incorrect?
16 Is it somewhere else I didn't see it?

17 MR. STANLEY: Well, I think that the
18 language in the document makes it clear that the
19 only property that the Solid Waste Management
20 Task Force identified as being suitable for
21 landfill was, in fact, the 44 acres currently
22 under lease. So insofar as that language
23 specifically delineated the property, it has been
24 done.

25 MS. WIGGINS: But, Steve, also under the

1 planning requirements, the only thing you were
2 required to do is identify areas that are
3 unsuitable, and not areas that are suitable.

4 MR. BAILEY: Well, that's a twist.

5 MR. STANLEY: Okay.

6 MR. BAILEY: Are you serious?

7 MS. WIGGINS: I'm serious.

8 MR. STANLEY: What would you want to do,
9 insert a map or something?

10 MR. BAILEY: No.

11 MS. WIGGINS: I think you're required to
12 insert a map.

13 MR. BAILEY: Am I?

14 MS. WIGGINS: That identifies unsuitable
15 areas based on land use and environmental
16 considerations.

17 MR. MORRIS: Well, how did Buford's go
18 through and be approved with -- they showed
19 suitable sites, and they have them scattered all
20 over --

21 MR. STANLEY: Yeah.

22 MR. MORRIS: -- half of Gwinnett County.

23 MS. WIGGINS: I don't know.

24 MR. MORRIS: I don't either. That's where
25 I got the impression you had to have suitable

1 sites.

2 MR. STANLEY: My impression was the
3 language of the State guides was set up to tell
4 you what, in general, is required. I mean,
5 you're generally required to indicate what's
6 suitable and what's not suitable. But I don't
7 think they're going to quibble over how you do
8 that.

9 If you identify specifically what is
10 suitable to the exclusion of all else, that's one
11 way of doing it. If you draw a map showing
12 everything that's not suitable, that would be
13 another way of doing it. But we've accomplished
14 the intent of the law and practice by identifying
15 what is and is not suitable.

16 MR. MORRIS: I don't think we've identified
17 anything.

18 MS. WIGGINS: Well, I'll just tell you:
19 When ARC goes through, this is the checklist
20 they'll use; and it says, "Map, identify
21 unsuitable areas included in the plan or not
22 included." And if it's not there, they're going
23 to check that and say it does not meet the
24 minimum standards; so, therefore, it's not going
25 to DCA until you do that.

1 MR. BAILEY: Do we have a map any place?
2 There wasn't one in the original.

3 MS. WIGGINS: What the County did was they
4 took the land use -- I mean, the Comprehensive
5 Land Use Plan map that identified zonings, and
6 then also overlaid it with some other maps that
7 identified the Chattahoochee River Corridor and
8 some other areas. It may be that you can take
9 part of that map and blow it up from the
10 environmental standpoint and use that.

11 MS. WILLIAMSON: I mean, we've got our maps
12 on computer to print out whatever we want to.

13 MR. STANLEY: Well, if you're going to
14 approach it from that standpoint, there's a good
15 bit of effort required, because you would have to
16 delineate the flood planes and you'd have to
17 delineate --

18 MS. WILLIAMSON: Buford had theirs done by
19 an engineer.

20 MR. STANLEY: Yeah, well, maybe the point
21 is well taken, because there are portions of the
22 44-acre site that we would consider unsuitable.

23 MR. BAILEY: If we have to have a map, we
24 have to have a map. Was there not a map as part
25 of the Land Use Plan? I remember there was a

1 couple in the back. Do we have that?

2 MS. WILLIAMSON: I'll go get one.

3 MR. BAILEY: So in other words, I just
4 assumed -- I mean, correct me -- that we would
5 have to identify the suitable lands or, by
6 exclusion, the unsuitable lands.

7 MS. WIGGINS: Well, you must identify what
8 is unsuitable; but if you want to go through and
9 identify what is suitable, then I guess you could
10 do that.

11 MR. BAILEY: But I could see where we could
12 get bogged down here for a while on that one
13 issue.

14 MR. STANLEY: Well, why don't you suggest
15 that -- I'll do it -- we put some language in
16 here saying that figure, whatever the next one
17 would be, Figure 15 is a map delineating land
18 considered unsuitable; and we'll just have to
19 develop and insert the map.

20 MR. BAILEY: Yeah, because we go through
21 Table 15; just say Map 1 or Table 16 or whatever
22 you want to call that. I see what you're saying.

23 MR. STANLEY: Yeah, whatever, rather than
24 renumber everything, just -- what is the last
25 one, 14?

1 MS. WIGGINS: Fifteen.

2 MR. BAILEY: Reference map, whatever you
3 want to call it. Just add a verbage down there
4 underneath that, the fourth paragraph, something,
5 "Refer to the map attached," like that which we
6 are referring to and go on the rest of this body.

7 MR. STANLEY: You're talking about adding
8 to the paragraph that you inserted a statement to
9 the effect that figure 16 --

10 MR. BAILEY: Indicate lands unsuitable for
11 landfills.

12 MS. WIGGINS: But you don't want to just
13 limit it to landfill.

14 MR. STANLEY: What?

15 MS. WIGGINS: You probably want to say,
16 "solid waste handling facilities," then you get
17 everything that's supposed to be covered under
18 that.

19 MR. BAILEY: Okay.

20 MR. STANLEY: All right. Then we have
21 lands which are unsuitable for solid waste.

22 MS. WIGGINS: Handling facilities.

23 MR. STANLEY: "Solid waste handling
24 facilities is delineated on Figure 16."

25 MR. BAILEY: Uh-huh. Okay. Then we can

1 insert the Figure 16.

2 MS. WIGGINS: Here's land use.

3 MR. STANLEY: So everything up to there had
4 been tabled, tabled, tabled, tabled.

5 MR. BAILEY: Well, a map is not tabled, is
6 it?

7 MR. STANLEY: No.

8 MS. WIGGINS: You have an existing and
9 future land use map here?

10 MR. BAILEY: Sure do. I can tell the
11 difference between the two of them.

12 MR. STANLEY: Problem is going to be the
13 delineation is a tedious difficult thing to do.
14 We're going to have to come up each creek and --

15 MR. BAILEY: Fellow, that's a big hole
16 we've left in this plan, guys.

17 MS. WIGGINS: ARC has some maps they do for
18 the regional plan that are in their computer that
19 show what planes -- I'm not sure it shows zoning,
20 but it may be you could take those maps and they
21 could blow it up for Sugar Hill and then go
22 backwards. Does that make sense, Jim?

23 MR. BAILEY: Well, we're obviously not
24 going to be able to do that today, are we?

25 MR. MORRIS: No.

1 MR. BAILEY: I make a motion we table the
2 construction of the map to another work session
3 to be scheduled at a later date.

4 MR. MORRIS: Is that a motion?

5 MR. BAILEY: That's a motion.

6 MR. DAVIS: Second that motion.

7 MR. MORRIS: Any discussion?

8 MR. STANLEY: I'd still rather leave it out
9 altogether and leave it to the language.

10 MR. BAILEY: Take your chances?

11 MR. STANLEY: Take my chances of DCA
12 approving it.

13 MR. MORRIS: We're really going -- we're
14 either going to have to show what is suitable or
15 what's unsuitable one before it will fly. You're
16 going to show one or the other, or they're going
17 to take it back. They might pass it with what's
18 suitable or --

19 MR. BAILEY: Yeah, because you can assume
20 what's unsuitable.

21 MR. STANLEY: To me that would be an easier
22 thing to do, to show what's suitable, potentially
23 suitable.

24 MR. BAILEY: Right, and then let the rest
25 of it be unsuitable.

1 MR. STANLEY: Yeah.

2 MR. BAILEY: It would be easier, but we can
3 discuss that at the work study session.

4 MR. THOMPSON: You may be able to do that
5 based on, if nothing else, zoning and land use,
6 say, "These are potentially suitable sites."

7 MR. MORRIS: Well, that's what Buford did
8 with theirs, potential suitable sites; and they
9 just showed them where they had them all over
10 north Gwinnett County. But I don't think we need
11 to go to that extent.

12 MR. THOMPSON: And say something to the
13 effect that no other sites and present zoning and
14 land use plans are suitable for landfill
15 operations and then --

16 MR. STANLEY: Just for grammatical
17 correctness, shall we call that Figure 1?

18 MR. BAILEY: Yeah, instead of Table 16.
19 Have we had a motion and second on that, Tom?

20 MR. MORRIS: We was discussing. Anymore
21 discussion? All in favor?

22 MR. BAILEY: Aye.

23 MR. STANLEY: Aye.

24 MR. EVERETT: Aye.

25 MR. DAVIS: Aye.

1 MR. MORRIS: None opposed. Moving right
2 along.

3 MR. BAILEY: Chattahoochee River Corridor.
4 I had no remarks myself on anything about the
5 Chattahoochee River Corridor. Do you?

6 MR. EVERETT: Huh-uh.

7 MR. BAILEY: I make a motion we adopt
8 Stephen O'Day's Chattahoochee River Corridor text
9 as written.

10 MR. DAVIS: Second that motion.

11 MR. MORRIS: Any discussion?

12 MR. BAILEY: I have no comments about Page
13 4.

14 MR. STANLEY: None.

15 MR. EVERETT: None.

16 MR. BAILEY: Anyone else? Make a motion we
17 adopt Page 4 as written.

18 MR. STANLEY: Second.

19 MR. MORRIS: All in favor?

20 MR. BAILEY: Aye.

21 MR. STANLEY: Aye.

22 MR. EVERETT: Aye.

23 MR. DAVIS: Aye.

24 MR. MORRIS: So carried.

25 MR. BAILEY: Page 5, the only comment I had

1 on Page 5 was under "Natural Historic Sites," I
2 believe "yards" should be changed to "feet," if
3 it matters at all, but --

4 MR. MORRIS: That was on Page 5?

5 MR. BAILEY: Page 5, bottom. I'm talking
6 about Mr. O'Day's text. It mentions yards, 5,708
7 happens to be the exact amount of footage for a
8 mile, and I assume he means feet. I don't think
9 he means three miles.

10 MR. MORRIS: I wouldn't think so.

11 MR. BAILEY: I'll make a motion that we
12 change the word "yards" in two places. That will
13 be the first word in the second sentence and the
14 fourth to the last on the fourth line, "yards" to
15 "feet."

16 MR. EVERETT: I'll second that.

17 MR. STANLEY: Okay. I've got a change on
18 that same page if you're going page by page. On
19 the top paragraph, it's involving the wetlands,
20 and it indicates, "The City of Sugar Hill
21 currently relies on U.S. Fish and Wildlife
22 Service National Wetlands Inventory maps," and so
23 on. That needs to be revised, and the reason is
24 because we don't do that.

25 MR. BAILEY: What do we do?

1 MR. STANLEY: What we did is the City of
2 Sugar Hill currently requires that for any new
3 site of expansion of landfill, a specific
4 wetlands delineation survey must be performed by
5 a qualified soil scientist to confirm that
6 wetlands will not be impacted.

7 So what I'm suggesting is starting with the
8 second sentence, "the City of Sugar Hill
9 currently," then strike "relies on U.S. Fish and
10 Wildlife Service National Wetlands Inventory maps
11 as DNR maps are not yet available." All of that
12 is out. Then insert, "Requires that for," then
13 after "performed" at the end, add "by a qualified
14 soil scientist to confirm that wetlands will not
15 be impacted."

16 MR. MORRIS: Well, it says, "Any new site
17 or expansion or landfill, a specific wetlands
18 survey must be performed" in that same paragraph;
19 so there wouldn't be any point in doubling that.

20 MR. BAILEY: You're specifying who shall
21 perform the delineation.

22 MR. STANLEY: That's right. I'm telling
23 you that the wetlands inventory maps are no help
24 and that we're requiring it be done by a
25 qualified soil scientist. It's not a major

1 change, it's just --

2 MR. BAILEY: Clarification.

3 MS. FOSTER: Period after "qualified soil
4 scientist"?

5 MR. STANLEY: No, "Performed by a qualified
6 soil scientist to confirm that wetlands will not
7 be impacted." Otherwise, I have no other changes
8 on that page.

9 MR. BAILEY: I'll stipulate that qualified
10 soil scientist. Does that just try to narrate
11 the statement or --

12 MR. STANLEY: It's just an industry generic
13 statement, because there is no listing of that
14 sort of thing.

15 MR. BAILEY: That's what I thought. Okay.
16 I have no problem with that.

17 MR. STANLEY: No further changes. I move
18 we adopt Page 5 with those changes.

19 MR. BAILEY: Second.

20 MR. MORRIS: All in favor?

21 MR. BAILEY: Aye.

22 MR. STANLEY: Aye.

23 MR. EVERETT: Aye.

24 MR. DAVIS: Aye.

25 MR. MORRIS: Page No. 6.

1 MR. BAILEY: I have no comments.

2 MR. STANLEY: I have a change to add to the
3 Buffer paragraph, and the purpose of my change
4 would be to make it clear that the City is
5 imposing the current State standards, regardless
6 of whether or not there are any loopholes down at
7 the State level. And so at the end of the
8 sentence that's there I have added, "As a
9 minimum, a 200-foot buffer shall be provided
10 between the active landfill area and the landfill
11 property line; and a 500-foot buffer shall be
12 provided between the active landfill and any
13 occupied dwelling." And I'll read that again if
14 anybody's interested. Judy, you've got it?

15 MS. FOSTER: No, I didn't get all of it.

16 MR. STANLEY: "As a minimum" --

17 MS. FOSTER: Is that starting a new
18 sentence?

19 MR. STANLEY: Yes. "As a minimum, a
20 200-foot buffer shall be provided between the
21 active landfill area and the landfill property
22 line; and a 500-foot buffer shall be provided" --

23 MS. FOSTER: How much?

24 MR. STANLEY: "500-foot buffer shall be
25 provided between the active landfill and any

1 occupied dwelling." On that same page under
2 Infrastructure, I have some suggested revisions
3 to the language that will delete what's there and
4 substitute something else.

5 MS. WIGGINS: Before you leave the Buffer
6 section, what happens if the requirements change
7 and the buffers become more restrictive than what
8 you have put there?

9 MR. STANLEY: This is as a minimum. If the
10 State standards go higher, then we will impose
11 the State standards, but this is a minimum.

12 MS. WIGGINS: Okay.

13 MR. EVERETT: In what Mr. O'Day had stated
14 at one time, I don't -- is that not going to be
15 restricting land use in the area?

16 MR. THOMPSON: I think it could be.

17 MR. EVERETT: Because of what is
18 grandfathered in at this time?

19 MR. THOMPSON: I think the present landfill
20 company has certainly made it known at some
21 meeting they think they're grandfathered. That's
22 what Jim was saying.

23 MR. EVERETT: Could this not get us into
24 some litigation?

25 MR. THOMPSON: Yes.

1 MR. STANLEY: Everything we're doing could.
2 The point I'm trying to make is this: The
3 current State standards imposed everywhere in
4 Georgia are 200 feet to the property line and 500
5 feet to the landfill. That's the current State
6 standards.

7 MR. EVERETT: Yeah, but they didn't already
8 have a plan that's been site approved. That's
9 what I'm getting at.

10 MR. STANLEY: I understand that, but if the
11 current State standards call for that as minimum
12 protection for people living close to landfills,
13 then the fact that they've screwed around for
14 four years and haven't been able to get a plan
15 approved is not my problem.

16 MR. MORRIS: But if we leave that there, at
17 the same time it says, "Buffers shall meet or
18 exceed the requirements of Georgia Comprehensive
19 Solid Waste Management Act of 1990." We're not
20 restricting anything, and they abide by that
21 ruling.

22 MR. BAILEY: I don't want us to put any
23 kind of text in there, even though I like the
24 idea of it, that would purposefully preclude the
25 landfill operator from carrying out their current

1 D&O plan, because that was the main purpose we
2 went back there -- the Solid Waste Task Force was
3 to put the 44 acres in there -- was not to
4 preclude them from exercising their rights. And
5 I'm afraid if we restrict this and not allow that
6 to be purposefully open like I believe that Mr.
7 O'Day had done, that we may set ourselves up for
8 preclusion.

9 MR. MORRIS: Well, I think Mr. O'Day left
10 that in there like he's got it written for a
11 safeguard for us.

12 MR. EVERETT: If you remember, in that
13 meeting we had, he made a statement of all
14 applicable laws. And I asked him a question,
15 "Doesn't 'all' mean to this?"

16 And he says, "No, it don't."

17 And I said, "Well, what does 'all' mean?"
18 And he's supposed to be an environmental
19 specialist, you know. So if he can't give you an
20 answer, I sure ain't going to take a chance on
21 going to court on it.

22 MR. STANLEY: Well --

23 MR. EVERETT: I mean, that's my way of
24 thinking.

25 MR. STANLEY: My own feeling is and my

1 understanding of the conversation with Mr. O'Day
2 was that all City ordinances would be applicable,
3 whether they were in effect at the time that the
4 lease agreement was signed or came along later.
5 They're enforceable under the police powers of
6 the City. Now, if I'm not mistaken, he told us
7 that you can adopt City ordinances such as the
8 zoning ordinance that specifies buffer zones and
9 all the rest of that kind of stuff.

10 MR. EVERETT: Right.

11 MR. STANLEY: You can do that.

12 MR. EVERETT: As long as it doesn't
13 restrict them from having a feasibility on their
14 land use.

15 MR. STANLEY: As long as it doesn't.

16 MR. MORRIS: You can line up in court, and
17 there's a good chance you're going to lose; but
18 you can do it.

19 MR. STANLEY: Right.

20 MR. MORRIS: And I'm not going to go to
21 court.

22 MR. BAILEY: I don't want to go to court.
23 The same thing you put in there, I feel that's
24 going to -- in as much as it refers to that
25 current D&O plan --

1 MR. STANLEY: See, the current D&O plan has
2 not been approved.

3 MR. BAILEY: If it's thrown out, it's all
4 moot to me, because they would have to comply
5 with 200-foot and 500-foot anyway; is that
6 correct?

7 MR. STANLEY: Let's not get confused about
8 this thing. There is no approved D&O plan. All
9 they've got is approved site suitability. No D&O
10 plan has been approved.

11 MR. THOMPSON: Can I make a statement here?

12 MR. BAILEY: Please.

13 MR. THOMPSON: I think Mr. O'Day put the
14 language he put in here for a specific reason
15 after a meeting we had in Executive Session with
16 him.

17 MS. WIGGINS: He did.

18 MR. THOMPSON: And that's not to say you
19 can't change it and make it different. If ya'll
20 want to talk anymore about the individual
21 application of that to this specific plan, I
22 might suggest we go into Executive Session and do
23 that in Executive Session without discussing it
24 too much more.

25 MR. BAILEY: Right.

1 MR. THOMPSON: Because that may involve
2 potential litigation.

3 MR. BAILEY: Yeah, they have rights.

4 MR. THOMPSON: And I think there are some
5 specific things that he said in that meeting that
6 we may or may not disagree with that he said; but
7 I think we need to go talk about those in
8 Executive Session if we're going to talk about
9 them, if ya'll want to hammer that out.

10 MR. BAILEY: We're still on the buffers,
11 right?

12 MR. STANLEY: Yeah, I am.

13 MR. BAILEY: Did you make a motion to amend
14 it?

15 MR. STANLEY: Yeah, I did. And I certainly
16 want to be careful not to get us in a jam. I'm
17 receptive to guidance. My understanding was that
18 we don't want to impose unreasonable restrictions
19 such as 1,000 feet from the property line so that
20 the effect would be to take the entire property.
21 That was the gist of the conversation. But who
22 could argue that current State standards are
23 unreasonable?

24 MR. THOMPSON: Well, I think you are
25 correct in everything you've you've said, Jim,

1 but I think what we discussed with Mr. O'Day
2 specifically is an existing plan on an existing
3 piece of property, and that's where there may be
4 a difference. And I think we need to talk about
5 that in Executive Session if we're going to talk
6 about it.

7 MR. STANLEY: Okay. Well, I'm prepared to
8 back down, if you're suggesting that we not do
9 that. Are you saying, based on your
10 understanding, that would not be advisable?

11 MR. THOMPSON: I'm saying I would suggest
12 that you leave the language the way Mr. O'Day
13 wrote it, because I think he wrote it for a
14 specific purpose. If you question that, based on
15 the meeting that we had, I think we can all go
16 talk about that, but we need go talk about it in
17 Executive Session; because I think we need to
18 talk about a site specific matter which has
19 potential litigation.

20 MR. MORRIS: We paid \$18,000 for these
21 recommendations. We better listen to what he
22 said.

23 MR. THOMPSON: We should talk about it in
24 Executive Session.

25 MR. STANLEY: I move we go into Executive

1 Session for purpose of discussing language of the
2 buffer.

3 MR. MORRIS: I've got a motion? Do I have
4 a second? Dies for the lack of a second.

5 MR. BAILEY: I make a motion we adopt Mr.
6 O'Day's Page 6 as written.

7 MR. STANLEY: Let's --

8 MR. MORRIS: We're not in discussion yet.

9 MR. STANLEY: What I'm going to suggest to
10 you, Tom, may --

11 MR. MORRIS: We've got a motion. Let's
12 carry through right. We've followed everything
13 else down the line, so let's carry it like we're
14 supposed to.

15 MR. EVERETT: I'll second Steve's motion.

16 MR. MORRIS: We've got a motion and a
17 second. Now we're open for discussion.

18 MR. STANLEY: I had some comments about the
19 infrastructure I mentioned earlier in adopting
20 wholesale Page 6 that would impact the
21 infrastructure part of this thing. This may
22 also --

23 MR. BAILEY: On Page 7 affected by the
24 subtitle "Infrastructure"?

25 MR. STANLEY: Yes.

1 MR. BAILEY: I withdraw my motion and
2 ammend my motion to say, "We adopt all of Page 6
3 down to, but excluding, Infrastructure."

4 MR. STANLEY: I'll second that.

5 MR. MORRIS: Okay. We've got a motion and
6 a second. Anymore discussion? All in favor?

7 MR. BAILEY: Aye.

8 MR. STANLEY: Aye.

9 MR. EVERETT: Aye.

10 MR. DAVIS: Aye.

11 MR. MORRIS: Any opposed? So carried.

12 MR. BAILEY: The last item is
13 Infrastructure. Go for it.

14 MR. STANLEY: I've got a suggested revision
15 to the Infrastructure paragraph, and it is in the
16 form of two new paragraphs. I would strike all
17 of the paragraph that's there, and here is
18 language revised. Basically, the two things I'm
19 trying to do here, one is to be specific about
20 the relocation of the entrance of the landfill.
21 The other is to indicate that the waste water
22 treatment system of the City would not handle the
23 leachate process.

24 So the language -- and, Judy, I've got you
25 a copy somewhere. I'll give you this one.

1 "Landfill traffic originating outside the city
2 limits of Sugar Hill shall be restricted to state
3 highways and Peachtree Industrial Boulevard.
4 Sycamore Road, Appling Road and Hillcrest Road
5 are specifically identified as being unsuitable
6 routes for landfill traffic. Any future
7 expansion of the existing 8-acre landfill shall
8 include a relocation of the landfill entrance to
9 Richland Creek Road." That's number one.

10 And the second paragraph is, "The City of
11 Sugar Hill has very limited municipal waste water
12 treatment capacity. All available capacity has
13 been committed to existing and anticipated
14 residential and commercial development within the
15 City. As far as waste water and collection and
16 treatment, there will not be available for the
17 purpose of landfill leachate disposal, regardless
18 of whether or not agreement to provide
19 pretreatment is provided." So I'm suggesting
20 substituting those two paragraphs for the one
21 that's there. Open for discussion.

22 MR. BAILEY: Question on the first
23 paragraph, Jim.

24 MR. STANLEY: Okay.

25 MR. BAILEY: This is in reference to the

1 infamously Richland Creek Road reroute?

2 MR. STANLEY: Yeah.

3 MR. BAILEY: We don't own that property, do
4 we?

5 MR. MORRIS: No, I think we're landlocked
6 in the 44 acres and no entrance to it. And I
7 don't think you can legally do that, can you,
8 counsel?

9 MR. THOMPSON: Well, I think it would cause
10 me concern that I've already talked with --

11 MR. MORRIS: What I'm getting at is: We
12 leased them the acreage, and it had access to it;
13 and now we're going to shut it off and say, "You
14 don't have access to that 44 acres." I'm not
15 going to go for that. They can do what they so
16 desire to do.

17 MR. STANLEY: The point that I made during
18 lunch time was this: The landfill company has
19 committed publicly in official public hearings to
20 their willingness to relocate the landfill to the
21 Richland Creek Road entrance and have mailed
22 directly to all the citizens of Sugar Hill a
23 newsletter committing to the same thing in
24 writing. Under those circumstances, I don't see
25 any reason why it can't be a part of our plan.

1 MR. MORRIS: Mr. O'Day's comment was --

2 MR. BAILEY: The original text does mention
3 it, mention it as a point of negotiation with the
4 Facilities Negotiating Committee. But, Jim, in
5 all due respect, I don't recall them specifically
6 saying they'd do it. I understood it to be a
7 possibility or one thing that could be done. I
8 might be -- do we have anything?

9 MR. EVERETT: I thought it was just
10 something they had proposed.

11 MR. MORRIS: It was a proposal.

12 MR. BAILEY: You know, not cast in
13 concrete, "We're going to do this." Is that road
14 on the current D&O plan.

15 MR. MORRIS: I'm not sure.

16 MR. STANLEY: It is not.

17 MR. BAILEY: It's not?

18 MR. MORRIS: I'm not sure. I still think
19 we're cutting them off without an entrance to
20 that, and that's my personal opinion.

21 MR. BAILEY: Even though I would really
22 like to have it there -- and I understand the
23 truck --

24 MR. DAVIS: We can't landlock that land.

25 MR. BAILEY: We did mention in the

1 introduction about --

2 MR. MORRIS: We can negotiate with these
3 people, but that's something I'm not going to --
4 I think it would be unwise for us to put that in
5 there.

6 MS. WILLIAMSON: Jim, I just asked Lee if
7 we would restrict -- number one, I don't think we
8 can do it, because our leachate in the City's
9 landfill -- the fact is if we would state that
10 they couldn't dispose of their leachate from the
11 landfill in our system and I have somebody
12 tomorrow to come in and have a development of
13 what capacity the landfill -- I mean, in the
14 sewer plan, then what we're doing is
15 discriminating from one to the other. You see
16 what I'm saying?

17 MR. STANLEY: Yeah, and that's a good
18 argument.

19 MS. WILLIAMSON: I'm just trying to -- we
20 went through this once before. Do you remember
21 Mr. Cornell?

22 MR. MORRIS: Let's forget that.

23 MR. STANLEY: I do. The point I was trying
24 to make here was one of the original -- one of
25 the original proposals that was submitted by the

1 landfill people for development of this landfill
2 included on-site disposal of their leachate. It
3 included a leachate collection system, septic
4 tank disposal system, and a tile drainage system
5 to get rid of the leachate.

6 And my intention was that they would have
7 to take care of their own problem, I mean, that
8 we have very limited capacity; and we developed
9 it not for the purpose of supporting a major
10 industrial customer. We developed it for the
11 purpose of sewerage the existing and future
12 residential and commercial areas of the City.
13 And it was not intended to be an industrial waste
14 water treatment operation.

15 MR. MORRIS: How much leachate are we
16 talking about in a year's time?

17 MR. STANLEY: It depends on the size of
18 this landfill.

19 MR. MORRIS: Well, I think you spell that
20 out in this plan, so we're not talking about that
21 much. I mean, I don't think a very small amount
22 of leachate is going to affect the volume that we
23 have down at our plant.

24 MR. BAILEY: Are we talking about hundreds
25 of thousands of gallons?

1 MR. MORRIS: I would rather see it go into
2 our treatment plant and be further treated after
3 the landfill than stuck in the ground out there
4 through a septic tank system. I don't think
5 we're talking about losing, you know, 25 homes
6 just to put this leachate into a sewer system.

7 MR. STANLEY: Well, you've been led to
8 believe there's very little leachate.

9 MR. MORRIS: I haven't been led to believe
10 anything. I'm asking you how much leachate are
11 you coming up with? You're the engineer. You
12 tell me how much we're going to come up with on a
13 44-acre landfill. I don't know, but I couldn't
14 imagine it's that much.

15 MR. STANLEY: Well, there's two problems:
16 One is that it depends, to a large extent, on how
17 they operate the land; and the second thing is
18 that it's very difficult to predict what the
19 strength of that leachate might be in terms of
20 the level of pollutants contained in it.
21 Sometimes leachate from municipal landfills can
22 be horrendously bad stuff. But while it doesn't
23 overwhelm you with the volume, it can be very
24 difficult to treat. Now, the second thing is,
25 you've got to remember that what goes in has got

1 to come out.

2 MR. MORRIS: I agree.

3 MR. STANLEY: What's going to go in, in
4 terms of water, it's however much rainfall falls
5 on 44 acres. That's 60 inches times 44 acres,
6 less what evaporates. The rainfall that occurs
7 on this thing is going to percolate into the
8 ground and end up being leachate, because the
9 whole site's going to be lined. It's not going
10 to disappear like it does now. It's going to
11 come out the bottom. What goes in has got to
12 come out.

13 MR. MORRIS: Right, what goes in is going
14 to come out.

15 MR. STANLEY: Forty-four acres times 60
16 inches is a lot, less evaporation. And I'll
17 grant you that there will be some evaporation,
18 and there will be some controlled run off that
19 diverts some of it; but it still would be a very
20 substantial amount of water.

21 MR. MORRIS: What is substantial, Jim?
22 What's a substantial amount of leachate to come
23 out of that landfill?

24 MR. THOMPSON: Can I throw something in?

25 MR. MORRIS: Sure.

1 MR. THOMPSON: I'd make two suggestions.
2 First of all, on the entrance way, this is once
3 again where I think Mr. O'Day has worded
4 something keeping in mind the discussions that we
5 had. You may want to strengthen it somewhat as
6 to where the City encourages the landfill. But
7 as I told -- as to where the City encourages the
8 location of the entrance way, I told Jim I had
9 the same problem I think some of you have
10 expressed as far as limiting it to Richland Creek
11 Road. If the present site, which is the one we
12 identified as a potential site, doesn't have
13 access to that road as it exists now without
14 using someone else's property, I think that
15 causes a potential problem of landlocking
16 somebody and not letting them get to a site that
17 we've leased them.

18 On the area of waste water, you may want
19 to, once again, consider something about what you
20 encourage to be done such as not letting it into
21 your system. You have the problem that we
22 already talked about: Can you buy and sell in
23 capacity to someone if you've got capacity
24 available? How do you go about doing that.

25 The other issue that I'm not sure we've

1 considered and I'm not sure we want to consider
2 it in this meeting, is who's responsible for
3 disposing of that leachate.

4 MR. MORRIS: Well, I don't mind encouraging
5 them to do a lot of things, but I'm not in favor
6 of saying, "You are going to do this or you are
7 not going to do that."

8 MR. THOMPSON: I mean, I don't know the
9 answer to that.

10 MR. STANLEY: They are, until they get
11 permission to put it into the City system; and
12 then after that, it's a City problem.

13 MR. THOMPSON: Okay.

14 MR. MORRIS: It's a City landfill.

15 MR. THOMPSON: I mean, I don't think we
16 have that problem right now, because it's not a
17 lined landfill.

18 MS. WILLIAMSON: It's not in the current
19 contract.

20 MR. THOMPSON: Yeah, maybe we ought to look
21 at that some more, which maybe you may want to --

22 MR. MORRIS: I like Steve O'Day's version
23 of this thing.

24 MR. THOMPSON: See my point?

25 MR. STANLEY: I see your point.

1 MR. THOMPSON: I'm not sure I disagree with
2 you at all on what you're saying. If we're going
3 to require that it be paid for and transported
4 somewhere, let's make sure we know who's got to
5 pay for it and transport it before we cast that
6 in stone.

7 MR. STANLEY: Well, that brings into
8 question one other issue that seems to me has got
9 to be resolved, and that is some recent
10 indications I've had that EPD considers the
11 application pending to still be a City landfill
12 and that the City is ultimately responsible for
13 it and that Mid-America people and Button
14 Gwinnett are identified as the operators, so that
15 ultimate responsibility for everything remains
16 with the City.

17 MR. MORRIS: Did not EPD tell us that the
18 permit application was in Button Gwinnett
19 Landfill's name?

20 MS. WIGGINS: Uh-huh, we have a letter from
21 John Taylor to that effect.

22 MR. MORRIS: What?

23 MS. WIGGINS: I said we have a letter from
24 John Taylor to that effect.

25 MR. MORRIS: That's what I thought, we had

1 a letter to the effect that it was in Button
2 Gwinnett Landfill. Maybe they don't know what
3 they're talking about. If it's permitted, then
4 they're responsible for it.

5 MR. BAILEY: Or we could go down there and
6 lobby for it anyway. I was looking at worst case
7 scenario.

8 MR. MORRIS: I've got garbage in there,
9 so --

10 MR. BAILEY: The worst case scenario is
11 that in the final analysis, we would become part
12 of it.

13 MR. THOMPSON: And I don't mean to imply by
14 my words that we are in any way responsible for
15 that leachate. I'm just saying I don't know
16 right now without looking at the situation some
17 more. Maybe that's an issue we need to do a
18 little more investigation about and discuss a
19 little bit more. I certainly don't think there
20 would be anything wrong with saying you encourage
21 disposal.

22 MR. BAILEY: Well, I don't want to landlock
23 them, because ideally I would like to have the
24 road relocated; but I don't know what
25 jurisdiction we have to mandate that, especially

1 on private lands. The part about the verbiage
2 here that bothers me, it references, "As resolved
3 in negotiations with the Facility Issues
4 Negotiating Committee."

5 MR. STANLEY: Nothing got resolved.

6 MR. BAILEY: That's assuming they get a
7 resolution, but I don't think they have. I know
8 the last statement says to identify proper
9 relocation, but how do we encourage relocation of
10 that without incurring any kind of problem in
11 making a mandate or something?

12 MR. THOMPSON: Well, I was just thinking
13 the language you have is an identified probable
14 relocation of an entrance as considered on
15 Richland Creek Road. You can say something like,
16 "The City supports and encourages this
17 relocation," or something like that, but not
18 require as a condition of it. I think if it's
19 agreed to in the Negotiations Committee that's
20 going on right now, then I think it's fine. You
21 can --

22 MR. STANLEY: It isn't going to be.

23 MR. THOMPSON: You can always come back and
24 make it a requirement if they agree to it
25 contractually. You can require it, but if they

1 don't agree to it, I don't think that you can
2 require them to put an exit into a piece of
3 property that you've leased to them from a road
4 that that property doesn't have any access to.

5 MR. BAILEY: As far as Jim's second
6 paragraph, not knowing the volume of leachate --
7 and I'm a little lost here anyway -- do we have
8 to identify what to do with leachate in our plan?
9 I don't remember it being mentioned anywhere
10 else, so that's the reason I asked.

11 MS. WIGGINS: No.

12 MS. WILLIAMSON: That can be addressed in
13 the contract.

14 MR. STANLEY: It will be addressed in the
15 D&O plan submitted to EPD.

16 MS. WIGGINS: The section you're working on
17 is land suitability.

18 MR. STANLEY: Well, I think it's pretty
19 clear I don't have a voting majority here, so --
20 oh, didn't we vote on it?

21 MR. BAILEY: I make a motion we adopt the
22 verbage as Mr. O'Day's got it written.

23 MS. WIGGINS: Well, let me correct
24 something. That was not the way Mr. O'Day wrote
25 it. That was the way the Committee wrote it.

1 MR. THOMPSON: But he did not change the
2 paragraph.

3 MS. WIGGINS: That's correct.

4 MR. THOMPSON: He didn't change anything.

5 MR. BAILEY: As so written on the bottom of
6 Page 6 and continued on Page 7.

7 MR. MORRIS: I've got a motion.

8 MR. DAVIS: I'll second.

9 MR. MORRIS: Got a second. Any discussion?
10 Been discussed. All in favor?

11 MR. BAILEY: Aye.

12 MR. EVERETT: Aye.

13 MR. DAVIS: Aye.

14 MR. STANLEY: I'm opposed.

15 MR. MORRIS: Let the record show that Mr.
16 Stanley's opposed.

17 MR. BAILEY: We're back on Page 24.

18 MR. MORRIS: We're back to our package now.

19 MS. WILLIAMSON: Twenty-four.

20 MR. MORRIS: Twenty-four.

21 MR. BAILEY: Is the phone next door in
22 operation?

23 MS. WILLIAMSON: Yes.

24 MR. STANLEY: It will please the Committee
25 to know I have no further changes in the rest of

1 the document.

2 MR. MORRIS: The only thing I would suggest
3 changing is anywhere we find where it says
4 "Gwinnett County" is changed to "Sugar Hill" when
5 it's referring to our operation here.
6 Twenty-five has a "Gwinnett County has
7 designated." We say, "Sugar Hill has
8 designated."

9 MR. STANLEY: You're going to have to point
10 those out individually.

11 MR. MORRIS: Page 26, second paragraph, it
12 says, "Gwinnett County," should be "Sugar Hill."
13 Also on Page 26, second paragraph from the
14 bottom, second sentence starts off, "In Gwinnett
15 County." It should be, "In Sugar Hill."

16 MR. STANLEY: I'm not sure that's true.

17 MR. MORRIS: What?

18 MR. STANLEY: In the second sentence in the
19 second paragraph, it says, "Gwinnett County."

20 MR. MORRIS: Second from the bottom.

21 MR. STANLEY: Well, starting with the first
22 one --

23 MR. MORRIS: Fifth paragraph down where it
24 says, "Seminars/lectures, learning through doing,
25 technical assistance."

1 MR. STANLEY: Uh-huh.

2 MR. MORRIS: "Solid waste management to
3 date in Sugar Hill, Gwinnett Clean and Beautiful
4 coordinates it." Should that not read "Sugar
5 Hill"?

6 MS. WIGGINS: Well, if you inserted the
7 words "with local, state and federal agencies,"
8 if you're saying that Sugar Hill wants to
9 participate in conjunction with, maybe that's --

10 MR. MORRIS: Yeah. I didn't have anything
11 else.

12 MS. FOSTER: Do ya'll have any problems
13 with any of the tables?

14 MS. WIGGINS: Judy, on Page 28 it's a
15 summary. You might want to delete "Gwinnett
16 County" there and just start with the "City of
17 Sugar Hill."

18 MS. WILLIAMSON: Do we want to -- in Table
19 4, Page 34, list all the industrial fabrication
20 companies that we've got listed in the
21 Comprehensive Plan, because there's more than
22 what we've got listed here.

23 MR. STANLEY: Unless they're a significant
24 generator of waste, I wouldn't see any need.

25 MR. EVERETT: An additional cabinet shop in

1 Sugar Hill.

2 MS. FOSTER: Should this be "Gwinnett
3 County" on Table 14?

4 MS. WIGGINS: Huh-uh -- yeah, it should be.
5 Do we want -- now we need to go back and insert
6 the goal statements.

7 MR. BAILEY: What happened here?

8 MR. STANLEY: I think we got to the end of
9 the document, and now we're getting ready to go
10 back and insert the goal statements.

11 MR. BAILEY: Did she get them?

12 MS. WIGGINS: Uh-huh.

13 MR. BAILEY: They were missing from the
14 first four elements, weren't they?

15 MS. WILLIAMSON: That was on Page 2.

16 MS. WIGGINS: Do you want me to read these,
17 Mr. Morris.

18 MR. MORRIS: Yes.

19 MR. BAILEY: Yes, please.

20 MS. WIGGINS: The amount of waste goal
21 says, "To determine the amount and composition of
22 the solid waste generated and/or disposed of
23 within Sugar Hill in order to have a sound and
24 effective basis on which to base solid waste
25 management decisions and to determine if

1 statewide and local goals have been met."

2 Under Collection, "To ensure efficient and
3 effective collection systems for solid waste,
4 recyclables and compostables."

5 MR. BAILEY: Is that it?

6 MR. MORRIS: That's a short goal.

7 MS. WIGGINS: Next, Waste Reduction. Okay.
8 That one has the goal statement.

9 MR. BAILEY: Does it?

10 MS. WIGGINS: Yeah, in the first paragraph,
11 second sentence, it says, "This goal is to ensure
12 a minimum" --

13 MR. BAILEY: Oh, I see; it was buried in
14 there.

15 MS. WIGGINS: "Disposal" has the goal.

16 MR. BAILEY: "Land Limitation" has the
17 goal.

18 MS. WIGGINS: "Education" has it, and
19 "Implementation and Finance" has it.

20 MR. MORRIS: We've got all the goals.

21 MR. BAILEY: Have we adopted the balance of
22 the text?

23 MR. MORRIS: As far as I know.

24 MR. EVERETT: We haven't voted on it.

25 MR. MORRIS: We haven't voted on it?

1 MR. BAILEY: I think the last section was
2 Education and Implementation and all the tables.
3 You made some changes like "Gwinnett County"
4 versus "City of Sugar Hill" and several things.

5 MR. MORRIS: That's all the changes that
6 was made.

7 MR. BAILEY: I make a motion we adopt those
8 sections with those changes "Gwinnett County"
9 inserted for "Sugar Hill."

10 MR. EVERETT: I second that.

11 MR. MORRIS: Motion and second. Any
12 discussion? All in favor?

13 MR. BAILEY: Aye.

14 MR. STANLEY: Aye.

15 MR. EVERETT: Aye.

16 MR. DAVIS: Aye.

17 MR. MORRIS: Any opposed? So carried.

18 MR. BAILEY: Now that we've gone through
19 the plan -- I know this may sound redundant --
20 can we come back and look at that introduction
21 statement one more time and see if it's compliant
22 with what we did? We made an amendment, as I
23 recall, other than the word "per capita" after 25
24 percent.

25 Jim, we inserted that, "This plan also

1 expresses the desire of the citizens of Sugar
2 Hill and the intention of the City Council of
3 Sugar Hill to limit future sanitary landfill
4 operations within the City, other than a
5 relocated entrance" -- is that what we said?

6 MR. STANLEY: Yeah.

7 MR. BAILEY: -- "road to a 44-acre site
8 owned by the City as leased currently or as
9 amended from time to time to a private landfill
10 operator." Is that what we've got?

11 MR. STANLEY: Yes.

12 MR. BAILEY: I still have difficulty
13 tagging 44 acres. That's my difficulty. I want
14 to restrict it to the lands owned by the City of
15 Sugar Hill and not specifically -- because I
16 don't want someone later to interpret it and say,
17 "Well, you said over here all the lands. Here
18 you say 44 acres. Now, which 44 acres are you
19 talking about, this 44 acres or this 44 acres?"
20 Now, I could read into this saying, well, as
21 currently leased and as a legal description of
22 that.

23 MR. STANLEY: It says, "The 44-acre site
24 owned by the City and currently leased to a
25 private landfill operator." That ties it down

1 pretty tight.

2 MR. THOMPSON: Steve, I think that's why I
3 was asking you back when we were trying --

4 MR. BAILEY: The reason being, we haven't
5 done the map yet. You're going to make me regret
6 that, aren't you?

7 MR. THOMPSON: Are you -- I mean, maybe we
8 just need to clarify it. Do you want to identify
9 as potential landfill sites all the property that
10 the City owns within the City of Sugar Hill?

11 MR. BAILEY: Yes.

12 MR. STANLEY: Well, I don't.

13 MR. BAILEY: Because when we --

14 MR. MORRIS: I don't want it here at City
15 Hall.

16 MR. THOMPSON: I think ya'll need to talk
17 about that.

18 MR. BAILEY: Well, I want to wait till we
19 get through with the map.

20 MR. STANLEY: That would mean that the 150
21 acres that we haven't used out there at the golf
22 course is eligible and the park property is
23 eligible and the 30 acres.

24 MR. MORRIS: No, the park's already a park.

25 MR. BAILEY: No, we would exclude that on

1 the map is what I'm saying. I'm not asking for a
2 big large expanded legal land. I just want it
3 legally identified so there won't be no arguments
4 later, that's all.

5 MR. MORRIS: I think what you're after is
6 getting it to the point if there's a landfill,
7 the City will own the property. It's going to be
8 on City owned property.

9 MR. STANLEY: I hear it entirely
10 differently. I hear it as you're saying you're
11 not happy with just 44 acres. You want to expand
12 beyond 44 to the other 30 acres the City owns out
13 there; and I'm going to fight you on that all the
14 way to the public hearing and beyond.

15 MR. BAILEY: We can always change the plan
16 later to include that.

17 MR. MORRIS: The 30 acres was purchased for
18 a landfill expansion. I mean, whether it's ever
19 used for a landfill or not, I don't know. But I
20 mean, that's the reason the property was
21 purchased. It was published we were purchasing
22 it for a landfill expansion. So it shouldn't be
23 any surprise to anyone if someday down the road
24 that 30 acres does become -- what small part of
25 it could be used for a landfill, which would be

1 very small; because if you take a 500-foot buffer
2 off of it, you don't leave too much in there
3 that's suitable for a landfill. But that's a
4 possibility somewhere down the road that could
5 happen.

6 MR. BAILEY: I guess what I'm saying is I
7 want to leave the Council with enough flexibility
8 so we can adhere to the wishes and desire of the
9 Citizens Committee, Citizens Negotiations
10 Committee, that obviously will not be realized
11 through any kind of negotiation or resolution
12 that apparently is not going to take place.

13 And you can thank Mr. Yarn for this
14 particular issue, but he brought up a very good
15 suggestion, and that won't preclude that issue as
16 a way to solve the buffer issue, the road
17 relocation, the Chattahoochee River Ordinance,
18 Infrastructure lines, et cetera.

19 MR. STANLEY: Let me tell you what I
20 believe --

21 MR. BAILEY: Which 44 acres? Why would it
22 matter? If it's --

23 MR. STANLEY: Because we've been through an
24 excruciatingly difficult process. The Landfill
25 Solid Waste Management Task Force recommended

1 that we limit any future landfill development in
2 Sugar Hill to the 44 acres, and the reason -- one
3 strong reason for doing that was that we have
4 legal contractual obligations tied to that 44
5 acres which would specifically control the use of
6 that 44 acres.

7 As soon as you go beyond that 44 acres,
8 then you've got a whole new ballgame. Okay.
9 There's no such controls beyond the 44 acres, and
10 one of the things that I'm very much reluctant to
11 do is to open up that can of worms. I don't want
12 to find out what happens if you go beyond the 44
13 acres.

14 MR. BAILEY: Uh-huh, but I feel you're
15 compelling the City, which might happen in
16 litigation or a court of law, to accept a D&O
17 plan which we all obviously are unhappy with with
18 100-foot buffers or 200-foot buffers or using
19 Appling Road as an entrance.

20 MR. MORRIS: Well, my feeling on that is if
21 you can give a 500-foot buffer from one side of
22 the landfill clean through to the other side, get
23 that landfill 500 feet away from any residence
24 down there, they can take any 44 acres they want
25 to take in that holler down there and get it away

1 from the people.

2 MR. STANLEY: Well, see, I understand that
3 to be your position.

4 MR. MORRIS: You know, if the people don't
5 wasn't that, so be it.

6 MR. STANLEY: I understand that to be your
7 position, but that is not my position, and --

8 MR. MORRIS: Well, Mr. Stanley, I think we
9 all understand your position; but, I mean, you
10 know, everyone of us has an opinion.

11 MR. STANLEY: Right.

12 MR. BAILEY: I was trying to get to a
13 compromising position which would ensure that the
14 City would not be in court arguing with the
15 landfill operator trying to exercise their rights
16 under their current D&O plan or application. At
17 the same time, give the citizens everything
18 they -- those who are most affected the
19 protection they need, protection.

20 MR. STANLEY: What you just said, the
21 current D&O plan does not use one square foot of
22 City property, other than the 44 acres, not one
23 square foot.

24 MR. BAILEY: That's right.

25 MR. STANLEY: And you're suggesting that we

1 allow them to use other City property.

2 MR. BAILEY: Other City owned property.

3 MR. STANLEY: Yes, and I'm saying why in
4 the world would we want -- why in the world would
5 we want to allow that? The current D&O plan does
6 not allow one square foot of City owned property,
7 except for the 44 acres to be used. But now
8 you're suggesting that we allow them to use other
9 City owned property.

10 MR. BAILEY: Another 44 acres.

11 MR. MORRIS: To get the landfill 500-foot
12 from a residence.

13 MR. BAILEY: So we can give them the
14 buffers.

15 MR. MORRIS: If they've got 500-foot from
16 the residence, instead of 100-foot from the
17 property line, you're 500-foot from the
18 residence, we're still talking about 44 acres, I
19 mean --

20 MR. BAILEY: I am not overwhelmingly
21 convinced they're not still going to be able to
22 go ahead and proceed with their current D&O and
23 with a landfill within 100 foot of that trailer
24 park down there or go over that tributary, that
25 little branch.

1 MR. MORRIS: It's been tentatively
2 approved.

3 MR. BAILEY: That's right. That's what
4 concerns me. How do we stop that, Jim?

5 MR. STANLEY: Well, my feeling is that if
6 you hold the line at 44 acres and if you impose
7 the other restrictions on development of that
8 site that are available to us, including the
9 Chattahoochee River Protection ordinance
10 requirements --

11 MR. MORRIS: Uh-huh.

12 MR. STANLEY: I suggested buffer zones that
13 got voted down and other similar things that the
14 net effect of all that is going to make that site
15 be questionable value for a landfill. The very
16 strong likelihood is that the landfill operator,
17 under those circumstances, might elect just to go
18 away.

19 MR. MORRIS: And if we put the restriction
20 on it, they may just elect to sue the City of
21 Sugar Hill, too, you know. What kind of position
22 does that leave us in? I'm not willing to take
23 this gamble under the advice of two attorneys.

24 MR. STANLEY: As long as we put in the
25 restrictions as Mr. O'Day had suggested.

1 MR. THOMPSON: I would just caution ya'll
2 not to get too far into a discussion of what the
3 attorneys have said.

4 MR. MORRIS: I said advice of two
5 attorneys. I didn't discuss it.

6 MR. THOMPSON: What suitable land is
7 discussed, how this affects a contract, we need
8 to be cautious about discussing that in public
9 session.

10 MR. BAILEY: Okay.

11 MR. MORRIS: Is that it?

12 MR. STANLEY: Well, I don't know. Did we
13 resolve anything on that?

14 MR. BAILEY: No, I had just wished the
15 Facility Negotiations Committee had come to a
16 solution.

17 MR. THOMPSON: I would suggest you may want
18 to talk about this if you want to adopt a map at
19 some other point, that would be the appropriate
20 time to talk about that; because that's when
21 you're going to identify what's suitable and
22 unsuitable sites.

23 MR. BAILEY: Right.

24 MR. THOMPSON: I think right now, what the
25 text identifies is that 44 acres that is

1 presently leased. If you want to identify
2 anything in addition to that, then you need to
3 talk about that action and obviously need to
4 discuss that. And if you want to discuss some of
5 the specifics of how it may affect your current
6 lease and some of the litigation things, we may
7 want to discuss some of those in Executive
8 Session if you've got some specific questions
9 about that.

10 MR. BAILEY: I am still concerned, as I
11 have been for over a year, concerned about the
12 cost we could incur trying to fight that. I'm
13 not overwhelmingly convinced that we have a good
14 position, but I agree we'll wait.

15 MR. STANLEY: There are several other
16 issues, it seems to me, that need to be resolved.
17 One is: Are we going to set a date for a public
18 hearing on this document? Second is: Shall we
19 have the revised document reviewed by Mr. O'Day?
20 And third is: When are we going to get together
21 to agree on this map that Steve feels we need?

22 MR. MORRIS: Well, I don't think we can set
23 a public hearing date until we get the map. You
24 can't have that public hearing without all the
25 information. That's an incomplete plan.

1 So I think the first thing we've got to do
2 is come out with this map and get that up, get
3 that approved; and all this can already be
4 written up, and we can review it. But then you
5 don't have a public hearing until you've got a
6 complete plan.

7 MS. WILLIAMSON: Do I need to call the
8 engineers, then, to help devise the map? What
9 did you say, Connie, besides the site
10 acceptability or unacceptability and --

11 MS. WIGGINS: Well, one thing would be to
12 call DCA and ARC and ask them if you could be
13 excused from that requirement. If not, then that
14 might tell you that you need to bring the
15 engineers in, unless you've got another way to
16 get a map done.

17 MS. WILLIAMSON: Because we'll have to
18 delineate.

19 MS. WIGGINS: Uh-huh.

20 MR. STANLEY: If I understood all this
21 conversation, the whole point of Steve's
22 initiative is to bring the additional 30 acres
23 that the City owns into the package; and if
24 that's the case, we don't need a lawyer or a
25 engineer or anybody else to make up the map.

1 Xerox the tax map and color the one additional
2 30-acre tract, and you're done.

3 Now, if on the other hand you want to do
4 what Buford did, which is look at soil types and
5 slopes and adjacent development and all manner of
6 other things and to identify all properties in
7 the City of Sugar Hill that are suitable or
8 conversely unsuitable for construction of a
9 landfill, then you've got another whole problem.
10 But I fail to understand what purpose it serves
11 if the language of the ordinance says you can't
12 use anything except these 44 acres, then what's
13 the purpose of having a map to delineate all the
14 wetlands and everything else all over town if
15 that's all you can use? That's all you can use,
16 and it's perfectly delineated.

17 MS. WILLIAMSON: What ordinance says that?

18 MR. STANLEY: This document states that.
19 It says so right here.

20 MS. WILLIAMSON: Oh, well, but it's not an
21 ordinance.

22 MR. BAILEY: No, my problem was that we
23 refer to the lease, to the lease everywhere. To
24 the reader -- if I'm a reader not knowing Sugar
25 Hill and I read this, I said, "Well, what 44

1 acres are they talking about? Show me a map."

2 MR. STANLEY: We can do that very easily.
3 We can Xerox the portion of the tax map -- it's 8
4 and a half by 11, and it shows the City property
5 and an adjacent 30-acre tract and whatever else.

6 MS. WILLIAMSON: But that has got to be a
7 plan for ten years.

8 MR. BAILEY: That's the way I understand
9 it, and we would have to indentify every spot, I
10 thought.

11 MS. WILLIAMSON: For ten years.

12 MR. BAILEY: For ten years.

13 MR. STANLEY: Steve, what you still have
14 not come to terms with is the document says there
15 is no property in Sugar Hill suitable for
16 landfills, except 44 acres which are currently
17 under lease. Now, that makes it real easy to
18 identify.

19 MR. MORRIS: That document may say that,
20 Jim, but in reality you know that's not true and
21 I do too.

22 MR. STANLEY: No, I don't know that's not
23 true.

24 MR. MORRIS: Do you know that it is?

25 MR. STANLEY: I'm perfectly satisfied that

1 that's good solid language. Now --

2

3 MR. MORRIS: Ya'll excuse me. I've got to
4 be excused for a minute.

5 MR. STANLEY: As a matter of soil types or
6 of wetlands or any of that, I'm saying based on
7 the fact that, in general, the Sugar Hill area
8 has developed as residential neighborhoods, and
9 there's nowhere left that's suitable for
10 landfills, including the 44 acres. But
11 unfortunately, we've already got a local binding
12 contract that ties us down on that, and we're
13 going to have to honor it.

14 So if I was writing a plan starting from
15 scratch today, I would say there is no land in
16 Sugar Hill suitable for solid waste disposal.
17 And I believe that's a true statement, but
18 because of prior legal commitments, we have a
19 leasing agreement we've got to honor on 44.
20 Therefore, the plan says the only land in the
21 City of Sugar Hill that is suitable is the 44
22 acres currently under lease to Mid-America. And
23 how could you be more specific than that?
24 Drawing a map doesn't change anything.

25 MR. THOMPSON: Can we do that legal

1 description?

2 MR. BAILEY: We can do a legal description
3 of the land.

4 MR. THOMPSON: And get a map, obviously, of
5 that piece of property, and I think you could do
6 it that way.

7 MR. BAILEY: Well, I just want to make sure
8 that would satisfy the requirements.

9 MS. WILLIAMSON: And that's what I think.

10 MR. BAILEY: Jim is trying -- I just want
11 to satisfy the elements so we can get this thing
12 passed through the first time around.

13 MR. THOMPSON: And ya'll need some
14 clarifications on what's required that's
15 acceptable, then you need to make the other
16 decision: Do you want a specific Task Force
17 recommendation that is the only piece of property
18 to be in there. If you want to do something
19 else --

20 MR. BAILEY: Well, to me, that's not the
21 issue. The issue is how to properly identify it
22 so we can pass the test. If we can pass through
23 the test, hey, I'm happy with it. And I'm
24 willing to make a motion that we will wait till
25 we get further advice back from DCA before we

1 schedule a map drawing meeting, and then we'll
2 just follow the regular course at that time.
3 Once we get that map done, then we would adopt
4 this in Council meetings, and then let's go forth
5 with the public hearings and get on with our
6 life.

7 MS. WILLIAMSON: Then you're instructing me
8 to get the information from DCA?

9 MR. BAILEY: Yes, to make sure what we have
10 to do to comply. Then we can schedule a meeting
11 after that, once we know what we're going to
12 have.

13 MR. MORRIS: Was that a motion?

14 MR. BAILEY: Yeah, I guess that's a motion.

15 MR. MORRIS: Do I hear a second?

16 MR. DAVIS: I second that.

17 MR. MORRIS: All in favor?

18 (Whereupon, each Council member raised
19 their right hand.)

20 MR. MORRIS: Any opposed?

21 MR. BAILEY: I make a motion we adjourn.

22 MR. DAVIS: I'll second that.

23 (Whereupon, the meeting was concluded.)
24
25

C E R T I F I C A T E

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STATE OF GEORGIA:

GWINNETT COUNTY:

I do hereby certify that the foregoing pages 1 through 147 is a true, correct and complete transcript of the proceedings taken down by me in the meeting aforesaid.

This the 21st day of May, 1993.



TORRIE M. RONEY, CCR-B-1070

FORM C-100 - LASER REPORTERS PAPER & MFG. CO. 800-626-6313

MAYOR & COUNCIL MEETING
MONDAY, MAY 10, 1993
7:30 P.M.

A G E N D A

Meeting called to order.
Invocation and pledge to the flag.
Reading of past minutes.

Committee Reports

- A) Planning & Zoning Board
- B) Appeals Board
- C) Recreation Board
- D) Budget & Finance
- E) Facility Issues Negotiations Committee

Old Business

- A) Hawthorne's Drainage Problem - South Roberts Drive
- B) Public Hearing Procedures
- C) Sewer Interceptor Lines

New Business

- A) Zoning Ordinance Amendment - Public Hearing - Flood Plain Requirements
- B) Nancy French - Odyssey of the Mind Program
- C) Call for Liquor by the Package Referendum
- D) Mayor & Council Stipends
- E) Property Tax Fifa and Penalty Charges
- F) Local Government Investment Pool
- G) GMEBS Annual Meeting - Appoint Voting Delegate

City Manager's Report

City Clerk's Report

Director of Golf's Report

Council Reports

Citizen's Comments

Adjournment

MAYOR & COUNCIL MEETING
MONDAY, MAY 10, 1993
7:30 P.M.

M I N U T E S

Notice posted at 12:00 noon on Friday, May 7, 1993 at City Hall.

In attendance: Mayor George Haggard and Council Members Thomas Morris, Steve Bailey, Reuben Davis, Roger Everett and Jim Stanley.

Meeting called to order at 7:34 p.m. by Mayor Haggard.

There was a silent invocation followed by the pledge to the flag led by Mayor Haggard.

Minutes

Council Member Stanley asks the City Clerk to review the tape recording again from last month's meeting in order to change page 5, Diane Spivey's comments under Citizen's Comments. He does not believe she made those statements. City Clerk Judy Foster agrees to review the tape again. Council Member Everett moves to approve last month's minutes with those changes noted. Second to the motion by Council Member Stanley. Vote unanimous.

Planning & Zoning Board

Council Member Stanley states that the Planning & Zoning Board has made a recommendation to the Mayor and Council to amend the Zoning Ordinance regarding buffer zones. He states this item is on the agenda later.

Appeals Board

Council Member Stanley reports that there was no Appeals Board Meeting held last month.

Recreation Board

Council Member Davis reports that the Little Miss Sugar Hill beauty pageants were a success and proceeds go to the park for improvements. He also reminds everyone that the Sugar Hill Festival is Saturday, May 15th.

Budget & Finance

Director of Finance Sandy Richards states that there was a net operating loss of \$59,000 for the month of April. She reports that the city now has \$835,000 in investments due to the 1989 bond refinancing. Refer to report. Council Member Stanley asks why the city has collected 304% year to date in 1991 and prior year property taxes. Mrs. Richards states that this is due to the 1991 property tax rebilling. She states that the City Manager and herself decided to keep the budget consistent, so



**MAYOR & COUNCIL MEETING
MONDAY, MAY 10, 1993
MINUTES, CONT'D.
PAGE 2**

those figures also include 1992 taxes. The current taxes are the 1993 taxes which are not billed out until October 1993. Mr. Stanley asks if the cable franchise tax is received all at once. Mrs. Richards states yes and the amount depends on their customer count. Mr. Stanley asks what \$52,000 was spent on equipment purchases. Mrs. Richards states that a trencher was purchased last month out of the gas and water funds and a trackhoe was purchased out of street & bridge funds. She states that both these purchases were budgeted for this year. Mr. Stanley asks why there is a negative expense under debt service in the golf course fund. Mrs. Richards explains that the debt service had been paid through March and these funds were refunded due to the 1989 bond refinancing.

Facility Issues Negotiations Committee

Council Member Morris reports that the Committee has had 5 meetings to date and he received the last report from the facilitator late last week and has not had time to review it yet. He states that another meeting has not yet been scheduled.

Hawthorne's Drainage Problem - South Roberts Drive

Director of Development Ken Crowe reports that he sent a letter to Mr. Chandler at the church and he responded back last Thursday. Mr. Chandler reported that the church has contracted an engineering firm and they are supposed to meet with the Hawthorne's regarding their drainage problem.

Public Hearing Procedures

City Attorney Lee Thompson discusses the logistics of handling public hearings. He states that if the Mayor and Council wishes to establish public hearing procedures, each type hearing must have exact procedures. He states that in the meantime, the Mayor and Council could make a motion to establish the rules of the public hearing before the hearing begins. Mr. Thompson gives an example in his memo. Refer to memo.

Sewer Interceptor Lines

Collection System Supervisor Donna Zinskie states that she has put together a memo for the Mayor and Council which is a chain of events regarding Dogwood Lake. Refer to memo and attachments. Ms. Zinskie states that after reviewing this information, it is her recommendation to run the sewer interceptor line around the lake instead of through it. Her recommendation is based on the fact that EPD has recommended to her on 2 separate occasions that the line be ran around the lake. Ms. Zinskie states another concern she has if the line is ran through the lake is the possibility of a break in the line and sewerage contaminating a creek. Council Member Stanley states that it is impossible for



**MAYOR & COUNCIL MEETING
MONDAY, MAY 10, 1993
MINUTES, CONT'D.
PAGE 3**

sewer to leak into the lake because there is no pressure on the line, since it is gravity flow through there, and there is more pressure from the water surrounding the pipe. Therefore, the lake water could get into the sewer line, but the sewerage could not get into the lake. City Manager Kathy Williamson states that Peter Maye with EPD gave an example of a leak into a lake under similar conditions. Mr. Stanley states that the surrounding property owners wanted the line to go through the lake in order to preserve numerous trees on their property which would have to be cut down during construction. Bill Johnson, with Piedmont Olsen Hensley, states that there is less chance for environmental damage by going around the lake, however, he will do whatever the city officials tell him to do. Council Member Stanley states that EPD has said that they would prefer the city go around the lake, however, they are not prohibiting it. Council Member Everett states that the city would have to sign an agreement which states that the city would be responsible for damage done to downstream water if there ever was a sewer leak. Council Member Morris states that he is not willing to put the taxpayers at that risk. Mrs. Williamson states that it would cost an additional \$83,138.15 to run the line through the lake. Refer to comparison report by P.O.H. City Attorney Lee Thompson states that whether or not the line should go through the lake is an engineering question and he is only concerned with condemnation proceedings if the route is changed. More discussion is held on this matter. Council Member Bailey moves to run the sewer interceptor line through Dogwood Lake. Second to the motion by Council Member Stanley. Vote 3 for, 2 opposed - Council Members Morris and Everett. Motion carried 3 to 2.

Zoning Ordinance Amendment - Public Hearing - Flood Plain Requirements

Director of Development Ken Crowe states that the Planning & Zoning Board voted to recommend an amendment to the Zoning Ordinance as it refers to area of requirements outside the flood plain. Mr. Crowe states that the current ordinance requires that no portion of any lot, which is in the flood plain, may be counted as a part of the required minimum lot area. Mr. Crowe reads the proposed amendment. Refer to amendment. Mayor Haggard asks for public comments. Rose Payne, Ken Sakmar, Diane Spivey, Simon Johnson and Planning & Zoning Boardmember Granville Betts all commented on the amendment. More discussion was held on this matter. There was a call for the vote. Council Member Morris moves to adopt the Zoning Ordinance amendment as recommended by the Planning & Zoning Board. Second to the motion by Council Member Everett. Vote 4 for, 1 opposed - Council Member Stanley. Motion carried 4 to 1.



**MAYOR & COUNCIL MEETING
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MINUTES, CONT'D.
PAGE 4**

Council Member Morris moves to amend the agenda in order for Ken Crowe to discuss Gwinnett Clean & Beautiful. Second to the motion by Council Member Bailey. Vote unanimous.

Gwinnett Clean & Beautiful

Director of Utilities Ken Crowe states that Gwinnett Clean & Beautiful, along with the Georgia Marine Council, who is sponsoring the Clean Water Program, wants to paint on catch basin lids "DO NOT DUMP, DRAINS TO WATERWAY" in order to make people aware of the fact. He states that this will be stenciled on the catch basins along Peachtree Industrial Boulevard and Highway 20, in the Links subdivision and in Peachtree Industrial Park. These are the areas Mr. Crowe felt they would be most useful and noticeable. Mr. Crowe states that this project will not cost the city any money. The Mayor and Council consented to this project.

Nancy French - Odyssey of the Mind Program

Nancy French states that the Sugar Hill Elementary Odyssey of the Mind Team has won the state championship again this year and will be going to the world competition in Maryland the first week in June. Ms. French states that the Odyssey of the Mind Program has been in existence for 10 years and each year a team from Sugar Hill has won the state competition in either 1st, 2nd or 3rd place and this is the third year a team from Sugar Hill has gone to the world competition. Ms. French is asking for donations from those in attendance since it will cost \$7,000 for the team to attend the competition. She states that all contributions are tax deductible. Ms. French collected \$135 and stated that others said they would mail checks to the school.

Call for Liquor by the Package Referendum

Superintendent of Elections Amy Roark states that 1,002 petitions were submitted to hold a liquor referendum to authorize the sale of packaged liquor. Mrs. Roark states that 854 petitions were validated and 148 were found to be invalid. She states that there were enough valid petitions to hold the referendum and according to the Georgia Election Code, this referendum must be held on Tuesday, June 15, 1993. Council Member Morris moves to call the liquor referendum, for packaged liquor only, to be held on Tuesday, June 15, 1993. Second to the motion by Council Member Bailey. Vote unanimous.

Mrs. Roark states that May 20, 1993 is the last day to register to be eligible to vote in this referendum.

Resident Sherry Stanley asks why both the sale of liquor by the package and by the drink can't be on the ballot. City Attorney Lee Thompson states that the petition itself only addressed

(A)

MAYOR & COUNCIL MEETING
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packaged sale and there had to be 35% of eligible registered voters, in the last general election, sign the petitions in order to hold the referendum. He states that the petition could have included both, but it did not. He states that if this referendum passes, the percentage of required signatures will be less than the 35% required for this referendum.

Mayor & Council Stipends

Council Member Bailey states that the city staff and himself have compiled information regarding stipends, as well as other benefits, such as insurance, pension, expense accounts, etc., from other comparable cities in the state. Refer to survey and memo. Council Member Bailey is recommending increasing stipends in order to bring them in line with other comparable cities. He states that the Mayor and Council stipends are only .15% of the city's budget. City Attorney Lee Thompson states that in order to increase stipends, this must be advertised and a public hearing held to do so. Council Member Bailey moves to begin the process to increase stipends as follows, effective January 1, 1994: Mayor - \$450 per month, Mayor Pro-tem - \$375 per month, and Council Member - \$300 per month. Second to the motion by Council Member Stanley. Vote unanimous.

Property Tax Fifa and Penalty Charges

City Clerk Judy Foster states that the city's property tax penalty and fifa charges need to be increased in order to cover administrative costs. A comparison of other cities charges is enclosed in the Council's packets. Mrs. Foster is recommending charging a 10% late fee in addition to the 12% interest charge and increasing fifa charges to \$10. She states that this is for the Mayor and Council to review and it will be on the agenda for next month.

Local Government Investment Pool

Director of Finance Sandy Richards states that she has received information concerning the Local Government Investment Pool run by the Georgia Department of Administrative Services, and she is recommending investing the city's idle cash into the pool where it can earn .616% more interest. Refer to memo and attachments. Council Member Bailey moves to adopt the resolution to invest the city's idle cash into the L.G.I.P. Second to the motion by Council Member Morris. Vote unanimous.

GMEBS Annual Meeting - Appoint Voting Delegate

City Clerk Judy Foster states that the Mayor and Council needs to vote to approve the proxy for voting delegate at the GMEBS annual meeting. Refer to memo and proxy. Council Member Stanley moves

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MAYOR & COUNCIL MEETING
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to approve the proxy as written. Second to the motion by Council Member Bailey. Vote unanimous.

Appoint Voting Delegate for GMA Convention

City Clerk Judy Foster states that a voting delegate and alternate needs to be appointed to vote at the GMA Convention business session. Mayor Haggard appoints Council Member Bailey to serve as the city's voting delegate and Council Member Davis to serve as the alternate.

City Manager's Report

Nothing to report.

City Clerk's Report

City Clerk Judy Foster states that there will be a public hearing next month for a Zoning Ordinance amendment regarding the Board of Appeals. She states that this amendment will agree with the City Charter.

Director of Golf's Report

Director of Golf Wade Queen states that April was a profitable month, however, it was not up to projections because of rain. He states that they have completed #18 cart path and the granite tee markers are up.

Council Reports

Council Member Stanley states that he has three items to discuss.

#1 - Mr. Stanley states that his first item pertains to a news article printed last week and the comments made by the City Manager. He states that in the article the City Manager stated that Jim Stanley, and/or Keck & Wood, was responsible for the cost overruns during construction of the golf course. He states that the article also suggested, by the City Manager, that he tried to reinsert his company in city business after he had been elected. Mr. Stanley states that these statements are false and the City Manager wrote a letter to the paper requesting the article be corrected. Mr. Stanley states that he met with the editor of the paper today and the editor told him that the reporter of the article is a seasoned veteran reporter and has comprehensive detailed notes and the paper believes the article is correct and has no intention to retract it. Mr. Stanley states that he has delivered a letter to the editor to clarify his position and he is very much distressed about what this type article has done to his and his company's reputation. Mr. Stanley states that he had asked the City Manager to read the letter during this meeting that she wrote to the editor and for an apology for what was written and she has declined both.

(Handwritten initials)

MAYOR & COUNCIL MEETING
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#2 - Mr. Stanley reports that the city has received an executed agreement with the county regarding the sidewalk program and he plans to meet with them in the near future to discuss specifics.

#3 - Mr. Stanley states that some local churches have started a program called "The Open Hands Ministry" where the local food bank and thrift shop are coordinated into one effort to better serve the community. Mr. Stanley suggests having an article in our monthly newsletter to encourage this program as well as providing a location to have things delivered to the city. Mr. Stanley also suggests having a fund raising event such as a golf game among the churches. He asks if rates can be reduced for this charitable tournament. Director of Golf Wade Queen states that we can charge an entry fee of say \$50 and however much is over the actual charge, is given to the charity. He states that there have been several charitable tournaments held that way. Mayor Haggard asks the residents in attendance if they like that idea. Kathy Pines, Ed Schoeck, Diane Spivey and Gran Betts all agree that it is a very good program. Mayor Haggard appoints Council Member Stanley to serve as liaison for that project. City Manager Kathy Williamson thanks Carolyn Hill and Earley Biffle for their hard work in starting this program.

Mayor Haggard asks that stipends for boardmembers be considered also. He feels they should be paid something even if it only covers their gas for attending the meetings. Council Member Bailey states that he is planning to bring that matter up in the summer so they will know how to budget for next year.

Mayor Haggard also asks that Council Member Bailey and the Director of Finance look into purchasing decent chairs for the Council to sit in at these meetings.

Council Member Bailey asks Council Member Stanley what two statements in the newspaper article did he find untruthful. Council Member Stanley states the indication that he or Keck & Wood was the reason for cost overruns on the golf course project and that he had tried to reinstate Keck & Wood in city business after he was elected. Mr. Stanley states that the facts are that the budgeted figures for the golf course project were on target at the time his services were terminated. Mr. Stanley states also that prior to taking office, he resigned all services with the city. Mr. Bailey states that unfortunately, he, as well as the other Council Members's, are privy to information contrary to his statements, that were discussed in executive session and cannot be discussed in this open meeting. Mr. Bailey states that



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he will not breach that confidentiality. He also states that he can't understand what kind of apology Mr. Stanley wants from the City Manager because she cannot be responsible for irresponsible journalism. City Manager Kathy Williamson states that first of all, the other Council Member's told her not to read the letter at this meeting and secondly Council Member Everett was in her office when she spoke with this reporter and could verify that she did not say those things. She states that she would not put herself in the position to demise Mr. Stanley or Keck & Wood. Mayor Haggard states that he knows how the press misquotes and he believes Mrs. Williamson if she states that she did not say those things. More discussion held on this matter. Mayor Haggard asks those Council Member's who support the City Manager to please stand. All Council Member's but Council Member Stanley stood in support of the City Manager.

Citizen's Comments

Resident Diane Spivey states that Council Member Stanley and his company's reputation have been discredited because of the article and no one feels that it is important enough to have it corrected.

Mrs. Spivey also states that she was misquoted in the minutes from last month's meeting. She states that what she actually said was that "Jim Arnold had taken the opportunity, personally, to trash the task force and I did not feel that was the correct forum for that". Mrs. Spivey states that she also said that "the Facility Negotiations Citizens are doing an outstanding job". She states that she does not know what the statement "She hasn't seen any progress on this matter" means.

Mrs. Spivey states that on the Gwinnett Clean & Beautiful project, she suggests putting it on the basin of Richland Creek, "DO NOT DUMP, DRAINS TO WATERWAYS".

Mrs. Spivey states that to repair a sewer line under a leak, all you have to do is drain it and she would like to see someone try to drain a landfill to repair a sewer line. She states that there is liability in effecting Richland Creek by having sewer lines under the landfill.

Mrs. Spivey states that she would like to go on record as opposing the redesign of the Solid Waste Management Plan. She states that the city paid \$10,000 for an environmental lawyer to give advice and the Mayor and Council do not have the expertise to interpret his advice.



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MINUTES, CONT'D.
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Finally, Mrs. Spivey suggests that the churches send their missionaries here instead of overseas.

Judy Sanders, of 5145 Creek Lane, asks what the City Marshall does. Mayor Haggard states that he only enforces city ordinances. Ms. Sanders asks then why does he stop people. Council Member Morris states that he can stop people and contact the county, but he cannot give out tickets himself. Ms. Sanders asks why he can't give out tickets. Mr. Morris states that it is not in our Charter for him to give tickets for moving violations, however, the Mayor and Council and City Attorney are looking into that.

Rick January, of 1282 Frontier Forest Drive, asks if the golf course project was really \$4,000,000 over budget, and if so, why. He asks if Keck & Wood, or whomever is responsible, why hasn't the city gone after them to recoup some of the money. He feels some type of formal investigation should be made if required by a grand jury so that the truth is known.

Mr. January also asks where the Solid Waste Management Plan is. He states that it was submitted to the Mayor and Council on February 29, 1993. Mr. January states that the task force was rushed because it had to be submitted by then and now the Mayor and Council are sitting on it when we are supposed to have it completed by July 1, 1993.

Simon Johnson states that everyone keeps referring to the golf course, however, he feels they should separate the sewer plant from the golf course.

Ken Sakmar, of 5230 Maltdie Court, states that the City Building Inspector wrote a letter to Rudy Bowen giving him 15 days to clean up the trash off the vacant lot behind Mr. Sakmar's house and it has been 31 days and nothing has ever been done about it. Mr. Stanley states that there is even more trash now than before and it looks like a dump. Mayor Haggard asks the City Manager to follow up with this matter.

Rose Payne states that she will have a booth at the festival Saturday from 10:00 a.m. until 3:00 p.m. to register voters. She urges those not registered to do so by May 20th so they can vote in the liquor referendum.

Mayor Haggard reports that there will be a neighborhood watch meeting held on Wednesday night at 7:30 p.m. for Frontier Forest.



MAYOR & COUNCIL MEETING
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MINUTES, CONT'D.
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Executive Session

Council Member Morris moves to go into executive session with the City Attorney to discuss pending and potential litigation. Second to the motion by Council Member Everett. Vote unanimous.

Meeting recessed at 9:57 p.m.

Meeting reconvened at 11:10 p.m.

No further business was conducted.

Adjournment

Council Member Bailey moves to adjourn the meeting. Second to the motion by Council Member Everett. Vote unanimous.

Meeting adjourned at 11:10 p.m.

Judy Foster

UNOFFICIAL

MAYOR & COUNCIL MEETING
MONDAY, APRIL 12, 1993
MINUTES, CONT'D.
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responsible if the city made them do it incorrectly. More discussion held on this matter. Mr. Crowe agrees to review the file and verify what was approved and report back to the Mayor and Council.

Diane Spivey, of Pinedale Circle, asks if the Richland Creek interceptor lines are the ones that were originally designed to go under the landfill and if they are still going under the landfill. Council Member Stanley states that they are still planning on going through the proposed landfill expansion, however, it remains to be seen if there will be a landfill there or not. Mrs. Spivey states that the Solid Waste Task Force had questioned how responsible it was to do that. She is also disappointed that the Solid Waste Task Force was rushed to complete the Solid Waste Management Plan and once they had, it has sat for a whole month without any action taken on it. She states that the Facility Issues Negotiations Committee has trashed the Solid Waste Task Force on the job they did. She hasn't seen any progress on this matter.

Cynthia Wright, of Level Creek Road, asks the City Attorney who is the firm he hired to do the transcripts for the Facility Issues Negotiations Committee Meetings. City Attorney Lee Thompson replies West Court Reporting. Ms. Wright asks if he has hired them himself each time, including the last meeting when they did not attend. Mr. Thompson states yes and takes full responsibility for no one showing up for that meeting. He states that at each negotiations meeting, the next meeting is set up tentatively and the court reporter usually calls the day of the meeting to confirm it, however, they did not call to confirm that day and he failed to contact them. Mr. Thompson states that he has already apologized to the Mayor and Council for this misunderstanding. Ms. Wright asks what the time frame is to complete a transcript. Mr. Thompson states normally 2 to 3 weeks unless you put a rush order on it which costs more money.

Executive Session

Council Member Bailey moves to go into Executive Session with the City Attorney. Second to the motion by Council Member Morris. Vote unanimous.

Meeting recessed at 8:45 p.m.

Meeting reconvened at 9:12 p.m.

No further business was discussed.





CITY OF SUGAR HILL

4988 WEST BROAD ST. SUGAR HILL, GEORGIA 30518
(404) 945-6716

TO: MAYOR AND COUNCIL
FROM: SANDRA RICHARDS, DIRECTOR OF FINANCE
DATE: MAY, 1992
RE: APRIL BUDGET RESULTS

OPERATIONS:

The following is the results from April operations. These figures are expressed as variances and represent net income (loss) in each fund.

General	<\$ 49,440.75>
Sanitation	<\$ 13,408.41>
Gas	\$ 42,612.78
Water	<\$ 26,722.30>
Street	<\$ 45,160.29>
Sewer	\$ 13,294.71
Golf Course	\$ 20,021.93
Total	<\$ 58,801.33>

CASH BALANCE:

At the end of April, the city had a bank balance in operating accounts of \$343,654.61. This does not include money held in investments.

INVESTMENTS:

\$835,000 refunded from the 1989 Bonds were invested at the end of March. These funds are currently earning 3.0%.

CONSTRUCTION:

During April, the city spent \$35,873.08 for construction of the golf course and waste water treatment facility. \$150,347.45 was spent from G.E.F.A funds for the construction of the treatment plant.

MEMORANDUM

TO: Mayor and Council of the City of Sugar Hill

FROM: Lee Thompson

DATE: May 10, 1993

RE: Public Hearings

Recently, several council members expressed a desire to consider a change in the manner in which the City conducts public hearings. These members expressed a desire to allow extended comments during the public hearing process including written comments and to lessen the adversary nature of these proceedings. The Mayor of Fitzgerald, Georgia, a speaker at a recent meeting of the Gwinnett Municipal Association, had indicated that his city uses a process which sounded promising to your members.

I have discussed this matter with the City Clerk of the City of Fitzgerald, Georgia and later in the week I should receive a copy of the Fitzgerald Zoning Ordinance which sets forth their public hearing process. As I have advised you in earlier conversations, if you desire to incorporate a change in the type of public hearing used in zoning proceedings, annexation proceedings or other matters governed by your zoning ordinance, it will be necessary to determine the exact procedure that you desire to use and to adopt this procedure after appropriate advertisements and public hearings as required by your present zoning ordinance.

If you desire to use a different type of public hearing for a particular situation where no present public hearing requirements exist (such as adoption of your solid waste management plan), then it would be possible to establish such public hearing procedures by simply setting forth the terms of the public hearing process in your motion to call the public hearing. The parameters of the public hearing process would then be included in your public hearing advertisement. Your only requirement would be proper advertisement of the public hearing and satisfaction of any minimum state law requirements.

If you desire to alter your public hearing process in the near future I would suggest the following proposal:

I move that we schedule a public hearing for consideration of _____ on the _____ day of _____, 1993. The public hearing will be conducted from _____ a.m. until _____ p.m.

on that day in _____ (location) _____. Representatives of the City will be available to receive written or oral comments during that time period. Oral comments will be recorded and a transcript of those recorded comments will be provided to the Mayor and each member of the Council. Copies of all written comments will be submitted to the Mayor and each member of the Council. Notice of this public hearing process shall be published in a newspaper of general circulation in the municipality not more than forty-five (45) and not less than fifteen (15) days before the date of the public hearing and for the two (2) weeks immediately preceding the public hearing. (Additional information could also be included, such as a notation that certain maps or printed material will be available for review at or before the hearing).

MEMORANDUM

Date: May 5, 1993

To: Mayor and Council

From: Donna Zinskie, Collection System Supervisor

Re: Dogwood Lake Update

The following chain of events has taken place concerning the acquisition of easements for the City's interceptor line regarding Dogwood Lake.

1. The original design for the interceptor line by Keck & Wood, Inc. went through the lake and was approved by the EPD for twelve months.
2. The valued review conducted by Hayes-James Assoc. recommended that the line go around the lake.
3. Resubmittal by Piedmont Olsen Hensley of the plans to EPD required the line to go around the lake.
4. Councilmember Stanley contacted Mr. Mr. Pete Maye at EPD to request the line to be run through the lake at the request of property owner, Mr. Simms.
5. On Friday, May 23 Mr. Stanley contacted City Manager, Kathy Williamson and stated that Pete Maye of the GA EPD required the City to obtain the signatures from the property owners around the lake to state that they wanted the line run through the lake.
6. Mrs. Williamson immediately contacted Winston Parker of Properties Acquisitions informing him of required easements and stated that he needed to get signed letters of approval from property owners at Dogwood Lake.
7. She also contacted J.D. Stephens, contractor, to submit construction bid figures (additional costs) to go through the lake. See attached.
8. On Monday, May 3, Mrs. Williamson spoke directly with Pete Maye and requested in writing what was required of the City by EPD to construct the line through the lake. See attached.

Georgia Department of Natural Resources

205 Butler Street, S.E., East Floyd Tower, Atlanta, Georgia 30334
Joe D. Tanner, Commissioner
Harold F. Reheis, Director
Environmental Protection Division

May 4, 1993

Ms. Kathy Williamson
City Manager
City of Sugar Hill
4988 West Broad Street
Sugar Hill, Georgia 30518

RE: Sewer Construction
Dogwood Lakes Area

Dear Ms. Williamson:

I would like to reiterate our recent telephone conversation regarding the proposed sewer construction at Dogwood Lakes. As you know, the Division highly recommends that the sewer line not be constructed within the bed of the Lake. The original design which we approved in 1990 had the line constructed around the Lake; following, to the extent possible, an existing roadbed. Your engineers used good professional judgement in developing this design and we believe it is the one that the City should adopt.

Based on our experiences, sewers under bodies of water can lead to significant problems. For example:

- Maintenance of the line is extremely difficult. If the line must be repaired, the lake has to be drained and the bottom sediments stabilized before work can begin. This is very time consuming and costly.
- Because any repair or replacement is time consuming, significant water quality problems, both in the lake and downstream, can occur before repairs are completed.
- Both initial construction and future repairs are extremely costly.

If the elected officials of Sugar Hill insist that the line be construction through the Lake, the Division must have the following assurances before we would consider approval:

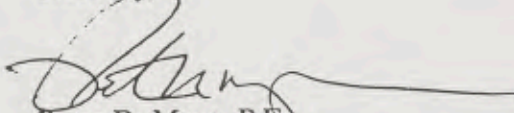
1. Letters from each of the property owners associated with Dogwood Lake. The letters must clearly stipulate that they concur with the routing of the sewer line under the Lake.

Ms. Kathy Williamson
May 4, 1993
Page Two

2. Letter from the City stating that every effort will be made to ensure that the line will be construction properly and exactly to specifications. This would include continuous inspection by a qualified field inspector.
3. Letter from the City stating that they realize and accept the fact that maintenance of the sewer will be difficult and that the City will be responsible for any and all water quality problems and violations that occur in the Lake or downstream due to failure of the sewer line.

Again, we highly recommend that the line not be constructed in the Lake and trust that the City will assess all possibilities before making a decision to do otherwise. If you have questions, please do not hesitate to call.

Sincerely,



Peter R. Maye, P.E.
Program Manager
Municipal Engineering Program

PRM:ah:Dogwood.Sag

cc: Piedmont Olsen Hensley

Georgia Department of Natural Resources

205 Butler Street, S.E., East Floyd Tower, Atlanta, Georgia 30334
Joe D. Tenner, Commissioner
Herold F. Reheis, Director
Environmental Protection Division

September 25, 1992

Mr. Gary Gann
Piedmont Olsen Hensley
3200 Professional Parkway, Suite 200
Atlanta, Georgia 30339

RE: EPD #88-310
Sugar Hill Interceptor
Sugar Hill, Gwinnett County

Dear Mr. Gann:

We have begun review of the plans and specifications for the referenced project. Before we can complete our review the comments in Attachment I must be addressed.

Please make the required revisions and resubmit the project. If you have any questions, please call me at 404/656-4769,

Sincerely,



Mary M. Barcala, Engineer
Municipal Engineering Program

MMB:ah:SugarHil.925
ATTACHMENTS

cc: Honorable George O. Haggard
Mayor, City of Sugar Hill
cc: Ms. Kathy Williamson
City Manager, City of Sugar Hill

ATTACHMENT I
EPD #88-310
Comments on the Plans and Specifications
Interceptor Sewers
Sugar Hill, Gwinnett County

1. The Official Code of Georgia Annotated Section 12-7-6(16) requires a 25 foot undisturbed vegetated buffer measured from the stream bank. A significant portion of this project will cause disturbance of this buffer.
2. The sewer line must be revised to route it around the lake.
3. The sewer line between MH #RV-31 and MH #A-4 is longer than 400 feet. Please ensure that the City has the capability to clean a sewer line of this length.
4. This project cannot be approved with sewers not in this contract included in the middle of the project. Either the sections which are indicated as by others must be made part of this project or the plans and specifications for these other sections must be provided to us prior to our approval.
5. Will strapping be needed at MH #RV-69 due to the high velocities caused by the steep slope?
6. The lines between MG #60 and MH #LC-1 and MH #LC-50 and MH-A should be shown in profile.
7. The length of the sewer between MH #LC-28 and MH #LC-29 should be revised.
8. The end stations of the cased installation under Sycamore Road should be provided.
9. DCN #9 was not provided with this submittal.
10. The slope of the line between MH #RC-44 and MH #RC-45 appears to still be incorrect. Please check.
11. A Sanitary Sewer Extension Submittal Form should be provided for the project. A copy of our newly revised form is being sent along with this letter.
12. A profile of the force main should be provided.

7-338-25

Dogwood Lake Ltd.

Value Concepts, Inc.

VCI • 3732 Hwy. 78 • Suite 103 • Snellville / Stone Mountain, Georgia 30278

VALUE OF THE WHOLE:

3.89 ac. @ \$15,000/ac. = \$58,350

VALUE OF THE PERMANENT EASEMENT:

0.114 ac. @ \$15,000/ac. = \$1,710
 \$1,710 x 25% Fee = \$ 428
 0.099 ac. @ \$15,000/ac. = \$1,485
 \$1,485 x 75% Fee = \$ 1,114

VALUE OF REMAINDER (Before the Easement):

3.677 ac. x \$15,000/ac. = \$55,155
 0.114 ac. x \$11,250/ac (75% Fee) = \$ 1,282
 0.099 ac. x \$ 3,750/ac. (25% Fee) = \$ 371
 \$56,808

VALUE OF REMAINDER (After the Easement):

3.677 ac. x \$15,000/ac. = \$55,155
 0.114 ac. x \$11,250/ac (75% Fee) = \$ 1,282
 0.099 ac. x \$ 3,750/ac. (25% Fee) = \$ 371
 \$56,808

CONSEQUENTIAL DAMAGES:

-0-


VALUE OF TEMPORARY CONSTRUCTION EASEMENT:

0.231 ac. @ \$15,000/ac. = \$3,465
 \$3,465 x 10% int. x 1 yr. = \$ 348

TOTAL VALUE OF EASEMENTS & DAMAGES: \$ 1,889

, Called

\$ 1,900



Wayne Shaw

Certified Real Estate Appraiser

GA# 78

7-338-26
Sims

* DO NOT DISCUSS WITH ANYONE OTHER THAN FELLOW COUNCILMEMBERS*

Value Concepts, Inc.

VCI • 3732 Hwy. 78 • Suite 103 • Snellville / Stone Mountain, Georgia 30278

VALUE OF THE WHOLE:

6.572 ac. x \$15,000/ac. = \$98,580

VALUE OF THE PERMANENT EASEMENT:

0.297 ac. @ \$15,000/ac. = \$4,455

\$4,455 x 75% Fee = \$ 3,341

VALUE OF REMAINDER (Before the Easement):

6.275 ac. x \$15,000/ac. = \$94,125

0.297 ac. x \$3,750/ac. (25% Fee) = \$ 1,114

\$95,239

VALUE OF REMAINDER (After the Easement):

6.275 ac. x \$15,000/ac. = \$94,125

0.297 ac. x \$3,750/ac. (25% Fee) = \$ 1,114

\$95,239

CONSEQUENTIAL DAMAGES:

-0-

VALUE OF TEMPORARY CONSTRUCTION EASEMENT:

0.608 ac. @ \$15,000/ac. = \$9,120

\$9,120 x 10% int. x 1 yr. = \$ 912

TOTAL VALUE OF EASEMENTS & DAMAGES: \$ 4,253

Called \$ 4,300

Wayne Shaw
Certified Real Estate Appraiser
GA# 78

880137
Georgia Department of Natural Resources

205 Butler Street, S.E., Floyd Towers East, Atlanta, Georgia 30334

April 30, 1990

J. Leonard Ledbetter, Commissioner
Harold F. Reheis, Assistant Director
Environmental Protection Division

Ms. Kathy Williamson, City Manager
City of Sugar Hill
4988 West Broad Street
Sugar Hill, Georgia 30518

RE: Plans and Specifications
Sugar Hill Land Application System
(Phase I - 0.5 MGD) and
Interceptor Sewers
Sugar Hill, Gwinnett County
Project No. 88-310 and 89-370

Dear Ms. Williamson:

We have reviewed the plans and specifications for the Phase I Sugar Hill Land Application System (Water Pollution Control Plant, Land Application System, Interceptors). We hereby approve these documents. The approval is valid for one year from the date of this letter. If construction has not commenced within that time period, then the project may be reevaluated by the Division.

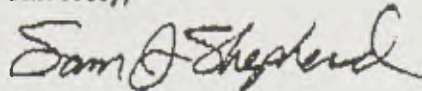
Please note that the approval is provided for Phase I (0.5 MGD average design flow). Monitoring requirements for flow and discharge to the spray fields are detailed in your LAS permit. Based on the data from your monitoring, additional storage or land area may be required for the expansion to 1.0 MGD.

Please provide our office with a copy of your notice to proceed and a certification for completion of construction. Upon receipt of the completion certification, the Environmental Protection Division will schedule a final construction inspection of the facility.

Please be aware that measures to control erosion and sedimentation are an important part of this project. This construction must be managed in a way that will effectively retain sediments within the project site.

One approved copy of each set of the plans and specifications is provided for your records. One copy of each is retained for our files. If we may be of further assistance, please advise.

Sincerely,



Sam J. Shepherd, Engineer
Municipal Engineering Program

SJS:ash:027

cc: Keck and Wood, Inc.
ATTN: Mr. Jim Stanley

Municipal Permitting Program
ATTN: Mr. Mike Stevens

Offices:
Greenville, SC
Raleigh, NC
Atlanta, GA
Chattanooga, TN

PiedmontOlsenHensley

Engineers/Architects/Planners

3200 Professional Parkway, Suite 200
Atlanta, GA 30339
(404) 952-8861 Fax: (404) 984-1160

May 3, 1993

Ms. Kathy Williamson
City Manager
City of Sugar Hill
4988 West Broad Street
Sugar Hill, GA 30518

Subject: Interceptor Sanitary Sewers
SRF #92-018
POH Project No. 61386

Dear Ms. Williamson:

Per your instructions, we have generated a comparison of the construct cost of our original design to go through Dogwood Lake vs. the revised (and "as-bid") design to go around the lake. Transmitted herewith for your review and consideration are the following:

1. 24"x36" blue-line print of drawing No. 880137.04-4A.0 (original design).
2. 24"x36" blue-line print of drawing No. 880137.04-4A.5 (revised design).
3. Letter and cost break-down from John D. Stephens, Inc. for original alignment from MH RV-13 to MH RV-16 (through Dogwood Lake).
4. Construction Cost Estimate for the revised alignment from MH RV-13 to MH RV-16 (around Dogwood Lake). This estimate was prepared by POH using our estimated quantities and the actual unit prices from the bid of John D. Stephens, Inc.

The comparison of the two routes is as follows:

Cost for original alignment through Lake =	\$152,073.65
Cost for revised alignment around Lake =	<u>68,935.50</u>
Additional cost for route through Lake =	\$83,138.15

In a telephone conversation with Mr. Frank Shepherd of John D. Stephens, Inc., on April 29, 1993, Mr. Shepherd voiced to me a concern about the route through the lake. He feels certain that some blasting will be required to remove unrippable rock, at least in the northern portion of the lake. If the rock should happen to be a relatively thin veneer, the blasting operations could create fissures through the rock, which could then serve as a drain, preventing the lake from refilling after construction is complete.

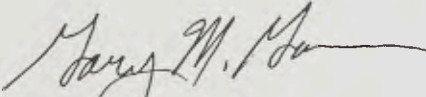
Ms. Kathy Williamson
May 3, 1993
Page 2

If the City elects to pursue the route through the lake, we recommend that a reputable geotechnical engineering firm be retained to perform the necessary testing and evaluation of the route and to recommend specific blasting and construction procedures to insure the continued integrity of the lake bottom.

If you have any questions or comments or need additional information, please do not hesitate to call.

Sincerely,

PIEDMONT OLSEN HENSLEY



Gary M. Gann, P.E.
Project Engineer

kbb/033

CONSTRUCTION COST ESTIMATE FOR
AS-BID ALIGNMENT AROUND DOGWOOD LAKE
(MH RV-13 TO MH RV-16)

ITEM	DESCRIPTION	ONITS	EST. NO. OF ONITS	ONIT COST	TOTAL EST. COST
SCHEDULE I - LEVEL CREEK BASIN					
31.	18-inch Sewer 8'-10'	L.F.	210	\$40.60	\$8,526.00
32.	18-inch Sewer 10'-12'	L.F.	76	\$41.80	\$3,176.80
33.	18-inch Sewer 12'-14'	L.F.	46	\$43.45	\$1,998.70
34.	18-inch Sewer 14'-16'	L.F.	50	\$45.95	\$2,297.50
35.	18-inch Sewer 16'-18'	L.F.	275	\$49.15	\$13,516.25
36.	18-inch Sewer 18'-20'	L.F.	213	\$49.15	\$10,468.95
37.	18-inch Sewer 20'-22'	L.F.	82	\$49.15	\$4,030.30
38.	18-inch Sewer 22'-24'	L.F.	20	\$49.15	\$983.00
51.	18-inch DIPS Sewer	L.F.	972	\$12.00	\$11,664.00
65.	Std.MH-4'dia.w/bolt-down cover	EA.	4	\$215.00	\$860.00
66.	Std.MH - 4' diameter	V.F.	72	\$101.00	\$7,272.00
72.	Silt Fence	L.F.	972	\$1.00	\$972.00
73.	Grassing	Acre	1.34	\$500.00	\$670.00
75.	Cl.A Conc.for Anti-Seep Collar	C.Y.	10	\$250.00	\$2,500.00
				TOTAL =	\$68,935.50

DOGWOOD1
4/28/93

JOHN D. STEPHENS, INC.

1899 PARKER COURT
STONE MOUNTAIN, GEORGIA 30087-3461
404-972-8000 FAX 404-979-3748

April 29, 1993

Mr. Gary Gann, P.E.
Piedmont Olsen Hensley
3200 Professional Pkwy - Suite 200
Atlanta, GA 30339

REF: CITY OF SUGAR HILL
INTERCEPTOR SANITARY SEWERS
SRF Project #92-018

Dear Gary:

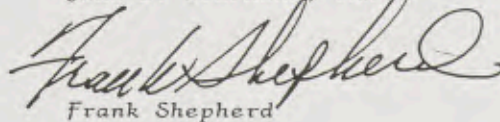
After reviewing your letter of April 26th and the supporting documents with regard to the possible revision to the alignment from Manhole RV-13 to RV-16, we have prepared a Construction Cost Estimate as follows:

Utilizing 18" Ductile Iron Pipe, Class 56, Mechanical Joint, and the additional required itemsTOTAL: \$152,073.65.

If you should require any additional clarification, or there are any changes, please do not hesitate to call upon us.

Very truly yours,

JOHN D. STEPHENS, INC.



Frank Shepherd

FS/je

c: file

PROJECT: City of Sugar Hill
 Interceptor Sanitary Sewers
 SRF Project #92-018

Page 2

REF: REALIGNMENT THRU DOGWOOD LAKE

* * * * *

ESTIMATED CONSTRUCTION COST BREAK-DOWN

ITEM	DESCRIPTION	QTY	UNIT PRICE	TOTAL
1)	<u>18" DIP, C1.56 M.J.</u>			
a)	0 - 6'	730 LF	119.50	87,235.00
b)	6 - 8'	245 LF	119.85	29,363.25
c)	8 - 10'	47 LF	120.60	5,668.20
d)	10 - 12'	38 LF	121.70	4,624.60
e)	12 - 14'	5 LF	123.15	615.75
f)	14 - 16'	22 LF	125.30	2,756.60
2)	FRAME & COVER (W.T.)	2 EA	220.00	440.00
3)	4' Ø RISER	19.5 VF	101.00	1,969.50
4)	CONCRETE ANCHORS (Ø.81 CY/EA)	29 EA	145.00	4,205.00
5)	CONCRETE ANTI-SEEP COLLAR	13 CY	250.00	3,250.00
6)	RIP-RAP (UngROUTED)	40 SY	12.00	480.00
7)	RIP-RAP (Grouted-Island)	214 SY	25.00	5,350.00
8)	GRASSING (Island)	35 SY	0.30	10.50
9)	SURGE STONE (Washed)	235 CY	22.15	5,205.25
10)	6" SERVICE LATERAL CONNECT.	2 EA	450.00	900.00
				\$ 152,073.65



CITY OF SUGAR HILL

4988 WEST BROAD ST. SUGAR HILL, GEORGIA 30518
(404) 945-6716

M E M O R A N D U M

TO: Mayor and Council
FROM: Ken Crowe
DATE: May 5, 1993
SUBJECT: Public Hearing - Flood Plain Requirements

At the March 15, 1993 Planning and Zoning Board Meeting the board decided to recommend to the Mayor and Council the change in the Zoning Ordinance on the following page. This change is to replace #7 of Article XII regarding Area, Yard, and Height Requirements.

In the AF, RS-200, RS-175, RS-150, RS-100 zoning districts no lots which contain less than 50 percent of the minimum lot area required by the applicable zoning district, or 8,000 sq. ft., whichever is greater, located above the base flood elevation shall be approved. The area above the base flood elevation shall contain the building site, the minimum required area shall be contiguous with itself.

ZONING ORDINANCE AMENDMENT

The Council of the City of Sugar Hill hereby ordains that footnote seven (7) on the chart designated "Article XII. Area, Yard and Height Requirements" of the Zoning Ordinance of the City of Sugar Hill shall apply only to the minimum area requirements for following districts: AF, RG-80, MH, OI, HSB, BG, LM, HM-1 and HM-2.

A new footnote eight (8) shall be added and shall apply to the minimum area requirements for the following districts: RS-200, RS-175, RS-150 and RS-100.

Footnote eight (8) shall read as follows:

8 - No subdivision lot which contains less than fifty percent (50%) of the minimum lot area required by the applicable zoning district or eight thousand (8000) square feet, whichever is greater, located above the base flood elevation shall be approved. All area above the flood elevation used to satisfy this requirement shall be contiguous and shall not be separated by any flood area.

IT IS SO ORDAINED this 10th day of May, 1993.

Robert H. Davis
Council Member

Robert Smith
Council Member

[Signature]
Council Member

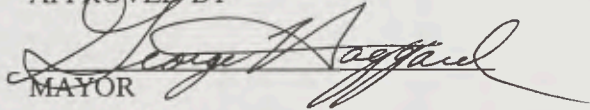
Thomas Mann
Council Member

Jim Stanley - opposed
Council Member

ATTEST:

Judy Foster
City Clerk

APPROVED BY

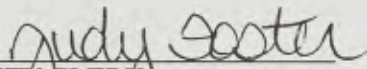

MAYOR

This 10th day of May, 1993.

Delivered to the Mayor 5/10/93

Received from Mayor 5/10/93

ATTEST:


CITY CLERK

SUGAR HILL ELEMENTARY SCHOOL

1160 LEVEL CREEK ROAD, BUFORD, GEORGIA 30518

PHONE: 945-5735

SCOTT PRYOR
Principal



GEORGE G. THOMPSON
SUPERINTENDENT

April 1993

Dear Friends of Education:

Sugar Hill Elementary has had six teams of seven students each busily working since November to creatively problem-solve offbeat problems in an Odyssey of the Mind program. The Odyssey program, conceived by Dr. C. Samuel Micklus of Glassboro State College in New Jersey, began in 1978 with only 28 high school and middle schools. Sponsored by OM Association Inc., a not-for-profit group, the program has bulged worldwide to more than 9,100 schools ranging from kindergarten to universities. This program is open to any child willing to creatively stretch their minds and work cooperatively with others in a group to find solutions. The youngsters are placed on a team with a specific problem to solve such as: Little Gourmet, a skit that includes nutrition facts and writing a song; Dinosaurs create eight different dinosaurs that would complete specific tasks; Folktale, to create and originate a folktale; Old Man and the Sea to create an analogy of the literary classic; Which End Is Up? is a structure team that builds an 8 inch structure made of thin balsa wood, put together with glue to support heavy weights and introduced by a skit or other dramatic device to introduce the theme. All events stress divergent thinking, cooperation, encourage goal-setting and research that exposes students to new ideas and concepts. All events stress divergent thinking, cooperation, encourage goal-setting and research that exposes students to new ideas and concepts.

The Sugar Hill Teams took two wins in the regional tournament that took place at North Gwinnett High School. They then went on to the Georgia state competition held in Warner Robbins. Our Dinosaurs placed 5th, and Which End Is Up? structure took 1st, earning the right to represent the state of Georgia in the World Finals in Maryland. This is indeed an honor for Sugar Hill Elementary to not only represent our school but the County and State.

We are asking for your help and support in raising the finances to get our Which End Is Up? structure team and coaches to Maryland June 1-6. We need to raise about \$7000 and would appreciate any financial aide that you can provide. Any contribution you would like to make would be greatly appreciated and may be sent to the school marked Sugar Hill OM Teams. All contributions are tax deductible.

Send us to Maryland with your best wishes. We thank you!

SUGAR HILL ELEMENTARY SCHOOL

Judy Foster
Please put me
on the agenda for the 5/10
Council meeting to tell about
O.M. + pass the hat.
Thanks,
Nancy French
945-6867

P. Scott Pryor

II. THE ODYSSEY OF THE MIND PROGRAM

OM Association, Inc., a not-for-profit, tax-exempt corporation, sponsors the "Odyssey of the Mind" competitions. The Program began in 1978 when 28 high schools and middle schools met for the first creative problem-solving competition at Glassboro State College in New Jersey. Since then membership expanded to over 10,250 schools across the United States, Australia, Belgium, Canada, China, England, Germany, Hungary, Iceland, Japan, Mexico, Poland, Russia, and several other countries.

As an international association, OM charters affiliates to sponsor the Odyssey of the Mind program in states/provinces and other logical geographical subdivisions. In 1992, 55 associations were chartered representing 46 U.S. States, the District of Columbia, three Canadian provinces, Australia, China, the U.S. Department of Defense Dependent Schools' Atlantic Region, Mexico, and Russia. Chartered associations sponsor competitions within their jurisdictions. First place teams from these competitions are eligible to compete in the OM World Finals held annually at selected universities.

The Odyssey of The Mind program has been publicized through several television specials, newscasts and documentaries. The first major television program featuring OM was a half-hour show that was part of the Public Broadcasting System special series, the Emmy Award-winning, *Creativity with Bill Moyers*.

In 1983 the CBS prime-time special, *I, Leonardo—A Journey of the Mind*, featured team solutions to one of OM's annual problems entitled *Leonardo da Vinci Spring Car (LDSC)*. This problem required team members to design, build and drive a vehicle powered only by springs. IBM, the show's sponsor, donated its commercial time for a special segment hosted by Walter Cronkite on the importance of quality education in America. The OM program was cited as an "encouraging sign" of people becoming more involved in education. Since then OM has been featured on such shows as *CBS, This Morning*, the *Today Show* and *Science and Technology Week*.

In addition to television, major newspapers and many magazines have featured the Odyssey of the Mind program. These excellent public relations have reflected the positive effects OM has on participating students.

IBM has been the corporate sponsor of the Odyssey of the Mind program since 1987. IBM awards OM an annual grant to produce curriculum materials for use in the classroom and to produce coaches' training videotapes. The grant also provides for a set of judges' training videotapes. IBM also provides publicity for the Odyssey of the Mind program.

The OM Association is governed by a seven-person board of directors. In addition, a Friends of OM committee provides invaluable assistance to OM for many projects. In order to ensure members have the opportunity to enter competition, the International OM Association provides financial and logistical support to its chartered associations. This support includes:

- up to an eighteen percent rebate of the membership dues
- *Coaches' Training Guides* with a *Basic Coaches' Training Videotape* and an *Advanced Coaches' Videotape*
- an *Awareness Videotape*
- a current *World Finals' Video Yearbook*
- a *Judges' Training Guide* with a *Judges' Training Videotape*
- judges' training duplication masters
- a judges' certification program
- *Judges' Rule Books*
- a *Tournament Setup Guide*
- competition insurance (U.S. and Canadian associations only)
- spontaneous problems for regional and state/provincial competitions
- a computer scoring program
- the services of an OM consultant for a full-day workshop
- up to \$200 annually toward expenses when it publicizes OM at a conference
- mailings for membership solicitation
- an *Association Director's Manual*
- the loan of an exhibit
- public relations folders
- membership packets for the association director, regional directors and the association tournament director
- Ranatra Fusca certificates (our special creativity award)
- Outstanding OMer certificates
- OM brochures
- membership mailing labels and lists
- problem clarifications for teams and judges
- the OM Scholarship program
- full-time staff support
- Regional Director materials
- World Finals room and board for one association representative
- membership in the Odyssey of the Mind Association Directors' Advisory Board
- access to a computer-based OM bulletin board
- discounts on cases of problem books
- the option to purchase summer enrichment program materials with insurance
- umbrella non-profit tax-exempt status (for U.S. associations)

V. THE OM ASSOCIATION MISSION STATEMENT

The OM Association values and nurtures creativity. Through its activities, the Association provides opportunities to develop creative problem-solving skills that are important in an ever-changing world. OM's mission includes the encouragement and development of cooperation, self-respect and the appreciation and understanding of others.

We deem that creativity is an important skill.

Not only do we hold creativity as our highest priority, we focus our energies around providing activities for students to develop and display that which they have learned.

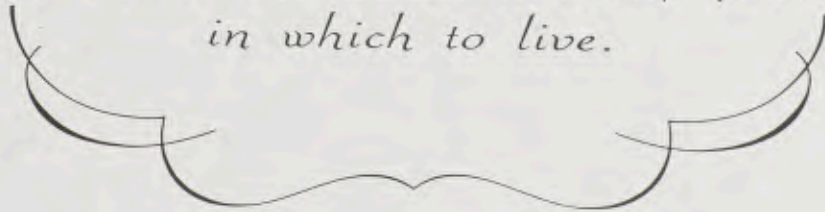
OM provides and promotes opportunities to develop skills that are essential in an ever-changing world.

OM encourages the development of cooperation, self-respect, and the appreciation and understanding of others through a cooperative team-learning mode. OM appreciates diversity, interaction and cultural sensitivity. OM provides experiences that develop essential life/survival skills.



The OM Pledge

*Let me be a seeker of knowledge,
Let me travel uncharted paths,
And, let me use my creativity,
To make the world a better place
in which to live.*



Date: 05/04/93

Consolidated Mayor & Council Salary/Benefit Survey*

CITY	Stipend/Salary				Insurance		Other Benefit			
	Mayor Month	Annual	Mayor- Month	Pro-Tem Annual	Council Member Month	Annual	Month	Annual		
Duluth	\$500.00	\$6,000.00	\$250.00	\$3,000.00	\$200.00	\$2,400.00		Expenses as incurred		
Norcross	\$100.00	\$1,200.00	\$75.00	\$900.00	\$50.00	\$600.00	\$384.00	\$4,608.00	\$50.00	\$600.00
Lilburn	\$300.00	\$3,600.00	\$200.00	\$2,400.00	\$200.00	\$2,400.00			Expenses as incurred	
Loganville	\$300.00	\$3,600.00	\$200.00	\$2,400.00	\$200.00	\$2,400.00			Expenses as incurred	
Lawrenceville	\$550.00	\$6,600.00	\$450.00	\$5,400.00	\$450.00	\$5,400.00	\$350.00	\$4,200.00		
Snellville	\$500.00	\$6,000.00	\$335.00	\$4,020.00	\$335.00	\$4,020.00			Expenses as incurred	
Carrollton	\$750.00	\$9,000.00	\$500.00	\$6,000.00	\$500.00	\$6,000.00			Expenses as incurred	
Sugar Hill	\$150.00	\$1,800.00	\$125.00	\$1,500.00	\$100.00	\$1,200.00			Expenses as incurred	

Statistics:
(Excluding Sugar Hill)

Proposed New Sugar Hill Stipends:

Average Total Mayor Benefit:	\$540.57	Mo	\$6,486.86	Yr	Mayor:	\$450.00	\$5,400.00
Average Total Mayor-Pro-Tem Benefit:	\$399.14	Mo	\$4,789.71	Yr	Mayor Pro-tem:	\$375.00	\$4,500.00
Average Total Councilmember Benefit:	\$388.43	Mo	\$4,661.14	Yr	Council Member:	\$300.00	\$3,600.00

Survey Sources:

Phone contact conducted by City Staff
 Phone and personal contacts by Councilmembers Bailey & Everett
 Georgia Munciple Association
 Data is comprised of Citys having similiar budgeted operations and councilmanic duties.

Mayor & Council Meeting of May 10, 1993

Agenda Item: Stipends

As Liaison to Finance and whereas that in the course of making preparations to develop the 1994 Fiscal Year Operating Budget for the City of Sugar Hill and whereas upon review of all financial disbursements, it is my duty to review the status of compensation of elected officials as with all other expenditures.

Since the provisions of our Charter stipulate that any such change in compensation shall not incur during that term in which the change is proposed and since the next possible date of change can only occur after the fall elections of 1993, in this case January 1, 1994, it is my obligation therefore to bring to your attention the following facts:

1. Refer to the survey that was conducted to ascertain all relative forms of compensation received by other elected officials in the Metro-Atlanta vicinity as compared to municipalities with similar operating budgets and councilmanic duties. You'll note that the results of this survey proved what some of this body and our public had already assumed, that a change in the stipends will be required in order to keep Sugar Hill in line with other municipalities.
2. The current stipend expenditures have an impact on our fiscal budget of only .15 %.
3. The last stipend increase was in 1987.
4. The disparity of the stipend amounts are quite obvious and this change is well past due. But let me remind you that due to changes in term limits and an election to have first transpired, that this is really the first opportunity to address this sensitive topic.

The survey found that with seven similar cities, the average compensations were as follows:
Mayor: \$540.57 per month, Mayor Pro-Tem: 399.14 per month and Council Member: \$388.43 per month.

In keeping with the posture that no stipend or compensation of an elected official or employee of the City of Sugar Hill should be neither on the high or low end of a scale, I therefore make the following motion as based on the median of averages established:

I hereby move that the Council change the stipend amount received by elected officials of the City of Sugar Hill to be effective as of January 1, 1994 in the following amounts:

Mayor: \$450 per month
Mayor Pro-Tem: \$375 per month
Council Member: \$300 per month

Thank You.

INTEREST, PENALTY, & FIFA CHARGE COMPARISON

	INTEREST	PENALTIES	FIFA
SUGAR HILL	12%/yr	---	2.50
BUFORD	10%/yr	---	10.00
DULUTH	12%/yr	10% late fee	10.00
NORCROSS	12%/yr	10% late fee	5.00
LILBURN	12%/yr	---	10.00
LAWRENCEVILLE	10%/yr	---	10.00

Gwinnett County now charges \$5.00 to file a FIFA and \$5.00 to release a FIFA.



CITY OF SUGAR HILL

4988 WEST BROAD ST. SUGAR HILL, GEORGIA 30518
(404) 945-6716

TO: MAYOR AND COUNCIL

FROM: SANDY RICHARDS

DATE: MAY 10, 1993

RE: LOCAL GOVERNMENT INVESTMENT POOL

Attached is some information regarding the Local Government Investment Pool. Basically, this pool is administered by the State of Georgia for the purpose of providing an avenue for local governments to maximize the most of its idle cash. As you can see on the rate comparison sheet, the L.G.I.P has averaged almost a whole percentage point higher than that of the local banks. Currently, we are earning only 3.0% on the funds deposited after the refinance. With the L.G.I.P, we could be earning 3.616%.

It is my recommendation that the City of Sugar Hill take advantage of this opportunity and invest our idle cash in the L.G.I.P. Attached is a resolution which needs to be adopted should the council choose to move to the pool.

LOCAL GOVERNMENT INVESTMENT POOL

In a search for alternative sources of revenue which did not require any additional taxation, the Tax Reform Commission recommended that a pool be created to allow local governments to combine their cash assets for investment purposes. In 1980, legislation was passed to establish the Local Government Investment Pool (LGIP). Any local government which had funds on hand that were not immediately needed for payment of obligations could send those funds to the LGIP for investment.

Money so received by the Director of the Fiscal Division, is pooled for investment purposes with the objectives of preservation of capital first and maximizing income second. The Director administers the pool under the same policies and procedures set forth by the State Depository Board for the state treasury.

At the end of each calendar month, earnings are credited to the accounts of the participating governmental units on a basis directly proportional to the amounts on deposit in the pool and the length of time such deposits have remained therein. Prior to the time earnings are credited to participants, an amount equal to the cost of operating the pool, not to exceed one percent of the earnings, are deducted.

ADVANTAGES OF THE LOCAL GOVERNMENT INVESTMENT POOL

1. **A Voluntary Pool**
The pool affords local governments the opportunity to voluntarily invest temporarily idle cash more advantageously. The local government has the complete discretion as to whether or not to deposit its idle funds in the LGIP. The local government is also the sole determinant of the length of their investment.

2. **Safety**
Investments authorized by statute for the LGIP are essentially the same as those authorized for an individual local government to purchase directly, so there is little if any, additional credit risks. Each participant effectively owns a prorata interest in a pool of government and agency securities as well as certificates of deposit which are collateralized to the extent they exceed federal deposit insurance coverage. For administrative purposes, the Director of the Fiscal Division is responsible for maintaining control and safekeeping of instruments of title to all securities and all collateral for the pool.
3. **Higher Interest Rates**
By the pooling of surplus funds of various local governments into the LGIP, a pool large enough to invest in diversified instruments at higher rates is created. Some instruments have minimum denominations of \$100,000. Even then some of these instruments must be bought in substantially larger "round lot" amounts (\$500,000 to \$1,000,000) to achieve higher yields. While these minimums might exclude a particular local government from investing on an individual basis thereby forcing them to accept a lower yield on their funds, the LGIP offers a way to participate in these higher yielding investments with substantially smaller amounts of money.
4. **Liquidity**
Local governments are able to withdraw their funds invested with the LGIP within twenty-four hours. After a five day minimum, participants may leave their funds on deposit for as little or as long as they choose; there is no penalty for "early withdrawal" to meet cash emergencies.
5. **Investment Expertise**
The Fiscal Division maintains an Investment Section in daily contact with the market to manage the more than \$2 billion average daily balance in the State Treasury. Through the LGIP, local governments will be able to utilize this same full-time expertise.
6. **Monthly Statements**
The Director of the Fiscal Division mails each participant a statement of their account on a monthly basis.

WHO MAY PARTICIPATE

The legislation defines local government as "any municipality, county, school district, special district, or other political subdivision of this state, as well as any department, agency, or board of that political subdivision, including but not limited to a public library, which has been authorized to make separate deposits to its own account under this chapter by the governing authority of the political subdivision of which it is a department, agency, or board." [O.C.G.A. 36-83-3]

Code Section 36-83-4(2) states "... any other body created for a public purpose may, upon obtaining prior approval of the State Depository Board, invest and reinvest any money subject to its control and jurisdiction in the local government investment pool ..."

HOW TO PARTICIPATE

The operational procedures for depositing and withdrawing funds in the LGIP have been designed to make it as easy as possible for local governments to participate in the pool.

1. Before any deposits may be accepted, the law requires the governing authority of a local government to adopt and file with the Director of the Fiscal Division a certified copy of a resolution or ordinance authorizing investment in the LGIP together with the name(s) of the official(s) authorized to deposit and withdraw funds. The resolution should include the bank name, account title, and account number of a fixed account through which deposits will be sent and withdrawals will be returned by the LGIP. Suggested resolution forms are available upon request.
2. Except when withdrawing an entire account balance, deposits or withdrawals must be in multiples of one thousand dollars (\$1,000).
3. Each transaction is acknowledged by a control number which should be retained for use in case of a question on an account and to verify the monthly statement of account.

4. Procedures for deposits in the LGIP:

A. The authorized local government official will instruct their local bank to wire transfer the amount to be deposited to the Fiscal Division.

Detailed wire instructions are furnished upon receipt of the completed resolution.

B. No later than 2:00 p.m. on the business day preceding the actual wire transfer the authorized government official must notify the Fiscal Division, DOAS by telephone (656-2168 or 1-800-222-6748) stating the date, amount and estimated term of the deposit. Deposits must be for an estimated duration of at least five (5) work days.

C. The Fiscal Division will confirm receipt of deposits by mail to the authorized local government official.

5. Procedure for withdrawals from the LGIP:

A. No later than 2:00 p.m. on the day preceding the desired withdrawal date, the authorized local government official will notify the Fiscal Division by telephone (656-2168 or 1-800-222-6748) stating the date and amount of the withdrawal, the bank name and the account number at the local bank receiving the transfer of withdrawal.

B. The authorized local government official shall confirm the above information for withdrawal in writing to:

Fiscal Division, D.O.A.S.
State of Georgia
P. O. Box 38198
Capitol Hill Station
Atlanta, Georgia 30334
Attn: LGIP

6. At the end of each calendar month, the net investment earnings will be calculated for credit to the account of each participating local government. The Director of the Fiscal Division will mail each participant a monthly statement of account detailing deposit and withdrawal transactions by control number and earnings for the month.

7. All records regarding individual investment transactions will be available for public inspection during normal business hours.

TYPES OF INVESTMENTS

All funds in the Treasury, including the LGIP, are invested in:

Certificates of Deposit — collateralized as required by law

Government Securities — treasury bills and notes

Federal Agency Securities — bonds and discount notes

Repurchase Agreements — government and agency securities

Fiscal Division, DOAS
P.O. Box 38198
Capitol Hill Station
Atlanta, GA. 30334

Telephone (404) 656-2168
1-800-222-6748
FAX No. (404) 656-9048

Local Government Investment Pool



State of Georgia
Department of Administrative Services
Fiscal Division

EARNINGS COMPARISON

STATE OF GEORGIA
FISCAL DIVISION
LOCAL GOVERNMENT INVESTMENT POOL
(NET OF ADMINISTRATIVE FEE)

	Calendar Year											
	1982	1983	1984	1985	1986	1987	1988	1989	1990	1991	1992	1993
JANUARY	12.939	9.445	9.774	9.042	8.161	6.737	7.059	8.846	8.139	7.511	4.955	3.658
FEBRUARY	13.760	9.139	9.689	8.784	8.173	6.435	6.707	8.928	8.099	7.193	4.693	3.616
MARCH	14.091	8.760	9.939	8.921	7.954	6.467	6.670	9.427	8.113	6.872	4.705	
APRIL	14.114	8.968	10.186	9.219	7.770	6.358	6.775	9.554	8.109	6.691	4.669	
MAY	13.905	8.718	10.362	8.977	7.531	6.563	6.909	9.552	8.071	6.376	4.522	
JUNE	13.582	8.936	10.364	8.479	7.432	6.628	7.039	9.352	8.094	6.395	4.460	
JULY	13.603	9.346	11.054	8.568	7.295	6.659	7.329	9.123	8.086	6.422	4.122	
AUGUST	12.217	9.668	11.326	8.538	6.966	6.620	7.636	8.882	8.000	6.143	4.109	
SEPTEMBER	11.148	9.738	11.181	8.491	6.930	6.906	7.909	8.908	7.960	6.014	3.956	
OCTOBER	11.204	9.705	10.608	8.345	6.635	7.218	8.090	8.774	8.057	5.950	3.868	
NOVEMBER	10.549	9.670	9.881	8.378	6.613	7.185	8.106	8.461	7.821	5.586	3.719	
DECEMBER	9.968	9.803	9.168	8.210	6.780	7.361	8.540	8.428	7.772	5.270	3.795	
AVERAGE	12.59	9.32	10.29	8.66	7.35	6.76	7.40	9.02	8.03	6.37	4.30	

AVERAGE RATES OF ALL MONEY
MARKET FUNDS ACCORDING TO
DONOGHUES' MONEY FUND REPORT
(PUBLISHED IN THE WALL STREET JOURNAL)

	Calendar Year											
	1982	1983	1984	1985	1986	1987	1988	1989	1990	1991	1992	1993
JANUARY	11.90	7.93	8.78	8.53	7.16	5.41	6.50	8.36	7.75	6.92	4.06	2.790
FEBRUARY	13.20	7.80	8.73	7.81	7.11	5.33	6.17	8.49	7.65	6.46	3.80	2.751
MARCH	13.50	7.77	8.89	7.93	6.94	5.39	6.05	8.97	7.67	6.08	3.73	
APRIL	13.80	7.96	9.31	7.98	6.61	5.48	6.09	9.16	7.68	5.83	3.62	
MAY	13.43	7.83	9.52	7.73	6.24	5.82	6.30	9.14	7.69	5.53	3.52	
JUNE	13.08	7.98	9.89	7.28	6.11	6.01	6.52	8.96	7.67	5.49	3.44	
JULY	12.94	8.30	10.33	7.03	6.04	6.03	6.83	8.64	7.62	5.46	3.25	
AUGUST	10.87	8.68	10.58	7.07	5.79	5.99	7.14	8.30	7.49	5.34	3.04	
SEPTEMBER	9.70	8.75	10.61	7.11	5.34	6.20	7.43	8.26	7.47	5.21	2.91	
OCTOBER	9.23	8.63	10.16	7.16	5.22	6.55	7.51	8.19	7.45	5.03	2.77	
NOVEMBER	8.53	8.53	9.44	7.22	5.21	6.45	7.65	8.01	7.31	4.75	2.75	
DECEMBER	8.22	8.74	8.04	7.23	5.34	6.57	8.14	7.94	7.24	4.56	2.82	
AVERAGE	11.53	8.24	9.52	7.51	6.09	5.94	6.86	8.54	7.56	5.56	3.31	

PROCEDURES FOR INVESTMENT

LOCAL GOVERNMENT INVESTMENT POOL

Thank you for your interest in the Local Government Investment Pool. The following are the procedures you will need to follow to utilize the Local Government Investment Pool:

Completing the Resolution. The completed resolution must be on file with the Fiscal Division before any deposits may be accepted by the Local Government Investment Pool. In case of absence, the Resolution should authorize at least two individuals to transact deposits or withdrawals. ANY CHANGE IN THE AUTHORIZED INDIVIDUALS OR YOUR LOCAL BANK REQUIRES A NEW RESOLUTION.

When you return one (1) completed and notarized copy of the Resolution, please include the telephone numbers of the authorized individuals so we may contact you as well as the office title and address where you wish your monthly statements mailed.

To Make a Deposit. You will need to do two things:

1. An authorized person must call the Investment Section by 2:00 pm the preceding business day. This lets us know your money is coming and insures it will be invested as soon as possible.
You will need to tell us:
 - a) Your name
 - b) Your government's name and agency number
 - c) The dollar amount you are wiring to us
 - d) The date the wire is to be sent

2. You must call your local bank and, using the information we send you when confirming receipt of your Resolution, instruct your local bank to "Transfer \$ (amount) from (your account number) to Wachovia Bank of Georgia, Account #17-990-03-1 (ABA #0610-0001-0).

To Make a Withdrawal. You will need to do three things:

1. An authorized person must call the Investment Section by 2:00 pm on the business day preceding the withdrawal. You will need to tell us:
 - a) Your name
 - b) Your government's name and agency number
 - c) The dollar amount you are withdrawing
 - d) The date you wish the wire sent
 - e) Your local bank account name and number

2. The authorized person must confirm the above to us in writing.

3. You may wish to contact your local bank to notify them the wire transfer will be forthcoming.

How to Contact Us.

By Phone: (800) 222-6748 or
(400) 651-8964

By Mail: Local Government Investment Pool
Fiscal Division, Department of Administrative
Services
P. O. Box 347034
Floyd Contract Station
Atlanta, Georgia 30334-5527

Monthly Statements. We will send you a monthly statement each month your account has a balance during any portion of the month. The statement will itemize the transactions for the month and the summary at the bottom will include the interest to be posted the first of the following month.

Interest. Interest earned will be based on the average daily invested balance. The statement will show your gross dollar earnings, the administrative fee (no more than 1% of gross earnings) and your net earnings, including the per cent yield.

Ben Jones, Jr., Investment Officer

Ivy S. Huff, Asst. Investment Officer

Carol Childers, Accounting/LGIP Assistant

LOCAL GOVERNMENT INVESTMENT POOL
RESOLUTION TO AUTHORIZE INVESTMENT

WHEREAS, O.C.G.A. § 36-83 authorizes Georgia local governments to invest funds through the Local Government Investment Pool; and

WHEREAS, from time to time it may be advantageous to the _____
_____ to deposit funds
(Name of Local Government or Political Subdivision)
available for investment in the Local Government Investment Pool as it may deem appropriate; and

WHEREAS, to provide for the safety of such funds deposited in the Local Government Investment Pool, investments are restricted to those enumerated by O.C.G.A. § 36-83-8 under the direction of the State Depository Board considering first the probable safety of capital and then the probable income to be derived; and

WHEREAS, such deposits must first be duly authorized by the governing body of the local government and a certified copy of such authorization filed with the Director, Fiscal Division, Department of Administrative Services; and

WHEREAS, such resolution must name the official(s) authorized to make deposits or withdrawals of local government funds in the Local Government Investment Pool;

NOW, THEREFORE BE IT RESOLVED by the _____
(Board, Council or other governing body)
that funds of the _____ may be
(City, County or Other Political Subdivision)
deposited from time to time in the manner prescribed by law and the applicable policies and procedures for the Local Government Investment Pool.

BE IT FURTHER RESOLVED THAT:

1. Any one of the following individuals shall be authorized to make deposits to or withdrawals from the Local Government Investment Pool on behalf of such local government:

_____	(_____) _____
(Name - Title)	(Area Code) Phone Number
_____	(_____) _____
_____	(_____) _____
_____	(_____) _____

2. All withdrawals from the Local Government Investment Pool shall be wired to the following local government demand account:

_____	_____
(Local Bank Name)	(Account Title)
_____	_____
(City, State)	(Account Number)

Does your local bank wish to receive wire transfers at the Federal Reserve _____ or at a correspondent? _____
(Yes or No) (Bank Name, City and Account Number)

LGIP Resolution

3. The Local Government Investment Pool shall mail the monthly statements of account to:

(Attention of)

(Address)

(Address)

(City, State and Zip Code)

4. Changes in the above authorizations shall be made by cancellation or replacement resolution to the Fiscal Division, Department of Administrative Services. Until a replacement resolution is received by the Fiscal Division, the above authorized individuals, local government demand account instructions and statement mailing address shall remain in full force and effect until replaced by a new resolution.

Entered at _____, Georgia this _____ day of _____, 19____.

(Signature of Head of Governing Authority)

(Title)

Sworn to and subscribed before me
this _____ day of _____, 19____.

(NOTARY PUBLIC)

Please complete and return an original copy to:

Local Government Investment Pool
Fiscal Division
Department of Administrative Services
P. O. Box 38198
Capitol Hill Station
Atlanta, Georgia 30334

Telephone: 404-656-2168
or
800-222-6748

Fax: 404-656-9048



**GEORGIA
MUNICIPAL
ASSOCIATION**

Risk Management and Employee Benefit Services

201 Pryor Street, SW • Atlanta, Georgia 30303 • 404/688-0472 • FAX: 404/577-6663

M E M O R A N D U M

May 4, 1993

TO: Members of the Georgia Municipal Employees Benefit System
GMA Workers' Compensation Self-Insurance Fund
Georgia Interlocal Risk Management Agency

FROM: James V. Burgess, Jr., Secretary-Treasurer

RE: Annual Meeting of the Membership

This is to inform you that the annual meeting of the membership of the Georgia Municipal Employees Benefit System (GMEBS), GMA Workers' Compensation Self-Insurance Fund (WCSIF), and Georgia Interlocal Risk Management Agency (GIRMA) has been scheduled for 9:30 a.m., Sunday, June 27, 1993 in Savannah, Georgia in conjunction with the GMA Annual Convention. The meeting will be held at the DeSoto Hilton in the Harborview Room.

The purpose of the annual meeting will be to provide the membership with an update on activities that occurred during the past year for each employee benefit and risk management program and to give the membership a status report on the financial condition of each program. There will also be an election to fill expiring positions on the boards of trustees.

Please complete and return the enclosed proxy in the self-addressed envelope at your earliest convenience.

If you have any questions concerning the annual meeting of the membership, please do not hesitate to contact Ms. Debra Y. Milton or Mr. Cal Wray of the GMA staff.

Enclosures: Self-addressed envelope
Proxy

OFFICERS

Ed Cannington, Jr.
Chairman
Mayor, Lumpkin
Luther Conyers, Jr.
Vice Chairman
Mayor Pro Tem
Bainbridge
James V. Burgess, Jr.
Secretary-Treasurer
GMA Executive Director

TRUSTEES

Hal Averitt
Mayor
Statesboro
Johnson W. Brown
Mayor
Chamblee
James W. Buckley
Mayor
Swainsboro
James A. Calvin
City Manager, Toccoa
Joanne Cannafax
City Administrator
Barnesville
Sonya Carter
City Administrator
Union City
Willie J. Davis
Mayor
Vienna
Dorothy Glisson
Mayor Pro Tem
Sylvania
Ken Hammons
City Manager
Dublin
Martha Kennedy
Commissioner
Rome
Bob Knox, Jr.
Mayor
Thomson
Tracy P. Stallings
Mayor
Carrollton
Emory Stephens
City Manager
Dahlonega

GEORGIA MUNICIPAL EMPLOYEES BENEFIT SYSTEM
WORKERS' COMPENSATION SELF-INSURANCE FUND
AND
GEORGIA INTERLOCAL RISK MANAGEMENT AGENCY

201 Pryor Street, S. W.

ATLANTA, GEORGIA

ANNUAL MEETING PROXY

Know all men by these presents, that I, _____,
designated representative for the City (Town) of _____,
Georgia, do hereby constitute and appoint Mayor Ed Cannington, Jr. of Lumpkin,
Georgia and/or Mayor Pro Tem Luther Conyers, Jr. of Bainbridge, Georgia, or
either of them, as my agent and proxy to attend the Annual Meeting of the
Membership of the Georgia Municipal Employees Benefit System (GMEBS), Workers'
Compensation Self-Insurance Fund (WCSIF), and Georgia Interlocal Risk
Management Agency (GIRMA) to be held on _____,
in _____, Georgia, or any continuation or adjournment thereof,
with full power to vote and act for me to the same extent that I might, were I
personally present, giving to Mayor Ed Cannington, Jr. and Mayor Pro Tem
Luther Conyers, Jr. full power of substitution and revocation. This proxy is
to continue in force until such time as the meeting is concluded.

I understand that by giving this proxy, I retain the power to revoke said
proxy at any time before it is voted, and that any proxy which is not revoked
will be voted at the meeting.

In witness thereof, I have hereunto set my hand and seal, this _____ day
of _____, 199_.

Signature



**GEORGIA
MUNICIPAL
ASSOCIATION**

201 Pryor Street, SW • Atlanta, Georgia 30303 • 404/688-0472 • FAX: 404/577-6663

May 7, 1993

M E M O R A N D U M

TO: Mayors, City Managers and City Clerks
FROM: Weyman E. "Ed" Cannington, Jr., President
RE: Voting Delegate at the GMA Convention

The By-laws of the Georgia Municipal Association provides that each member city in good standing shall be entitled to one vote during the Annual Business Session of the Association. The Business Session will be held this year on Tuesday, June 29, 1993 beginning at 9:30 AM in the Theater of the Savannah Civic Center.

In order to avoid delay and confusion at the convention, we are requesting that each city designate in advance the voting delegate and alternate for your city. The credentials card should be picked up in the lobby of the Civic Center on Tuesday, June 29th beginning at 8:00 AM. The cards will not be distributed before that time.

Please notify your city's delegate that they have been selected as your city's representative and the time and location for the distribution of the credentials card.

Please fill out the enclosed postal card indicating the voting delegate and alternate and have it postmarked and returned to GMA no later than June 18th.

Thank you.

WECJr/yt

enclosure

cc: Mr. James V. Burgess, Jr., Executive Director

OFFICERS

Ed Cannington, Jr.
 President
 Mayor, Lumpkin
 Myrtle R. Davis
 First Vice President
 Councilmember, Atlanta
 Bill McIntosh
 Second Vice President
 Mayor, Moultrie
 John Meadows
 Third Vice President
 Mayor, Calhoun
 Tracy P. Stallings
 Immediate Past President
 Mayor, Carrollton
 James V. Burgess, Jr.
 Executive Director

**BOARD OF
DIRECTORS**

Past Presidents:
 James A. Neal, Mayor,
 Toccoa • Lace Futch,
 Executive Director, South-
 east Georgia RDC • Frank
 Sherrill, Mayor, Social
 Circle • Bill K. Reynolds,
 Mayor, Bainbridge • Bob
 Knox, Jr., Mayor,
 Thomson • Gerald
 Thompson, Mayor,
 Fitzgerald

District Board:
 W. S. "Smitty" Snell,
 Mayor, Vidalia • Viole Bell,
 Councilmember, Garden
 City • Leroy Rogers, Com-
 mission Chairman, Tifton •
 David Fain, Mayor,
 Donalsonville • Ed Martin,
 Mayor, Warner Robins •
 Chris Joseph, Mayor,
 LaGrange • John Lawson,
 Mayor, Avondale Estates •
 Merty Jones, Council-
 member, Conyers •
 Sandra Johnson, Council-
 member, Alpharetta • Don
 White, Councilmember,
 Roswell • J. Clark Boddle,
 Mayor, Palmetto • Mike
 Wheat, Mayor,
 Fayetteville • Eddie
 Weaver, Alderman,
 Chatsworth • Jim
 Middleton, Mayor, Dalton
 • Hilton "Bud" Baxley,
 Mayor, Baxley • Roger
 Boatright, Mayor, Alma •
 C. Lloyd Smith, Mayor,
 Ellijay • James Cannon,
 Mayor, Canton • Lyn Hunt,
 Councilmember, Madison •
 Gwen O'Looney, CEO,
 Athens/Clarke Co. • Billy
 Ray Godfrey, Mayor,
 Cochran • Griffin Lovett,
 Councilmember, Dublin

Directors At-Large:
 Floyd Adams, Mayor Pro
 Tem, Savannah • Derward
 Buchan, Mayor, Douglas •
 David Carter, Council
 President, Macon •
 Charles DeVeney, Mayor,
 Augusta • Betty Hunter,
 Mayor Pro Tem, Marietta •
 Henry Mathis, Commis-
 sioner, Albany • Jimmy
 Reinwater, Mayor,
 Valdosta

Section Presidents:
 Pete Kopecky, City
 Attorney, Washington •
 Herry West, Executive
 Director, Atlanta Regional
 Commission • Olivia
 Perks Woods, Municipal
 Clerk, Atlanta

GMEBS Chairman:
 Ed Cannington, Jr.,
 Mayor, Lumpkin

MAYOR & COUNCIL MEETING
MONDAY, JUNE 14, 1993
7:30 P.M.

A G E N D A

Meeting called to order.
Invocation and pledge to the flag.
Reading of past minutes.

Committee Reports

- A) Planning & Zoning Board
- B) Appeals Board
- C) Recreation Board
- D) Budget & Finance
- E) Solid Waste

Old Business

- A) Public Hearing Procedures
- B) Property Tax Fisa and Penalty Charges

New Business

- A) Rezoning Request - East MEC, Inc. - Highway 20 - Public Hearing
- B) Rezoning Request - David Loudermilk - Highway 20 - Public Hearing
- C) Zoning Ordinance Amendment - Section 1400 Board of Appeals -
Public Hearing
- D) Zoning Ordinance Amendment - Section 610 Buffer Zones -
Public Hearing
- E) Drug Testing Ordinance Amendments
- F) 1993 Auditor
- G) Financial Policies
- H) Prison Detail Contract Renewal
- I) Yard Sale Signs

City Manager's Report

- A) Report

City Clerk's Report

Director of Golf's Report

Council Reports

Citizen's Comments

Adjournment

MAYOR & COUNCIL MEETING
MONDAY, JUNE 14, 1993
7:30 P.M.

M I N U T E S

Notice posted at 12:00 noon at City Hall on Friday, June 11, 1993.

In attendance: Mayor George Haggard and Council Members Thomas Morris, Steve Bailey, Reuben Davis, Roger Everett and Jim Stanley.

Meeting called to order at 7:32 p.m. by Mayor Haggard.

There was a silent invocation followed by the pledge to the flag led by Mayor Haggard.

Minutes

Council Member Davis moves to approve the minutes from last month's Council meetings. Second to the motion by Council Member Morris. Vote unanimous.

Planning & Zoning Board

Council Member Stanley reports that there are two rezoning requests coming up tonight as well as a zoning ordinance amendment on buffer zones.

Appeals Board

Council Member Stanley reports that there was no Appeals Board meeting held last month.

Recreation Board

Council Member Davis reports that the spring softball leagues end this week and summer leagues begin July 5. He states that several hundred students utilized the park during the last week of school. He states that there are no planned activities for the park this summer, but the pavilions may be rented at City Hall.

Budget & Finance

Director of Finance Sandy Richards reports that the net income for operations during May was \$34,563.54 and the total of cash on hand was \$309,781.20. She states that \$835,000 is being held in investments and \$305,957.84 was spent from GEFA funds for the construction of the sewer treatment plant. Refer to report.

Solid Waste

Council Member Morris states that he has had difficulty getting everyone together and asks if everyone can attend a work session on Monday, June 21, 1993 at 10:00 a.m. All the Mayor and Council states that they can attend. Council Member Stanley asks if the

(J)

**MAYOR & COUNCIL MEETING
MONDAY, JUNE 14, 1993
MINUTES, CONT'D.
PAGE 2**

agenda for this meeting is to finalize the Solid Waste Management Plan. Mr. Morris states yes. Mr. Stanley asks if we have received the final report from the facilitator of the Facility Negotiations Committee. Mr. Morris states no, but he will contact the facilitator and see what the hold up is.

Council Member Stanley states that the State of Georgia has adopted some new rules regarding closure of landfills. He states that if you close your landfill before October 8, 1993, you will only be subject to downstream monitoring for 5 years as opposed to 30 years if you do not close your landfill by that date. Council Member Stanley moves to notify the landfill operator to close the landfill before October 8, 1993. Second to the motion by Council Member Bailey. Discussion held on this matter. Council Member Stanley explains again that there is a permit open for the existing 8 acres which is basically full, they are not dumping any major quantities in it, so it is basically already closed. Mr. Stanley states that Button Gwinnett Landfill can continue with their plans for the expansion, however, the 8 acres will be closed after October 8, 1993. Council Member Morris asks the City Attorney if legally, we can close the landfill if there is space still available on the 8 acres. City Attorney Lee Thompson states that he cannot answer that question tonight because he has not reviewed the regulations Mr. Stanley is talking about, he would have to research it. Council Member Stanley amends his motion to begin this review process and authorizes the City Attorney to research this matter and table it until the July Council meeting for formal consideration. Second to the motion by Council Member Bailey. Mr. Thompson states that he will try to have something for the Council to review at the work session on June 21, 1993. Vote unanimous.

Public Hearing Procedures

City Manager Kathy Williamson states that the City Attorney has drawn up this ordinance to help make public hearings more accommodating to the residents. City Clerk Judy Foster reads the ordinance as written. City Attorney Lee Thompson states that under item #3 on the first page, on line #4, it should read "at least **once** per week". Refer to ordinance. Council Member Bailey states that there is a blank number of days which needs to be filled in under item #7 and asks how much time is needed to have transcripts generated. Mr. Thompson states at least 2 weeks. Council Member Everett moves to adopt the ordinance as written and include 15 days as the time limit under item #7. Second to the motion by Council Member Bailey. Vote unanimous.

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MAYOR & COUNCIL MEETING
MONDAY, JUNE 14, 1993
MINUTES, CONT'D.
PAGE 3

Property Tax Fife and Penalty Charges

City Clerk Judy Foster reads the ordinance which would increase fife charges from \$2.50 to \$10.00 and add a penalty charge of 10% for delinquent taxes in order to help cover administrative costs. Refer to ordinance. Council Member Bailey moves to adopt the ordinance as written. Second to the motion by Council Member Morris. Vote unanimous.

Council Member Stanley states that we have just adopted 2 ordinances tonight, neither of which are numbered. He recommends the City Clerk establish a numbering system for the ordinances to keep track of new ordinances and amendments during each year. City Clerk Judy Foster states that she will establish this system. Mr. Stanley asks her to go back to the last Code update to begin the numbering system.

Rezoning Request - East MEC, Inc. - Highway 20 - Public Hearing

Director of Development Ken Crowe states that East MEC, Inc. is requesting their property on Highway 20 be rezoned from RS-100 to PUD (Planned Unit Development) in order to give them flexibility on lot design and setbacks. Mr. Crowe states that this rezoning would not increase the density of the subdivision. Mr. Crowe states that the Planning & Zoning Board recommended approval of the rezoning request with the condition that only 25% of the lots could be changed, such as deduction in lot width, building line or side building lines. The Planning & Zoning Board also wanted to put a condition on double frontage lots where the houses would be required to be a minimum of 150 feet deep and be a minimum of 2,000 square feet with a two car enclosed garage. Larry Wilson, with East MEC, Inc. is present to answer questions. Mayor Haggard asks for comments.

Rick January, of 1282 Frontier Forest Drive, asks if East MEC, Inc. has submitted plans with these proposed changes. Mr. Wilson states no they have not. Mr. Crowe states that East MEC, Inc. would still have to meet requirements. More discussion held on this matter.

Resident Tim Pugh asks if this subdivision is near an existing subdivision. Mr. Crowe states no.

Council Member Stanley moves to approve the rezoning request with the conditions recommended by the Planning & Zoning Board. Second to the motion by Council Member Morris. Vote unanimous.

(Handwritten initials)

**MAYOR & COUNCIL MEETING
MONDAY, JUNE 14, 1993
MINUTES, CONT'D.
PAGE 4**

Rezoning Request - David Loudermilk - Highway 20-Public Hearing

Director of Development Ken Crowe states that David Loudermilk is requesting his property, known as the old Sugar Hill Baptist Church parsonage, on Highway 20, be rezoned from HSB to LM. The proposed use of this property would be for a veterinary clinic. Mr. Crowe states that the Planning & Zoning Board has recommended approval of this rezoning request with the condition that there be no outside kennels and that the zoning convert back to HSB if ever the veterinary clinic moved. Mayor Haggard asks for comments. There were no public comments. Council Member Davis moves to approve the rezoning request with the conditions recommended by the Planning & Zoning Board. Second to the motion by Council Member Stanley. Vote unanimous.

Zoning Ordinance Amendment - Section 1400 Board of Appeals - Public Hearing

Director of Development Ken Crowe states that this zoning ordinance amendment was drawn up to agree with the language used in the city charter. City Clerk Judy Foster reads the ordinance amendment. Refer to amendment. Council Member Stanley moves to adopt the zoning ordinance amendment as written. Second to the motion by Council Member Morris. Vote unanimous.

Zoning Ordinance Amendment - Section 610 Buffer Zones - Public Hearing

Director of Development Ken Crowe states that the Planning & Zoning Board has made recommended amendments to buffer zones in the zoning ordinance. Refer to ordinance drawn up by City Attorney. Mr. Crowe states that the staff has made their own recommendation for buffers which are different from the P&Z Board recommendation in regards to HSB, LM and HM1 zonings. The staff feels that the buffers need to be consistent throughout these zoning classifications and not different as the P&Z Board had recommended. Discussion held on this matter. Council Member Stanley moves to approve the ordinance with the following changes: There shall be no buffer between RG-80 and RG-80 zonings. The buffer between RG-80 and MH shall be 20 feet. All buffers in the LM and HM1 zonings shall be 50 feet instead of 65 feet. All buffers in HSB zonings shall be 50 feet instead of 65 feet. Second to the motion by Council Member Morris. City Attorney Lee Thompson states that you can always increase the buffers from the minimum requirements, however, you can't decrease buffers because that would be a variance and would have to go before the Appeals Board. Mayor Haggard asks for comments.

Lauri Henritze recommends the city make the buffer for HM2 zoning classifications, a minimum of 500 feet, since there is currently no property zoned HM2. Council Member Stanley states that 500

**MAYOR & COUNCIL MEETING
MONDAY, JUNE 14, 1993
MINUTES, CONT'D.
PAGE 5**

feet may be considered unreasonable. Mr. Thompson states that 100 feet is the standard buffer for that zoning classification within Gwinnett County and anything higher than that may be considered unreasonable.

Rick January asks if this ordinance amendment specifically addresses landfills. Council Member Morris states no. Mr. January asks then why not make the buffer 500 feet in HM2 zonings since it is the minimum of the state requirements. Council Member Stanley states again that 500 feet may be considered unreasonable.


Mayor Haggard calls for the vote. Vote unanimous.

Drug Testing Ordinance Amendments

City Clerk Judy Foster states that Alan Towe, with the Georgia Department of Transportation, inspected the city's records on drug testing and had recommended some changes to the city's drug testing policies. She states that the City Attorney incorporated these changes into the city's current drug testing policies and wrote an ordinance which would authorize the City Manager to update the drug testing policy as amendments are made by the state instead of having to go through the Mayor and Council each time they are amended. Refer to ordinance. Council Member Stanley asks why can't the city test all employees instead of just gas employees. City Attorney Lee Thompson states that the grand jury has found that to be unconstitutional without just cause. Mr. Thompson states that gas employees are required to be tested by the DOT because of the hazards of their jobs. Council Member Bailey moves to adopt the ordinance as written. Second to the motion by Council Member Morris. Vote unanimous.

1993 Auditor

Director of Finance Sandy Richards states that the 1992 auditor, Jimmy Whittaker, stated that he would have to increase his bid for the 1993 audit because of the extent of the work involved, so she obtained bids from other firms. Refer to comparison chart. Mrs. Richards is recommending the firm Wilborn & Bernard because of their experience and because they had one of the highest ratings. They were also the lowest bid with the highest rating and Mr. Wilborn has completed audits for the city in the past and is familiar with our finances and particular situations. Mrs. Richards feels the city should not sacrifice funds on something as important as the city audit. Discussion held on this matter. Council Member Bailey moves to accept the Director of Finance's recommendation to hire Wilborn & Bernard to complete the 1993 audit. Second to the motion by Council Member Morris. Vote unanimous.



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MINUTES, CONT'D.
PAGE 6

Financial Policies

Director of Finance Sandy Richards states that she has compiled the financial policies of the city and put them into writing. She states that this is very important for the daily operations of the city and for general information. She asks the Mayor and Council to review the policies and make any corrections or modifications to them for her. She states that this will be on the agenda for the July Council Meeting to be adopted.

Prison Detail Contract Renewal

City Manager Kathy Williamson states that it is time to renew the contract for the prison detail. She states that for 2 crews, the cost will be \$46,000 for the year. Council Member Stanley moves to renew the prison detail contract. Second to the motion by Council Member Bailey. Vote unanimous.

Yard Sale Signs

City Manager Kathy Williamson states that she received a letter from Stephen Brown and also talked to another resident who would like to have the sign ordinance amended to permit yard sale signs. Refer to letter from Mr. Brown. Discussion held on this matter. Council Member Stanley moves to continue enforcing the sign ordinance as written. Second to the motion by Council Member Bailey. Vote unanimous.

Recess

Mayor Haggard calls for a short recess.

Meeting recessed at 9:07 p.m.

Meeting reconvened at 9:18 p.m.

City Manager's Report

City Manager Kathy Williamson states that she will have her 6 month report, including June figures, at the Council meeting next month.

Golf Course Clubhouse

City Manager Kathy Williamson reports that the City Council voted in 1988 to give Georgia Power the electrical service at the golf course and sewer treatment plant project. This property is located within Sawnee Electric's service jurisdiction and they have challenged this because they do not feel that golf course and sewer treatment plant is one entity. She states that the city had to appear before Judge Remar with the Public Service Commission last week to testify that the clubhouse plans have been approved by the Council. She states that the clubhouse has to be on line within 30 days to meet the 900 kilowatts



MAYOR & COUNCIL MEETING
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PAGE 7

requirement in order to utilize Georgia Power. She states that if this is not done, the city will have to purchase the infrastructure already established by Georgia Power and install a generator. Mrs. Williamson reports that a generator would be needed because Sawnee Electric cannot provide dual source feed which is required by EPD. Donna Zinskie, Collection System Supervisor, submits a bid for a generator for \$103,575.00.

Mrs. Williamson states that the clubhouse plans that were approved was for a 2-story building and asks if the Council wants to continue with those plans and just make modifications for handicap accessibility or go with another set of plans for a one level building.

Council Member Bailey states that any single unit who may utilize over 900 kilowatts may request an alternate supplier and this is what happened in our case and the City Council chose Georgia Power. Mr. Bailey states that one of the reasons Georgia Power was chosen was because they could give the city dual source feed, which is required by EPD, at no additional cost, and Sawnee Electric could not provide that.

Mrs. Williamson states that the clubhouse could be funded through the pooled leasing program where interest rates are currently 1.25%. Director of Golf Wade Queen presents the plans for the already approved 2-story building and the conceptual design of a one story building.

Council Member Stanley asks if you have to have 900 kilowatts from day one or when the project is completed. Frank Free, with Georgia Power, states that it is when the project is completed. Mrs. Williamson states that the problem is that the PSC will not accept plans which may not happen, such as the irrigation system on the 3rd nine holes or the plant expansion. More discussion is held on this matter.

Council Member Bailey moves to authorize the Director of Golf to solicit bids and design specs for a one story clubhouse. Second to the motion by Council Member Davis. Council Member Stanley states that in order to have a one story building, a whole new set of plans would have to be designed. He asks why go through a redesign, why not utilize the 2-story design. Mr. Bailey states cost. Vote unanimous.

Council Member Bailey moves to designate the funds from the pooled leasing program be utilized to construct the golf course clubhouse. Second to the motion by Council Member Morris. Council Member Stanley states that he objected to the

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**MAYOR & COUNCIL MEETING
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MINUTES, CONT'D.
PAGE 8**

construction of the clubhouse before because of three reasons; 1) other pressing needs such as providing sewer service to those residents who do not have it; 2) we don't have the funds to build the clubhouse; and 3) there are no detailed plans, specs or bids for the clubhouse. He states that he feels the city can prove to the judge that they plan to construct a clubhouse and show him the plans that are already approved instead of starting from scratch. Council Member Bailey states that if we do not comply with the 900 kilowatt restriction, we are going to wind up paying \$80,000 additional per year in electric bills, plus we will have to buy a generator for approximately \$115,000, plus reimburse Georgia Power for infrastructure already installed, which all together in one year alone will cover the cost of the clubhouse which would be an asset for the city instead of a continuing expense. Mr. Bailey states that he would rather have the funds be utilized for an asset.

Council Member Davis calls for the vote. Vote unanimous.

GEMA & FEMA Funds

City Manager Kathy Williamson applauds Ken Crowe and Sandy Richards for their hard work on obtaining GEMA and FEMA funds for snow removal. She states that the city received \$1,600 from the GEMA and \$8,000 from FEMA.

City Clerk's Report

City Clerk Judy Foster reminds everyone to get out and vote on the liquor referendum issue tomorrow. She states that polls are open from 7:00 a.m. until 7:00 p.m.

Director of Golf's Report

Director of Golf Wade Queen reports that May was a profitable month for the golf course. He also reports that the city held a tournament for the Junior Metro League, which is a league consisting of about 50 youngsters who are aged from 8 to 18 and it was very successful.

Council Reports

Mayor Haggard encourages everyone to get out and vote tomorrow also. He thanks whoever is responsible for the new chairs for the Council and states that his next goal is to get a better P.A. system for the Council Meetings.

Mayor Haggard hands out copies of an article where the City of Buford adopted a nude dancing ordinance and he encourages the city officials to do the same so that we are prepared when it



**MAYOR & COUNCIL MEETING
MONDAY, JUNE 14, 1993
MINUTES, CONT'D.
PAGE 9**

happens. Refer to article. Mayor Haggard instructs the City Attorney to review this matter and submit his recommendation to the City Council at the Council Meeting next month.

City Manager Kathy Williamson states that the lowest bid she received for the sidewalk project was \$5.00 per square foot. She will have more information on this matter next week.

Mrs. Williamson also reports that the owners of Hilltop Village Shopping Center has plans for drastic changes to that shopping center and she will have a report on those plans after August 1st.

Mrs. Williamson also reports that the city has just completed a marketing tape of the city which will be utilized at the Chamber of Commerce to encourage commercial and industrial growth in our area.

Citizen's Comments

Kathy Abrahamson asks that the City Marshall give tickets for traffic violations. She also urges voters to vote NO in the liquor referendum tomorrow. Mayor Haggard states that the city charter does not allow the City Marshall to write tickets for traffic violations. He urges Ms. Abrahamson to write her county commissioners demanding more police protection for Sugar Hill.

Regina Beresford, of 825 Level Creek Road, agrees with Ms. Abrahamson that better police protection is needed. She also states that she has witnessed the City Marshall cutting doughnuts at the park and then sees his car on the back of a wrecker.

Mrs. Beresford also states that she moved into the city in August of 1992 and never received a bill until a week ago and it was for \$1,057.17. She states that she was billed for sewer and she has a septic tank. Robert Beresford states that he contacted City Hall on 8 different occasions asking why they haven't received a bill and nothing ever happened. Mayor Haggard explains that sometimes the city staff does make mistakes and apologizes for the inconvenience. He states that the city has charged her wholesale rates and set up a payment plan for her. Mrs. Beresford states yes, she has been given 24 months to pay for the bill, however, she wants the sewer charge taken off the bill. Mayor Haggard asks the City Manager to handle this matter first thing in the morning.

Lauri Henritze comments on the motion made by Council Member Stanley earlier regarding closing the landfill. She states that it is her understanding that the City of Sugar Hill is the



MAYOR & COUNCIL MEETING
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MINUTES, CONT'D.
PAGE 10

official permit holder for the 8 acres of the landfill and that EPD has asked the city if they plan to officially transfer the permit holder. She recommends the city review this matter because she feels it could be a substantial savings to the city to have only 5 years liability instead of 30 years.

Chuck Spradlin announces that he plans to run for city office in November.

Executive Session

Council Member Everett moves to recess into an Executive Session with the City Attorney to discuss the acquisition of real estate. Second to the motion by Council Member Morris. Vote unanimous.

Meeting recessed at 10:15 p.m.

Meeting reconvened at 10:45 p.m.

No further business was discussed.

Adjournment

Council Member Stanley moves to adjourn the meeting. Second to the motion by Council Member Bailey. Vote unanimous.

Meeting adjourned at 10:45 p.m.

Judy Foster



CITY OF SUGAR HILL

4988 WEST BROAD ST. SUGAR HILL, GEORGIA 30518
(404) 945-6716

TO: MAYOR AND COUNCIL
FROM: SANDRA RICHARDS, DIRECTOR OF FINANCE
DATE: JUNE 14, 1992
RE: MAY BUDGET RESULTS

OPERATIONS:

The following is the results from May operations. These figures are expressed as variances and represent net income (loss) in each fund.

General	<\$ 27,174.44>
Sanitation	<\$ 5,448.46>
Gas	\$ 18,438.92
Water	<\$ 2,805.58>
Street	<\$ 13,699.31>
Sewer	\$ 30,518.56
Golf Course	<u>\$ 34,733.85</u>
Total	\$ 34,563.54

CASH BALANCE:

At the end of May, the city had a bank balance in operating accounts of \$309,781.20. This does not include money held in investments.

INVESTMENTS:

\$835,000 refunded from the 1989 Bonds were invested at the end of March. These funds are currently earning 3.0%.

CONSTRUCTION:

During May, the city spent \$34,265.85 for construction of the golf course and waste water treatment facility. \$305,957.84 was spent from G.E.F.A funds for the construction of the treatment plant.

ORDINANCE

WHEREAS, the Mayor and Council of the City of Sugar Hill desire to encourage greater public access and participation in public hearings; and

WHEREAS, the Mayor and Council of the City of Sugar Hill desire to establish a procedure for conducting public hearings that allow for greater public access when such procedures are authorized by law;

THEREFORE, the Council of the City of Sugar Hill hereby ordains that the following policy regarding public hearings is adopted:

Public hearings on matters other than those governed by the Zoning Ordinance of the City of Sugar Hill or by other specific statutory law or local ordinance requirements shall be conducted in the following manner:

1. A period of a minimum of six (6) hours and a maximum of nine (9) hours shall be scheduled for the public hearing.
2. The public hearing shall be conducted in the Sugar Hill Community Center adjacent to Sugar Hill City Hall or in such other public location as the Mayor and Council or their representative shall designate in calling the public hearing.
3. Notice of the time, location, and purpose of the public hearing shall be printed in the legal organ of the City of Sugar Hill, the legal organ of Gwinnett County, or a newspaper of general circulation in the City of Sugar Hill at least ^{once} per week for the three weeks immediately preceding the public hearing.

4. During the hours of the public hearing, employees or elected public officials of the City of Sugar Hill shall be present to accept comments from the public on the subject of the public hearing. Such public documents as the City may determine are relevant to the subject of the public hearing shall be available at the site of the public hearing for inspection by the public.

5. During the hours established for the public hearing, members of the public shall be allowed to inspect the public documents provided by the City in connection with the public hearing, to provide oral comments which shall be tape recorded by a representative of the City and to submit written comments to the City representative.

6. Citizens desiring to participate in the public hearing by making oral comments shall limit their comments to no more than fifteen (15) minutes.

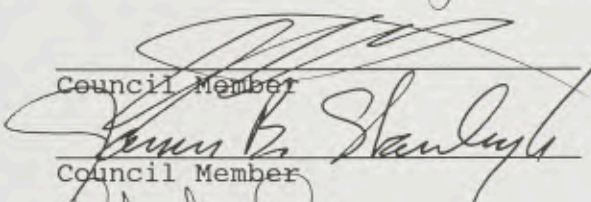
7. Copies of all written comments received during the public hearing and copies of the taped oral comments or transcripts of the taped oral comments shall be provided to the Mayor and each member of the Council within 15 days following the public hearing.

8. Action on the matter which is the subject of the public hearing may be taken by the Mayor and Council at any time following close of the public hearing provided that said action shall not be taken before the calendar day following the calendar day on which the Mayor and all members participating in the meeting of the Council have been provided with copies of the written comments received at the public hearing and copies of the taped oral comments or transcripts of the taped oral comments.

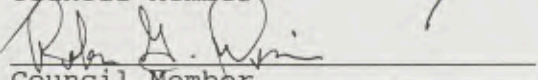
9. The Mayor and Council of the City of Sugar Hill shall have the right to alter these procedures as necessary. If these procedures are to be altered, such alterations should be set forth in the motion approved by the Mayor and Council calling the public hearing. The Mayor and Council shall also have the right to delegate the right to call public hearings complying with the procedures set forth in this Ordinance to the City Manager and/or the City Clerk.

10. These public hearing procedures shall not be used and shall not apply to any public hearings for which the procedures are set forth by the Zoning Ordinance of the City of Sugar Hill, any other ordinance of the City of Sugar Hill, or any state or federal law and said procedures set forth in that legislation are in conflict with the procedures set forth in this Ordinance.

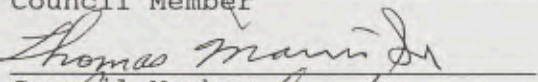
IT IS HEREBY ORDAINED THIS 14th DAY OF June, 1993.



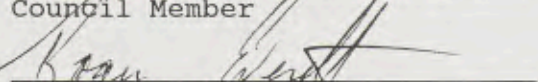
Council Member



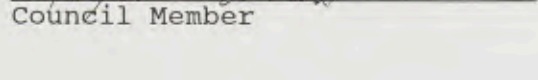
Council Member



Council Member

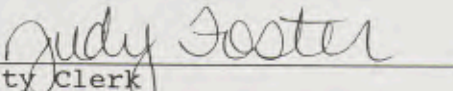


Council Member



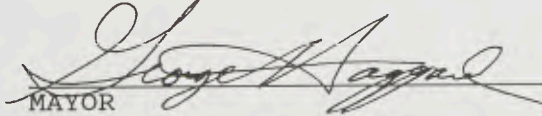
Council Member

ATTEST:



City Clerk

APPROVED BY


MAYOR

This 14th day of June, 1993.

Delivered to the Mayor 6/14/93

Received from Mayor 6/14/93

ATTEST:

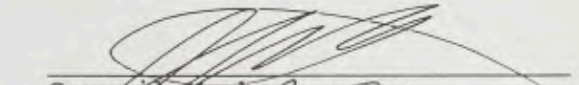

CITY CLERK

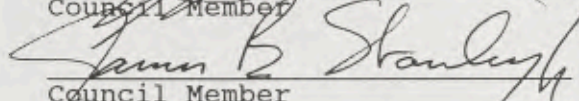
ORDINANCE

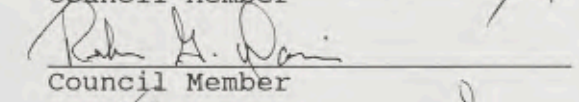
The Council of the City of Sugar Hill hereby ordains that Section 23-41 of the Code of Ordinances of the City of Sugar Hill, Georgia, is hereby amended to add the following language:

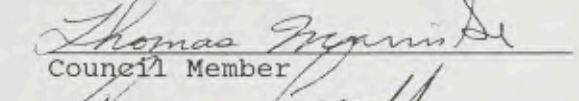
A charge of \$10.00 shall be added to each ad valorem tax bill for which an execution is issued pursuant to the provisions of this section. In addition, a penalty charge of ten percent (10%) shall be added to delinquent ad valorem tax bills at the time that an execution is issued pursuant to the provisions of this section. These fees shall be in addition and not in lieu of any other fees or interest which may be payable by law of the State of Georgia or ordinances of the City of Sugar Hill on any delinquent ad valorem tax bills.

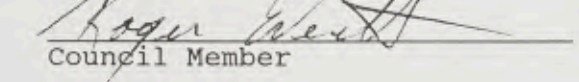
IT IS SO ORDAINED this 14th day of June, 1993.



Council Member


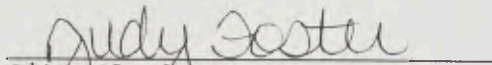
Council Member


Council Member


Council Member


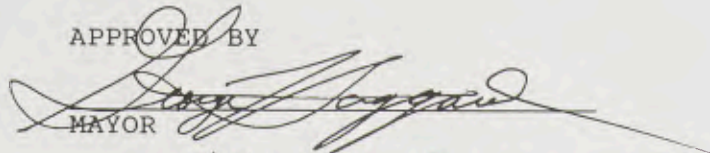
Council Member

ATTEST:



City Clerk

APPROVED BY




MAYOR

This 14th day of June, 1993.

Delivered to the Mayor 6/14/93

Received from Mayor 6/14/93

ATTEST:



CITY CLERK

TO BE COMPLETED BY APPLICANT

PAID

APR 23 1993

CITY OF SUGAR HILL
CK# 1764

CITY OF SUGAR HILL
Rezoning Application

File Number _____

Information about Property Owner:

NAME: East MEC, Inc. (c/o MECA Associates USA)

ADDRESS: 777 S. Figueroa, Suite 3900, Los Angeles, CA. 90017

TELEPHONE: (404) 237-1026 (404) 233-1508 or (213) 236-3924
HOME WORK

MAP REFERENCE # see below LAND LOT # see below # OF ACRES 461.05

Existing Zoning RS-150 Proposed Zoning P.U.D.

Map Reference : 7-340-4A; 7-340-11; 7-341-1; 7-341-2; 7-346-6; 7-347-20.

Land Lot # : 339, 340, 341, 345, 346 and 347.

Hearing Date 5/17/93 P+Z Hearing Time 4:30
Hearing Date 6/14/93 Hearing Time 7:30

Mayor and Council
Meeting held at Sugar Hill City Hall
in the Mayor and Council Chambers.

DATE PAID 4/23/93 METHOD OF PAYMENT: CHECK/CASH Check

AMOUNT PAID \$150.00 CHECK # 1764

[Signature]
Signature of Applicant

4/23/93
Date

SUMMARY

TOTAL LOTS 678
 TOTAL ACRES 461.05

POD A (PHASE II)
 TOTAL LOTS 95

POD B (PHASE II)
 TOTAL LOTS 83

MECA (PHASE II)
 TOTAL LOTS 81

FUTURE PHASES
 TOTAL LOTS 419

* LOT COUNT ON FUTURE PHASES NOT BASED ON FINAL LOT SIZES AND APPEARANCES BY THE DATE OF THE APPLICATION FOR A METRO REVIEW & ESTIMATE

RIVER TRAIL AREA INCLUDED BY MECA PHASE I.

PARKWAY (60' R/W)
 LENGTH 4,600 L.F.
 AREA 8.65 ac

**ZONING PLAN
 PLANNED UNIT DEVELOPMENT
 RIVERGREEN
 AT SUGAR HILL
 MECA ASSOCIATES USA**

REECE, HOOPES & FINCHER
 LAND PLANNERS LANDSCAPE ARCHITECTS

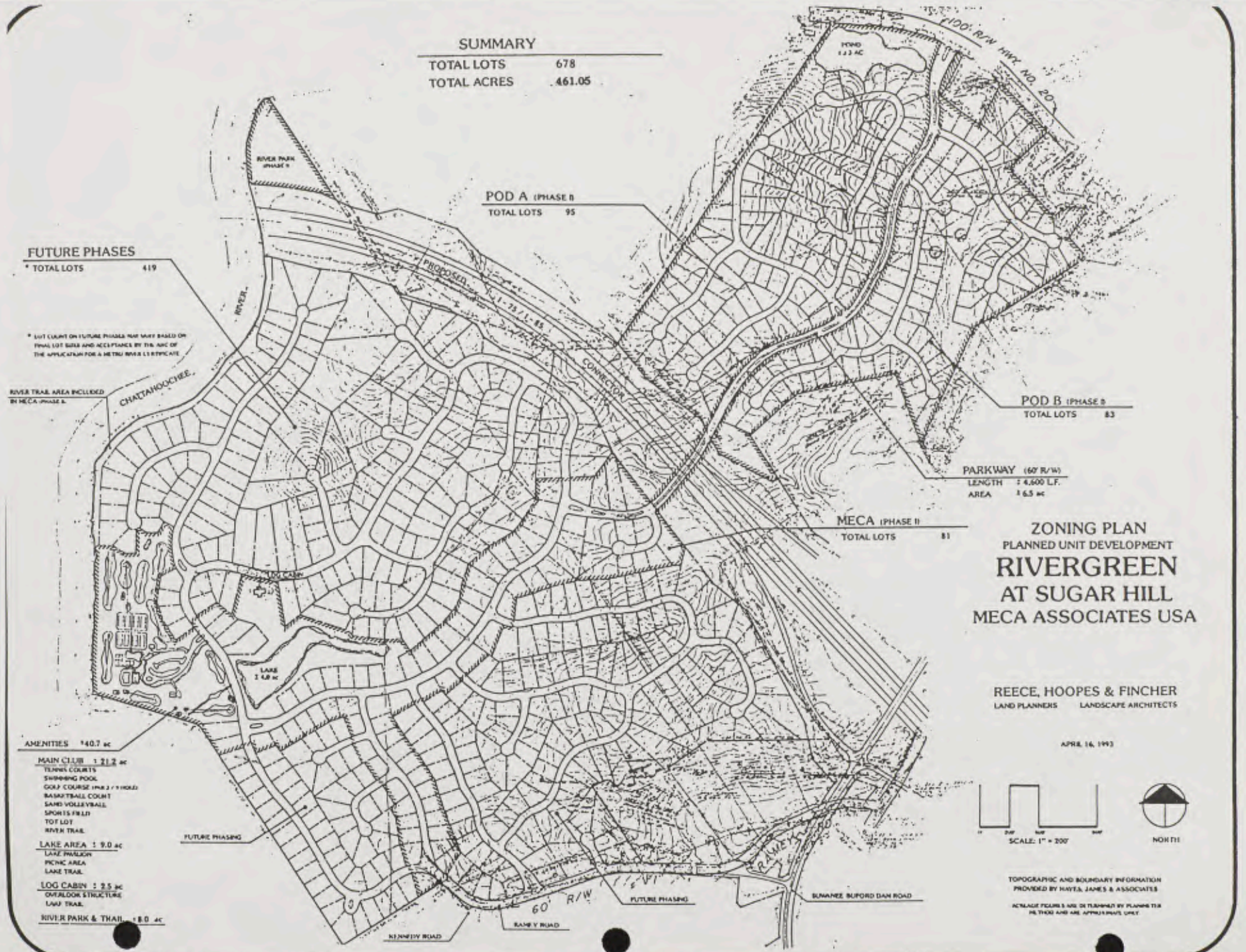
APRIL 16, 1993



TOPOGRAPHIC AND BOUNDARY INFORMATION PROVIDED BY HAYES, JAMES & ASSOCIATES

ACREAGE FIGURES AND DISTANCES BY PLANNING TEAM THESE ARE APPROXIMATE ONLY

- AMENITIES 140.7 ac
- MAIN CLUB 121.2 ac
 - TENNIS COURTS
 - SWIMMING POOL
 - GOLF COURSE (18 HOLE)
 - BASKETBALL COURT
 - SAND VOLLEYBALL
 - SPORTS FIELD
 - TOT LOT
 - RIVER TRAIL
- LAKE AREA : 9.0 ac
- LAKE PAVILION
 - PICNIC AREA
 - LAKE TRAIL
- LOG CABIN : 2.5 ac
- OVERLOOK STRUCTURE
 - LAKE TRAIL
- RIVER PARK & TRAIL : 8.0 ac



MECA Associates USA

3565 Piedmont Road, Suite 520
Atlanta, Georgia 30305

April 23, 1993

Ms. Kathy Williamson
City Manager
City of Sugar Hill
4988 West Broad Street
Sugar Hill, GA 30518

RE: Landlots 339, 340, 341, 344, 345, 346 and 347, 7th District, Gwinnett County,
Georgia, City of Sugar Hill

Dear Kathy:

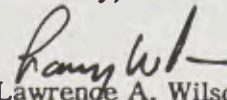
As you are aware, East MEC, Inc. is in the process of finalizing plans for the development of the above referenced property. In accordance with such, it is our desire to have the property designated - Planned Unit Development, as described in the Article 10 of the City of Sugar Hill - Zoning Ordinance.

The enclosed site plan prepared by Reece, Hoopes & Fincher dated April 16, 1993 reflects our plan for the development of the property, assuming the P.U.D. designation is obtained. As you will note, the total number of lots on the site plan is 678. The plan to which the property is currently zoned also has a lot count of 678. The purpose of designating the property a Planned Unit Development is not to allow greater density of development but rather to allow for flexibility in planning by varying lot sizes, setbacks, etc.

Additionally, the enclosed plan reflects our best estimate of how the property will eventually be developed. Obviously, we would like to maintain flexibility in planning and have the right to alter the plan in the future, provided that we maintain the minimum lot sizes and setbacks and do not exceed the maximum density. Details of the proposed minimum lot sizes and related setbacks are shown on the attached sheets.

Thank you for your time and consideration. I look forward to our continued discussions.

Sincerely,


Lawrence A. Wilson, Jr.

LAW/bsk
Enclosure

ADMINISTRATIVE RECOMMENDATION FORM

FROM: Ken Crowe

TITLE: Director: Utilities & Development

DATE: 5/10/93

IN REFERENCE TO FILE NUMBER: RZ-93-002

COMMENTS: A P.U.D. zoning for this project
will not increase density. You should have
parameters set however that they need
to follow as they go along with the
development.

APPROVAL DENIAL
with conditions

Ken Crowe
Ken Crowe Director: Utilities & Development

5/10/93
Date

ADMINISTRATIVE RECOMMENDATION FORM

FROM: Kathy Williamson

TITLE: City Manager

DATE: _____

IN REFERENCE TO FILE NUMBER: RZ-93-002

COMMENTS: _____

APPROVAL DENIAL _____

Kathy Williamson
Kathy Williamson City Manager

5/10/93
Date

TO BE COMPLETED BY APPLICANT

CITY OF SUGAR HILL

Rezoning Application

File Number RZ-93-001

Information about Property Owner:

NAME: DAVID LOUDERMILK

ADDRESS: 3570 RIDGE RD BUFORD

TELEPHONE: 945-2441 SAME
HOME WORK

MAP REFERENCE # 7-306-040B LAND LOT # 306 # OF ACRES 1.068

Existing Zoning HSB Proposed Zoning LM

P+Z Hearing Date 5/17/93 Hearing Time 7:30 P.M.

Hearing Date 6/14/93 Hearing Time 7:30 P.M.

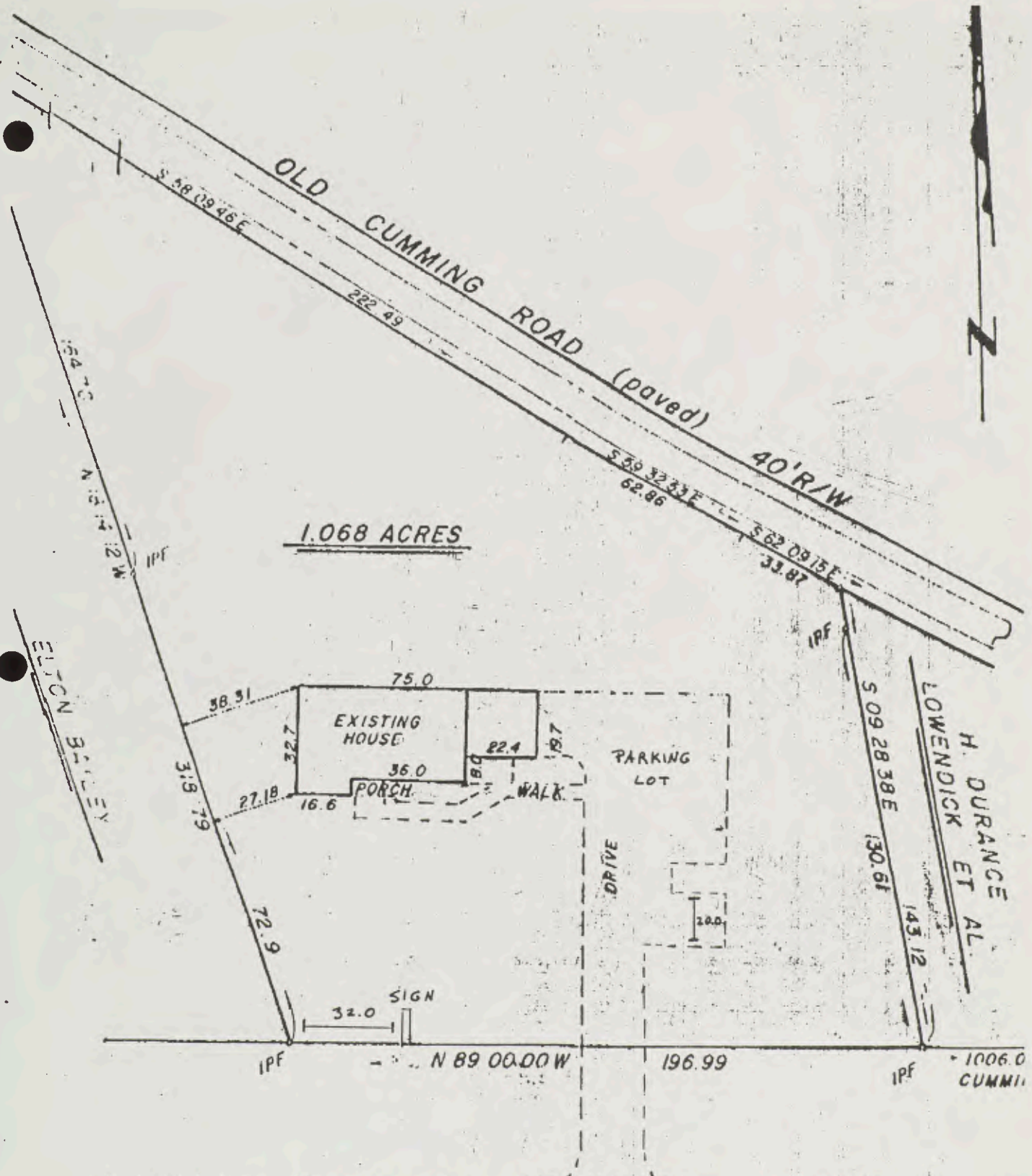
Meeting held at Sugar Hill City Hall
in the Mayor and Council Chambers.

DATE PAID 4/6/93 METHOD OF PAYMENT: CHECK/CASH 350.00 ck# 1359

AMOUNT PAID 350.00 CHECK # 1359

Daniel Loudermilk
Signature of Applicant

4-6-93
Date



GA. HWY. 20 / a.k.a. NORTH AVE.
(paved) 100' R/W

INTENT:

The existing zoning of the property is Highway Service Business (HSB), although it is currently used as residential rental property. The proposed use is for veterinary and pet related services including but not limited to indoor boarding, grooming, canine obedience training, and pet retailing.

The zoning variance is needed because veterinary offices are currently zoned as Light Manufacturing (LM). The proposed business will not have outdoor boarding kennels with noise, odor, or other (LM) nuisances.

ADMINISTRATIVE RECOMMENDATION FORM

FROM: Ken Crowe

TITLE: Director: Utilities & Development

DATE: _____

IN REFERENCE TO FILE NUMBER: RZ-93-001

COMMENTS: Recommend Approval to LM for
vetinary office only. Upon the property no longer
being used as vetinary offices the zoning should
revert back to HSB

APPROVAL DENIAL _____

Ken Crowe
Ken Crowe Director: Utilities & Development

5/10/93
Date

ADMINISTRATIVE RECOMMENDATION FORM

FROM: Kathy Williamson

TITLE: City Manager

DATE: _____

IN REFERENCE TO FILE NUMBER: RZ-93-001

COMMENTS: _____

APPROVAL / DENIAL _____

Kathy Williamson
Kathy Williamson City Manager

5/10/93
Date

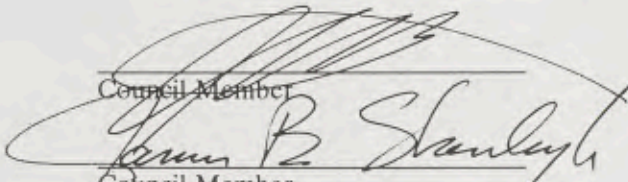
ZONING ORDINANCE AMENDMENT

The Council of the City of Sugar Hill ordains that Section 1400 of the Zoning Ordinance of the City of Sugar Hill is deleted in its entirety and the following section 1400 is inserted in its place:

Section 1400. Establishment of Board of Zoning Appeals; (Membership; Terms; Vacancies; Removal; Officer(s)).

A board of zoning appeals is hereby created. The board of zoning appeals shall consist of five (5) members who shall be appointed by the mayor and city council. The members shall serve for overlapping terms of three (3) years. Initial appointment to the board of zoning appeals shall be as follows: One (1) member shall be appointed to a one-year term; two (2) members shall be appointed to a two-year term; and two (2) members shall be appointed to a three-year term. All subsequent appointments shall be for terms of three (3) years. Any vacancy in the membership shall be filled for the unexpired term in the same manner as the initial appointment. Members shall be removable for cause by the appointing authority upon written charges and after a public hearing. Except for one (1) member who may be a member of the planning commission, no member of the board of zoning appeals shall hold any other public office. The board of zoning appeals shall elect a chairperson and a vice-chairperson who shall serve until a replacement is elected and qualified. The board of zoning appeals shall appoint a secretary who may be an officer or employee of the city or of the planning commission.

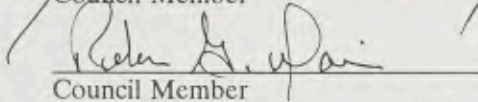
IT IS HEREBY ORDAINED THIS 14 DAY OF JUNE, 1993.



Council Member



Council Member



Council Member

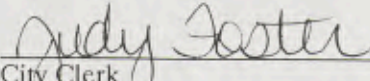


Council Member



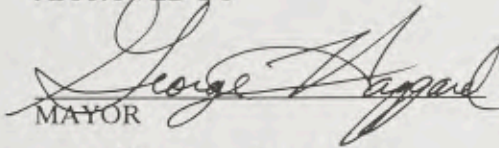
Council Member

ATTEST:



City Clerk

APPROVED BY


MAYOR

This 14th day of June, 1993.

Delivered to the Mayor 6/14/93

Received from Mayor 6/14/93

ATTEST:


CITY CLERK

M E M O R A N D U M

TO: Mayor and Council

FROM: Ken Crowe

DATE: June 9, 1993

SUBJECT: Minimum Requirements for Buffer Zones

The following two tables show both the staff recommendation and the Planning & Zoning Board's recommendation. The staff's recommendation has 50 ft. buffers between HSB (Highway Service Business) and all residential zonings except RG80. The staff's recommendation also has 50 ft. buffers between LM and HM1 and all residential zonings except RG80. The Planning & Zoning Board's recommendation has 65 ft. in the above mentioned areas.

MINIMUM BUFFER REQUIREMENTS
ABUTTING DISTRICT(S)

	AF, RS200	RS175	RS150	RS100	RG80	MH
AF, RS200, RS175	—	—	—	—	—	—
RS150	—	—	—	—	—	—
RS100	—	—	—	—	—	—
RG80	50 feet	50 feet	50 feet	50 feet	20 feet	—
MH	75 feet	75 feet	75 feet	75 feet	75 feet	75 feet
O/I	50 feet	50 feet	50 feet	50 feet	50 feet	50 feet
LM, HM1	50 feet	50 feet	50 feet	50 feet	50 feet	50 feet
HM2	100 feet	100 feet	100 feet	100 feet	100 feet	100 feet
HSB	50 feet	50 feet	50 feet	50 feet	50 feet	50 feet
BG	75 feet	75 feet	75 feet	75 feet	75 feet	75 feet

*For buffer width other than standard height structures the Mayor & Council may increase the minimum buffer required as a condition for allowing additional height of development. The Mayor and Council may also establish or increase the minimum buffer as a condition of rezoning or as a condition to a Special Use Permit.

*The Board of Appeals may increase the minimum buffer required as a condition to granting a Variance request.

*Modifications in buffer width may be granted by the Mayor & Council after receiving recommendations from the Planning and Development Director and Planning & Zoning Board and after a public hearing.

*No structure shall be located less than five feet from any

Note:

*For buffer width other than standard height structures the Mayor & Council may increase the minimum buffer required as a condition for allowing additional height of development. The Mayor and Council may also establish or increase the minimum buffer as a condition of rezoning or as a condition to a Special Use Permit.

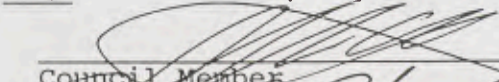
*The Board of Appeals may increase the minimum buffer required as a condition to granting a Variance request.

*Modifications in buffer width may be granted by the Mayor & Council after receiving recommendations from the Planning and Development Director and Planning & Zoning Board and after a public hearing.

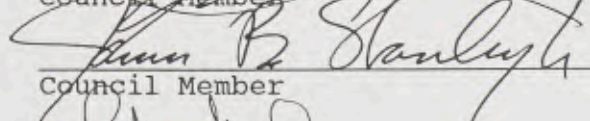
*No structure shall be located less than five feet from any buffer.

- (2) Buffer zones shall be left in their natural state and not temporarily or permanently disturbed by grading, property improvements or construction activities. Where required to achieve an effective visual screen, existing native vegetation shall be supplemented with additional plantings. Uncontrolled growth of kudzu shall not be permitted in buffer zones.
- (3) Buffer zones shall be used only for a buffer and shall not be used for paving, parking, recreation areas, or similar uses, except that a fence or wall may be constructed within the buffer zone, and storm drainage and storm water retention facilities can occupy the buffer zone.

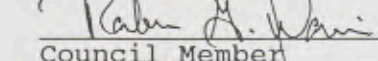
IT IS SO ORDAINED THIS 14 DAY OF JUNE, 1993.



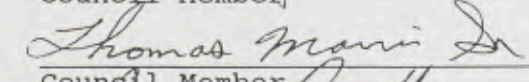
Council Member



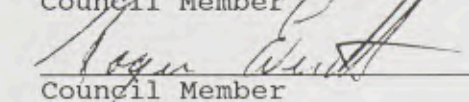
Council Member



Council Member



Council Member



Council Member

ATTEST:


City Clerk

APPROVED BY

Leon Aggab
MAYOR

This 14th day of June, 1993.

Delivered to the Mayor 6/14/93

Received from Mayor 6/14/93

ATTEST:

Judy Foster
CITY CLERK

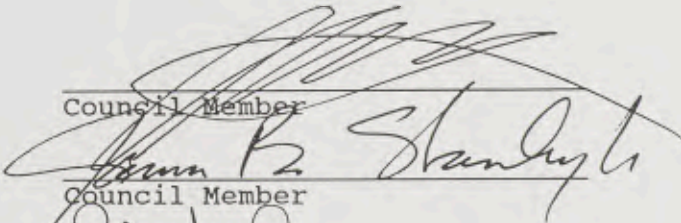
ORDINANCE

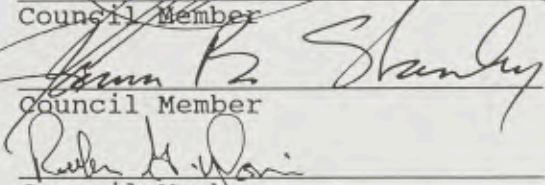
The Council of the City of Sugar Hill hereby ordains as follows:

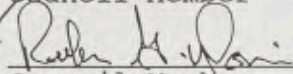
The drug policy attached hereto as Exhibit "A" which is incorporated herein by reference and which allows for the administration of the Department of Transportation Anti-Drug Program pursuant to the Pipeline Safety Regulations, Code of Federal Regulations Title 49 (49 CFR), Part 199 is hereby adopted as the Drug Testing Policy of the City of Sugar Hill and amends policies adopted prior to this date.

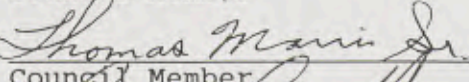
Concurrently herewith, the Mayor and Council of the City of Sugar Hill, Georgia, hereby delegate to the City Manager the authority to amend the attached policy from time to time in order to insure the policy's conformance with federal, state and local laws and regulations.

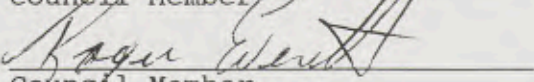
IT IS HEREBY ORDAINED THIS 14 DAY OF JUNE, 1993.


Council Member

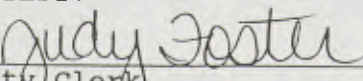

Council Member


Council Member


Council Member


Council Member

ATTEST:


City Clerk

APPROVED BY

George Haggard
MAYOR

This 14th day of June, 1993.

Delivered to the Mayor 6/14/93

Received from Mayor 6/14/93

ATTEST:

Judy Foster
CITY CLERK

DRUG TESTING POLICY

This policy allows for the administration of the Department of Transportation (DOT) Anti-Drug Program pursuant to the Pipeline Safety Regulations, Code of Federal Regulations, Title 49 (49 CFR), Part 199. Part 199 requires operators of gas systems to have an anti-drug program for persons who perform on these facilities operating, maintenance or emergency-response functions covered by the DOT pipeline safety standards in 49 CFR Part 192, 193 or 195.

Any job applicant applying for a position covered in this policy who refuses or fails a pre-employment drug test will not be hired. Any employee covered by this policy who refuses or fails a drug test will be immediately removed from the operating, maintenance or emergency-response functions covered by the DOT pipeline safety standards in 49 CFR Part 192, 193 or 195. Furthermore, any employee covered by this policy who refuses or fails a drug test will receive disciplinary action, up to and including immediate termination.

1. Employee Categories

A) Test Program - The following employee positions are subject to drug testing as outlined in this policy: All Gas Department Related Positions.

B) Employee Assistance Program (EAP) Training - The following management positions shall receive EAP training for detecting symptoms of drug use: Department Heads, Supervisors.

C) Contractors - See Section 12.

2. Types of Drug Testing - Employees subject to this drug testing program are required to be tested under the following five types of tests:

A) Pre-employment Testing

- 1) A pre-employment drug test will be conducted before an individual is hired for a position with the City of Sugar Hill.
- 2) Only applicants who are offered a position covered by this policy will be tested before being employed. Pre-employment job applicants who test positive will not be hired and do not have the right to have their samples retested. Employees transferring into a position requiring drug testing who test positive do have the right to have their samples retested. If an applicant's or employee's drug test is

positive then the City will refer the results to the MRO for review (see Section 4 - Medical Review Officer). If the MRO determined there is no legitimate medical explanation for the unformed positive test other than the unauthorized use of a prohibited drug, the applicant or employee will not be hired or will be terminated whichever is applicable.

- 3) An employee who transfers from one position covered by this policy to another covered by this policy will not be required to undergo pre-employment testing.

B) Random Testing

- 1) All employees working in a position covered by this policy are subject to unannounced testing based on random selection. This includes temporary employees performing work in a covered position.
- 2) The City will test at least fifty percent (50%) of covered employees every twelve (12) months, dividing the year on the basis set forth in paragraph five (5) below. All persons are subject to being randomly picked for drug testing at each random testing date. A person may be randomly picked more than once or not picked at all during the annual period (NOTE: During the first six (6) months of the drug testing program, at least twenty-five percent (25%) of the covered employees will be tested, with the final collection in the first year meeting the fifty percent (50%) annualized rate.)
- 3) To assure that the selection process is random, all employees covered by this policy will be placed in a common pool. All full-time and temporary employees will be in this pool.
- 4) The selection procedure will select sufficient additional numbers (names) to be used to reach the appropriate testing level during each test period. These alternate numbers (names) will be tested in order of selection only if persons selected are unavailable for testing due to vacations, medical leave, or travel requirements.
- 5) Random testing will be done on a quarterly basis.

C) Post-Accident Testing

- 1) Employees working in positions covered by this policy whose performance either contributed to an accident or whose performance cannot be completely discounted as a contributing factor to the accident will be tested.
- 2) The employee will be tested as soon as possible, but no later than 32 hours after the accident. Because certain drugs or drug metabolites do not remain in the body for extended periods of time, testing should be done as soon as possible.
- 3) An "accident" on a gas pipeline or LNG facility is defined as an "incident" in 49 CFR, Section 191.3.
- 4) All reasonable steps will be taken to obtain a urine sample from an employee after an accident. In case of a conscious but hospitalized employee, the hospital or medical facility will be requested to obtain a sample and if necessary, reference will be made to the DOT drug testing requirements. If an employee is unconscious or otherwise unable to evidence consent to the procedure, the medical facility shall collect the sample.
- 5) If an employee is subject to post-accident testing and is conscious, able to urinate normally (in the opinion of a medical professional) and refuses to be tested, that employee will be removed from duty as an employee covered by this policy and may be subject to termination.

D) Reasonable Cause Testing

- 1) When there is reasonable cause to believe that an employee covered by this policy is using a prohibited drug, the employee will be required to take a drug test.
- 2) Only one supervisor of the employee must substantiate the decision to test for reasonable cause. This supervisor must be EAP trained in drug use symptoms.
- 3) A decision to test must be based on specific contemporaneous physical, behavioral or performance indicators of probable drug use. Examples of this are evidence of repeated

errors on-the-job, regulatory or city (utility) rule violations or unsatisfactory time and attendance patterns coupled with a specific contemporaneous event that indicates probable drug use.

- 4) Testing under this policy is limited to marijuana, cocaine, opiates, amphetamines, and PCP. However, for purposes of reasonable cause, employees will be tested for any substance listed in Schedule I or II of the Georgia Controlled Substance Act.

E) **Return to Duty Testing**

- 1) An employee who refuses to take or does not pass a drug test may not return to duty before the employee passes a drug test administered under this policy and the medical review officer has determined that the employee may return to duty. Refusal to be tested may result in job termination.
- 2) An employee who returns to duty shall be subject to a reasonable program of follow up drug testing without prior notice for not more than sixty months after his or her return to duty.

3. **Testing Procedures**

- A) Drug testing will be performed utilizing urine samples.
- B) Tests will be conducted for marijuana, cocaine, opiates, amphetamines and phencyclidine (PCP).
- C) An applicant who is offered a position covered by this policy will be required to report to the drug testing collection site specified in Section 8 of this policy within forty-eight hours of notification by City personnel and upon arrival shall provide a specimen of his or her urine.
- D) Upon notification that a drug test is required, an employee will report within thirty minutes (travel time included) after notification to the drug collection site specified in Section 8 and upon arrival shall provide a specimen of his or her urine.
- E) The collection agency shall adhere to all

requirements outlined in the Code of Federal Regulations, Title 49, Part 40, Procedure for Transportation Workplace Drug Testing Program. These requirements are summarized herein at Section 4D.

4. Preparation for Testing and Procedures for Collection Agencies. The City, the collection agency and the certified laboratory shall develop and maintain a clear and well-documented procedure for collection, shipment and accessioning of urine specimens. Such a procedure shall, at a minimum, include the following:
- A) Utilization of a standard drug testing custody and control form (carbonless manifold) with an "original" (copy 1) and a "second original" (copy 2). Both of these "original copies" must accompany the urine specimen to the testing laboratory. Copies of the custody and control form shall also go to the MRO, the donor, the collector and the City's representative. The drug testing custody and control form shall contain all the information required under 49 CFR Part 40.23.
 - B) The Collection Agency must use a clean, single-use specimen bottle and the specimen must be placed and shipped in containers which use tamperproof sealing systems as required under 49 CFR Part 40.23(b)(1 & 2) and 49 CFR Part 40.23(c).
 - C) The City's representatives shall insure that the Collection Agency is aware of its responsibility to insure the integrity of the specimen collection and its transfer. The City shall also inform the Collection Agency of its duty to insure, to the greatest extent possible under the testing procedures, the employee's privacy. Privacy concerns may be modified, however, if there is reason to believe that a particular individual may alter or substitute the specimen to be provided. (For guidelines defining alteration and substitution, see 49 CFR Part 40.25(e)(2)). The Collection Agencies' employees should treat the individuals being tested with courtesy and respect.
 - D) The City shall insure that the Collection Agency is aware of its responsibilities to maintain the security of the collection site. No unauthorized personnel shall be permitted in any part of the designated collection site where urine specimens are collected or stored. To insure the integrity of the specimens to be collected, the Collection Agency should insure the following:

1. Bluing agents shall be placed in the toilet water in the room where urination occurs. Where practicable, there shall be no other sources of water in the room where urination occurs.
2. Upon the arrival of an individual to be tested, collection site personnel shall positively identify the individual providing the urine specimen.
3. If the individual to be tested arrives late, the collection site personnel shall notify the City's representatives.
4. Collection site personnel shall ask the individual being tested to leave outer garments and briefcases outside the room where the sample is collected.
5. The individual being tested shall be instructed to wash and dry his or her hands prior to urination.
6. After washing his or her hands, the individual being tested shall remain in the presence of the collection site person and shall not have access to any water fountain or other materials which could be used to adulterate the specimen.
7. The individual may provide his or her sample in the privacy of a stall or other partitioned area.
8. The collection site person shall note any unusual behavior or appearance on the urine custody and control form.
9. In the exceptional event that the collection site is not accessible and there is an immediate requirement for specimen collection, a public restroom may be used if the guidelines in 49 CFR Part 40.25(f)(10) are followed.
10. Upon receiving the specimen, collection site personnel shall insure the sample contains at least 60 milliliters of urine. If the specimen does not contain at least this amount, the collection site person must ask the individual to drink fluids and must allow the individual reasonable time to provide another

sample.

11. After the sample has been collected, the individual should be allowed to wash his or her hands.
12. Immediately after the specimen is collected (and in no case later than four (4) minutes after collection), the collection site person must measure the temperature of the specimen collected.
13. If the specimen temperature is outside the range of 90.5 - 99.8 degrees fahrenheit, the individual should be asked to voluntarily have his oral temperature taken and recorded.
14. Immediately after collecting the specimen, the collection site person shall inspect the sample to determine its color and look for any signs of contamination. Any unusual findings must be noted on the custody and control form and the sample should then be forwarded to the testing laboratory.
15. If an individual is suspected of providing an adulterated sample, he or she shall be retested again as soon as possible under the direct supervision of a same gender collection site person.
16. Both the individual being tested and the collection site person shall keep the specimen in view at all times prior to its being sealed and labeled under the guidelines set forth in 49 CFR Part 40(f)(19-22).
17. The collection site person shall maintain his or her custody and control over the specimen until it is shipped to the testing laboratory. The collection site person shall ship the specimen, together with the completed custody form, as soon as possible in packaging designed to minimize the possibility of damage to the specimen container.

5. Medical Review Officers (MRO's).

- A) The Medical Review Officers for the City of Sugar

Hill are Dr. Ronald Reagan and Dr. Philip Cannon (100 Medical Center Boulevard, Suite 225, Lawrenceville, GA 30245) until other officers are appointed by the City.

- B) The following is a listing of the MRO's specific responsibilities. For additional details of an MRO's responsibilities see the U.S. Department of Health and Human Services (DHHS) Medical Officer Review Manual.
1. Receive positive confirmed results from the testing laboratory prior to these results being sent to the City.
 2. Request, if needed, a quantitative description of the test results.
 3. Receive a certified copy of the original chain of custody.
 4. Review and interpret positive results.
 5. Inform the tested individual and provide test results.
 6. Conduct a medical interview with the tested individual.
 7. Review the individual's medical history or any other relevant biomedical factors to determine whether a drug test result is consistent with legal drug use. If there is a legitimate medical reason for a confirmed positive drug test the MRO should take no further action.
 8. Give the individual an opportunity to discuss the test results.
 9. Order a reanalysis of the original sample in a certified laboratory if necessary.
 10. Consult with others if a question as to the accuracy of the test arises (Consistent with Section 11 of this policy dealing with Confidentiality).
 11. Consult with laboratory officials.
 12. Not to receive urinalysis results that do not comply with the mandatory guidelines.
 13. Not declare as positive an opiate-positive

urine specimen without "clinical evidence."

14. Determine whether or not a result is scientifically sufficient and, if not, conclude that the test is negative for that individual.
15. Determine whether and when an employee who refused to take or did not pass a drug test administered under DOT procedures may be returned to duty. The MRO must also determine such individual's schedule of unannounced testing and insure that testing is done in accordance with DOT procedures before the employee is allowed to return to work.
16. Forward results of verified positive tests to the City Manager.
17. Maintain the required records to administer this program.

6. Results from Drug Testing

- A) If a drug test result is positive, the employee's sample will be tested again.
- B) If the second test is positive, and the MRO determines there is no legitimate medical explanation for the confirmed positive test other than the unauthorized use of a prohibited drug, the employee will be automatically terminated and the expense for the second test will be charged to the employee.
- C) If the MRO determines there is no legitimate medical reason for a confirmed positive test result, the employee may submit a written request for a retest within sixty (60) days of receiving the final test results from the MRO. The City will require the employee to pay the associated retest costs in advance. If a retest is negative the employee will be reimbursed by the City. The employee may request retesting by a DHHS certified lab.
- D) If an employer requests retesting by second laboratory the original testing laboratory must follow approved custody transfer procedures.
- E) The results of a retest are to be reported a confirmation of the original test results if the detective level of the drug is a) below the DOT established limits and b) equal to or greater than

the sensitivity of the test.

7. Testing Laboratory.

- A) The testing laboratory for this policy is National Health Laboratories, 13900 Park Center Road, Herndon, VA 22071.
- B) The testing laboratory will comply with all the methods and procedures of 49 CFR Part 40 and will provide annual reports to the City of Sugar Hill showing such compliance.
- C) The testing laboratory used by the City must retain samples that yield confirmed positive results for one year in secured frozen storage.

8. Collection Agency.

- A) The collection agent for this policy is the Gwinnett Hospital System, 1000 Medical Center Boulevard, Lawrenceville, GA 30245. Applicants and employees shall be tested at the Buford hospital branch of the Gwinnett Hospital System. Buford Hospital is located at 55 Morningside Drive, Buford, GA. 30518.
- B) The collection agency shall comply with all the methods and procedures of 49 CFR Part 40 and will provide annual reports to the City of Sugar Hill showing such compliance.

9. Employee Assistance Programs and Supervisor Training.

- A) Each employee covered by this policy will be educated on drug use. The minimum education offered shall be as follows:
 - 1. Each employee shall be given informational material on drug use. This informational material shall also be posted on the employee bulletin board.
 - 2. The City shall post and distribute to all employees covered by this policy a community telephone number for drug assistance.
 - 3. The City shall post and distribute to all covered employees a copy of this drug use policy.
- B) Training - Every supervisor covered by this policy who will determine whether an employee must be drug tested based on reasonable cause will receive a one

hour (minimum) training period on the specific contemporaneous physical, behavioral and performance indicators of probable drug use.

10. Recordkeeping.

The City of Sugar Hill will keep the following records for the periods specified. The records will be maintained in the City Manager's office under the control of the City Manager.

- A) Records that demonstrate that the collection process conforms to 49 CFR Part 199 will be kept of a minimum of three years.
- B) Records showing an employee passed a drug test shall be kept for one year.
- C) Records of employee drug test results that show employees failed a drug test, the type of test failed and records that demonstrate rehabilitation, if any, will be kept for a minimum of five years and shall include the following information:
 - 1. The function of each employee who failed a drug test.
 - 2. The prohibited drugs which were used by each employee who failed a drug test.
 - 3. The age of each employee who failed a drug test.
 - 4. The disposition of each employee who failed a drug test (e.g. termination, rehabilitation, leave without pay, etc.).
- C) A record of the number of employees tested by the type of test will be kept for a minimum of five years.
- D) Records confirming that supervisors and employees have been trained as required by this policy will be kept for a minimum of three years. Training records will include copies of all training materials.

11. Confidentiality.

- A) Each individual's record of testing and results

under this policy will be maintained private and confidential. With the exception of the testing laboratory, MRO, designated personnel manager or upon request of the DOT or state agency officials as part of an accident investigation for statistical evaluation (without the individual's name) or for training records, the results of an individual's drug test will not be released to anyone without the expressed written authorization of the individual tested. Prior to testing, the individual will be informed about who will receive test data (e.g. testing laboratory, MRO and personnel manager).

- B) All written records will be stored in locked containers or in a secure location with access available only by the individual's listed in 11(A) above.
- C) Unless an employee gives his or her written consent, the employee's drug testing and/or rehabilitation records will not be released to a subsequent employer.

12. Contractor Employees. Any entity which contracts with the City for any work connected with gas facilities (hereafter known as "Contractor") must satisfy the drug testing, education and training requirements of 49 CFR, Part 199. The contractor must allow the City or other Federal or state agencies access to property and records in order for the City and other agencies to monitor the Contractor's compliance with 49 CFR, Part 199.

Acknowledgement of Receipt and Consent

I, _____, hereby acknowledge receipt of the City of Sugar Hill's Drug Testing Policy for Gas Department employees. The policy has been explained to me and I agree to abide by its terms and conditions. I further understand that refusal to take a drug test or failing a drug test may result in the immediate termination of my employment.

Date

Witness



CITY OF SUGAR HILL

4988 WEST BROAD ST. SUGAR HILL, GEORGIA 30518
(404) 945-6716

M E M O R A N D U M

TO: MAYOR AND COUNCIL

FROM: SANDY RICHARDS

DATE: JUNE 14, 1993

RE: FINANCIAL POLICIES

Attached is the first draft of The City of Sugar Hill's Financial Policies. The city has never had a formal written set of policies and with the growth of the city and the fast changing times, it is my opinion that the city should adopt one. These policies will be a guideline for any newly elected officials, newly hired staff members, residents, and prospective vendors who wish to view our operating procedures.

These policies are, in essence, the way we are currently operating. They are those policies that previous Council's have adopted or they are just the way we have always done things.

It is my recommendation that the Mayor and Council adopt a formal set of written financial policies. Please review this first draft for any corrections or modifications. If you should have any comments or questions, please call me or come see me and I will put the changes in a second draft for review at next month's meeting.

FINANCIAL POLICIES

OF THE

CITY OF SUGAR HILL

PREPARED BY

SANDRA RICHARDS
DIRECTOR OF FINANCE

DRAFT #1

JUNE 14, 1993

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**FINANCIAL POLICIES
OF THE
CITY OF SUGAR HILL**

I. INTRODUCTION

Financial policies are in essence guidelines that the city establishes to follow when making certain financial decisions. By setting financial policies, the Council can view our present approach to financial management from an overall, long-range vantage point. In some cases, if financial policies are scattered or unwritten, the city could have conflicting policies or inconsistent policies. Financial policies improve the credibility and public confidence of the city as well as save time and energy for the administration. They allow the Mayor and Council to review the city's total financial condition and improve our fiscal stability.

Developing written financial policies is very time consuming and requires extensive long-range planning. The written policies reveal information about certain future projects and the Council's position on certain issues. They also eliminate some of the flexibility in some decision making processes.

However, developing a set of written financial policies is key to planning for the future of the City of Sugar Hill. The following document describes the financial policies as it relates to: Operating Budget Policies, Debt Policies, Capital Budget Policies, Accounting and Financial Reporting Policies, Revenue Policies, Purchasing Policies, and Cash and Investment Policies.

II. OPERATING BUDGET POLICIES

A. Preparation and Adoption

1. It is the responsibility of the Director of Finance to coordinate, develop, and implement the annual operating budget of the City.
2. Preparation of the annual operating budget begins in August. Expense worksheets prepared by department heads are incorporated into the annual budget process.
3. The City will finance all current expenditures with current revenues. The City will avoid budgetary procedures that balance current expenditures through the obligation of future resources.
4. The budget will provide for adequate maintenance of capital equipment and facilities and for their orderly replacement.

FINANCIAL POLICIES
OF THE
CITY OF SUGAR HILL

5. The budget must be balanced for all budgeted funds. Total anticipated revenues must equal total anticipated expenditures for all funds.
6. All budgets will be adopted on a basis of accounting consistent with generally accepted accounting principals. Revenues are budgeted when they become measurable and available and expenditures are charged against the budget when they become measurable, a liability has been incurred and the liability will be liquidated with current resources.
7. All appropriations will lapse at year-end. Any encumbered appropriations at year-end may be reappropriated by the City Council in the subsequent year.
8. The budget shall be adopted at the legal level of budgetary control which is fund/department level (i.e., expenditures may not exceed the total for any department within a fund without the City Council's approval). However, the City Manager shall have the authority to transfer appropriations within a department within a fund from one line item to other line items, except for salary line items. According to State requirements, changes in salary line items must be approved by the City Council.
9. The City will include an amount in the general fund budget (i.e., a line item for contingencies) for unforeseen emergencies. The amount of the contingency will be no more than 5% of the general fund operating budget or \$150,000, whichever is less.
10. The City will coordinate development of the capital improvement budget with the development of the annual operating budget. Each capital project is reviewed for its impact on the operating budget in terms of revenue generation, additional personnel required and additional operating expenses.

FINANCIAL POLICIES
OF THE
CITY OF SUGAR HILL

11. According to the Charter of the City of Sugar Hill section 6.32. **Submission of operating budget to City Council**, "On or before a date fixed by the council but not later than ninety (90) days prior to the beginning of each fiscal year, the city manager shall submit to the council a proposed operating budget for the ensuing year. The budget shall; be accompanied by a message from the city manager containing a statement of the general fiscal policies of the city, the important features of the budget, explanations of major changes recommended for the next fiscal year, a general summary of the budget and such other comments and information as he/she may deem pertinent. The operating budget and the capital improvements budget hereinafter provided for, the budget message, and all supporting documents shall be filed in the office of the city clerk and shall be open to public inspection."

B. Maintenance and Administration

1. The Director of Finance will maintain a budgetary control system to ensure adherence to the budget and will prepare timely, monthly financial reports comparing actual revenues, expenditures and encumbrances with budgeted amounts.
2. The Director of Finance will present to each department head a monthly financial report for review.
3. If a fund receives revenue during the year from a source that was not anticipated or projected in the Budget, such as a grant or a bond issue, such revenue may be appropriated by the Council for expenditure in the year received.
4. The City will maintain the operating budget to adequately conform to any current outstanding bond ordinances and covenants.

FINANCIAL POLICIES
OF THE
CITY OF SUGAR HILL

III. DEBT POLICIES

1. The City will confine long-term borrowing to capital improvements and moral obligations.
2. General obligation debt will not be used for enterprise activities.
3. The City shall seek to maintain and, if possible, improve our current AAA/aaa bond rating so our borrowing costs are minimized and our access to credit is preserved.
4. The City will not use short-term borrowing to finance operating needs except in the case of an extreme financial emergency which is beyond our control or reasonable ability to forecast. However, interim financing in anticipation of a definite fixed source of revenue such as an authorized but unsold bond issue, or a grant is acceptable. Such bond or grant anticipation notes and warrants should not:
 - Have maturities greater than one year
 - Be rolled over for a period greater than one year; or
 - Be issued on the expectation that interest rates will decline from current levels.
5. Proceeds from borrowing will be limited to financing the costs of an approved project which will serve to benefit a majority of the population of the City or, where applicable, increase the potential for growth.
6. At no time will the City enter into a credit instrument which, with the addition of the credit, will cause the violation of previous bond covenants, decrease acceptable debt service coverage ratios, or change substantially the accepted financial picture of the city.

**FINANCIAL POLICIES
OF THE
CITY OF SUGAR HILL**

IV. CAPITAL BUDGET POLICIES

1. The City will develop a multi-year plan for capital improvements, update it annually and make all capital improvements in accordance with the plan. Efforts will be made to increase the percentage of the City's Community Development Block Grant allocations committed for capital improvements.
2. The City will maintain its physical assets at a level adequate to protect the City's capital investment and to minimize future maintenance and replacement costs. The budget will provide for the adequate maintenance and the orderly replacement of the capital plant and equipment from current revenues where possible.
3. The City will coordinate development of the capital improvement budget with the development of the operating budget. The City will annually adopt a capital budget based upon the multi-year capital plan.

V. ACCOUNTING, AUDITING AND FINANCIAL REPORTING POLICIES

1. An annual audit will be performed by an independent accounting firm with the subsequent issue of an official annual financial statement.
2. The Comprehensive Annual Financial Report (CAFR) will be presented to the council at the regularly scheduled March council meeting.
3. The City will produce annual financial reports in accordance with Generally Accepted Accounting Principals (GAAP) as outlined by the Governmental Accounting Standards Board.
4. Full disclosure will be provided in the annual financial statements and bond representations.
5. Financial systems will be maintained to monitor expenditures, revenues, and performance of all municipal programs on an ongoing basis.

**FINANCIAL POLICIES
OF THE
CITY OF SUGAR HILL**

6. The City will establish and maintain a high degree of accounting practice. Accounting systems will conform to accepted principals and standards of the Municipal Finance Officers Associations and the National Committee on Governmental Accounting.
7. The City will rotate Independent Auditors to perform the Comprehensive Annual Financial Statement every three years. An annual contract shall be established for every fiscal year with an option to renew for two consecutive years.

VI. REVENUE POLICIES

1. The City will try to maintain a diversified and stable revenue system to shelter it from short run fluctuations in any one revenue source.
2. The City will attempt to obtain additional major revenue sources as a way of insuring a balanced budget.
3. The City will follow an aggressive policy of collecting revenues.
4. The City will establish user charges and fees at a level related to the full cost (operating, direct, indirect and capital) of providing the service.
5. The City will regularly revise user fees with review of the City Council to adjust for the effects of inflation.
6. The City will consider market rates and charges levied by other public and private organizations for similar service in establishing tax rates, fees and charges.
7. The City will maintain its revenue system consistent with any outstanding bond ordinance or covenants.
8. The City will estimate its annual revenues by an objective analytical process.
9. The City encourages the solicitation of private contributions for "Quality of Life Services". These services and programs represent an "extra" that the City has been able to provide to residents. In times of revenue constraints the City may not be able to provide the same level of service without additional support. Therefore, efforts should be made to secure private contributions in support of these programs and services, as these contributions are an integral part of their successful operation.

FINANCIAL POLICIES
OF THE
CITY OF SUGAR HILL

VII. PURCHASING POLICIES

1. According to Section 6.41 of the Charter of the City of Sugar Hill "the council shall by ordinance prescribe procedures for a system of centralized purchasing for the City of Sugar Hill". However, economic constraints limit the City from establishing a centralized purchasing system. Such system would constitute the formation of a centralized purchasing department. A continued attempt to provide a centralized purchasing department is to be maintained and at such time when economics permit, a centralized purchasing department will be created.
2. The Department Heads are considered authorized purchasing agents of the City of Sugar Hill. All requests for purchases must have the approval of the appropriate department head.
3. Both the Mayor and City Manager have the approval to purchase items under \$100.00. Any non-budgeted item over \$100.00 must have the majority consensus of the Mayor and Council. Budgeted items over \$100.00 can be purchased only with the City Managers approval.
4. All purchases require a purchase order prior to purchasing. The finance department distributes the purchase orders. No purchase order is to be distributed without the department head's approval.
5. All receiving slips, packaging slips, and invoices are to be delivered to the finance department upon receipt. It is the role of the finance department to match purchase orders with invoices then process for payment.
6. No member of the staff of the City of Sugar Hill or their family shall receive any benefit or profit from any contract or purchase made by the City of Sugar Hill.
7. Acceptance of gratuities at any time, other than advertising novelties, is prohibited. Employees must not become obligated to any supplier and shall not conclude any City transaction from which they may personally benefit directly or indirectly.
8. The City will buy only from suppliers who have adequate financial strength, high ethical standards, and a record of adhering to specifications, maintaining shipping promises and giving a full measure of service. New sources of supply will be given due consideration as multiple sources of supply are necessary to ensure availability of materials.

**FINANCIAL POLICIES
OF THE
CITY OF SUGAR HILL**

VII. PURCHASING POLICIES - Cont'd

9. All bidders must be afforded equal opportunities to furnish price quotations and are to compete on equal terms.
10. No department head shall knowingly approval a purchase order when there is evidence of a conflict of interest. In instances when a conflict may exist, but its existence is not clearly established, the department head shall refer the matter to the City Attorney whose opinion shall be final in the absence of any specific action by the City Council.
11. Petty Cash Purchases: Any purchase under \$10.00 may be made with petty cash. A valid receipt is to be brought back to the finance department, along with appropriate change. Any reimbursements for purchases shall be approved by the Director of Finance. No reimbursement is to be given without a valid receipt.

VIII. CASH AND INVESTMENT POLICIES

1. The City of Sugar Hill shall seek to obtain market rates of return on its investments, consistent with constraints imposed by its safety objectives, cash flow considerations, and Georgia state laws. Safety of principal is the foremost objective. Each investment transaction shall first seek to insure that capital losses are avoided, whether they be from defaults or erosion of market value.
2. Management responsibility for the investment is hereby delegated to the Director of Finance. The Director of Finance shall establish a system of internal controls to regulate activities of subordinate personnel. All internal controls, investment procedures, records, reports, and documentation shall be reviewed annually by the independent auditor.
3. All funds, with the exception of certain G.O. Bond Funds, Revenue Bond Funds, and Sinking Funds, are currently co-mingled for investment purposes in the General Account. Those funds not in the General Account are held in individual ban accounts or the State Local Government Investment Pool as provided for in the resolutions establishing the funds. This policy shall also apply to these funds, except where more restrictive requirements are already in effect by virtue of bond or other resolutions.

FINANCIAL POLICIES
OF THE
CITY OF SUGAR HILL

VIII. CASH AND INVESTMENT POLICIES, Cont'd

4. Investment activities, if any, by Constitutional Officers holding various trust and agency funds, also reported in the City of Sugar Hill Comprehensive Annual Financial Report, are not subject to the provisions of this policy.
5. Investments shall be made with judgement and care, under circumstances then prevailing, which persons of prudence, discretion, and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the primary objective of safety as well as the secondary objective of obtaining market rates of return.
6. Investment maturities shall be scheduled to coincide with projected cash flow needs, taking into account large routine scheduled expenditures, as well as considering sizeable blocks of anticipated revenues and cash receipts.
7. As a political subdivision of the State of Georgia, investments of the City of Sugar Hill are restricted to those listed in Local Government Investment Pool Act, Georgia Laws 1980 Session, as follows:
 - a- Obligations of this state and other states
 - b- Obligations issued by the United States
 - c- Obligations fully insured or guaranteed by the United States or a United States government agency
 - d- Obligations of any corporation of the United States Government
 - e- Prime bankers acceptance
 - f- The local government investment pool established by the state
 - g- Repurchase agreement
 - h- Obligations of other political subdivisions of this state
 - i- Certificates of Deposits, with a pledge of collateral as provided for in State Code Chapters 48-8-12 and 50-17-59.
8. All investment securities which can be physically delivered shall be held in safekeeping by the City depository bank.
9. Two signatures are always required on all checking accounts. One must be an elected official, typically the Mayor, and the other must be an appointed staff official, typically the City Manager.



Bobby K. Whitworth
COMMISSIONER

GEORGIA DEPARTMENT OF CORRECTIONS
Clyde N. Phillips Correctional Institution
2989 W. Rock Quarry Road
Buford, Ga. 30518
(404) 932-4500

May 26, 1993

Ms. Kathy Williamson
City of Sugar Hill
4988 W. Broad St.
Sugar Hill, Ga. 30518

Dear Ms. Williamson:

Enclosed is the detail contract renewal at the rate of \$46,000.00 annually.

Please sign and return by June 16, 1993. You will receive a copy after departmental approval is obtained.

Please contact me if you have any questions.

Sincerely,

Blake A. Allen *usd*
Deputy Warden/Administration

BAA/ml

Revenue - City
Effective 7-1-93

STATE OF GEORGIA

COUNTY OF Gwinnett

THIS AGREEMENT, made and entered into this 1st day of June, 1993, by and between the GEORGIA DEPARTMENT OF CORRECTIONS, hereinafter called the "DEPARTMENT", and the CITY OF Sugar Hill, hereinafter called the "CITY".

WHEREAS, the DEPARTMENT is desirous of obtaining work for its inmates; and,

WHEREAS, the CITY is desirous of hiring inmate work crews to assist in road work and clean-up.

NOW THEREFORE, in consideration of the premises and their mutual promises and AGREEMENTS, hereinafter set forth, the parties hereby agree as follows:

PART A

THE DEPARTMENT AGREES:

(1) To supply the CITY OF Sugar Hill with two (2) work detail(s), each detail to consist of one (1) full-time correctional supervisor, and 10 inmates.

(2) That under normal circumstances, departmental policy permitting, each work detail will work within the regular work hours and under the same conditions as the CITY'S employees. That inmate work details may be called out during inclement weather conditions or other emergency conditions, during other than normal working hours, subject to the concurrence of the DEPARTMENT.

(3) To be responsible for maintaining custody, feeding, clothing, provision of medical and hospital care for inmates, assuring discipline, and achieving productivity.

(4) To be responsible for safety and transporting (in vehicles furnished by City of Sugar Hill) of work details, to and from work sites.

PART B

THE CITY AGREES TO:

(1) Furnish all equipment and tools, safety equipment, and a vehicle for the transportation of the inmate work crews and correctional supervisors, to and from the work sites and the place of detention; insure the safe operating condition of vehicles; provide insurance on the vehicle used to transport inmates and correctional supervisors; provide maintenance of all equipment and tools, and to be responsible for damage or loss of all equipment and tools.

(2) Direct and supervise the work to be performed, but no official or employee of the CITY, shall exercise any immediate control, direction, or supervision over any inmate; but, the sole responsibility of directing, controlling and supervising of said inmates, shall be that of the DEPARTMENT and its officials, correctional supervisors, and employees. Directions as to work to be performed shall be communicated to the correctional supervisor having immediate custody and supervision of the inmates, and said correctional supervisor shall direct inmates accordingly.

(3) Pay the DEPARTMENT for only a portion of the additional cost actually incurred for the security personnel required to provide the CITY with inmate work details. Such cost shall include: full-time salaries with normal fringe benefits (plus overtime benefits) provided to other DEPARTMENT personnel of similar rank, and function. This rate of pay shall be based on the pay scale of a Correctional Officer II, with uniforms, equipment, and training. However, for the purposes of this AGREEMENT, the CITY shall pay the DEPARTMENT \$46,000.00. This cost may change annually as salary increases are approved by the Georgia General Assembly.

(4) Comply with any and all special conditions as listed on page 6, of this AGREEMENT.

THE DEPARTMENT shall prepare and submit to the CITY on a monthly basis, invoices reflecting the number of work details provided, and the actual cost of the correctional supervisor(s) having supervised the crew(s) providing services for the CITY during the previous month. This invoice shall be itemized, reflecting the cost incurred for each supervisor. Invoices shall be presented to the CITY for payment, within 30 days following receipt of the monthly invoice from the DEPARTMENT. Should payment not be received within 30 days following the CITY'S receipt of invoice, the DEPARTMENT shall have the option of declaring this AGREEMENT null and void.

TERMINATION

Either party may terminate this AGREEMENT with a sixty (60) day advanced written notice, indicating intent to cancel the AGREEMENT. Such written notice shall be sent to the DEPARTMENT at the following address: Georgia Department of Corrections, 2 Martin Luther King, Jr. Drive, S. E., Room 756, East Tower, Atlanta, Georgia 30334; or should the DEPARTMENT elect to terminate, written notice to the CITY, at the following address:

City of Sugar Hill, 4988 W. Broad Street, Sugar Hill, Ga. 30518

The DEPARTMENT, may at its discretion, terminate the AGREEMENT for cause, as described in the above paragraph.

This AGREEMENT shall become affective on July 1, 1993
and shall terminate on June 30, 1994.

IN WITNESS WHEREOF, the parties have caused this AGREEMENT to be
signed as of the day and year above mentioned.

NOTARY: _____

BOBBY K. WHITWORTH, COMMISSIONER
GEORGIA DEPARTMENT OF CORRECTIONS

NOTARY _____

MAYOR
CITY OF SUGAR HILL

CONTRACTUAL AGREEMENT BETWEEN THE GEORGIA DEPARTMENT OF CORRECTIONS
AND, City of Sugar Hill

SPECIAL CONDITIONS

1. The CITY (will) ~~(will not)~~ provide a mobile radio for each transportation vehicle. The mobile radio(s) will be operated by the DEPARTMENT'S security personnel, and will be used to maintain contact with all law enforcement agencies. The DEPARTMENT may determine minimum specifications or requirements for the mobile radio(s).
2. The DEPARTMENT will not provide the CITY with a work detail on official State Holidays.
3. State law prohibits the Department of Corrections from transporting inmates in a "school bus yellow" vehicle. Therefore, vehicle cannot be "yellow."

Stephen A. Brown, Resident
5670 Princeton Oaks Drive
Sugar Hill, Georgia 30518

May 25, 1993

Mr. George Haggard, Mayor
Main Street
Sugar Hill, Georgia 30518

Dear Mr. Haggard:

I have been a resident of Sugar Hill Georgia for about three years now.
I would like to appeal to you and the Board to consider the following change:

1. To allow residents to place Garage sale signs at major intersections in the city limits of Sugar Hill, Georgia.

The reason for this request is that a fee of \$5.00 is charged to tax paying residents already for having garage sales and the signs do greatly improve success at garage sales. Just a yard sign and newspaper ad is not enough to generate activity for the garage sale alone.

Please consider this as a benefit to the residents for their tax dollars. Again, thank you for your consideration of this matter. If there is anything I should or can do to help this change, please contact me. I look forward to your comments or reply.

Sincerely,

Stephen A. Brown

Stephen A. Brown, Resident

*Kathy:
would you please write a
letter back to the gentleman.
Thanks
MH*

SENT BY: ATLANTA

; 6-14-93 ; 8:43AM ;

PIEDMONT OLSEN-CITY OF SUGAR HILL ;# 1/11

Piedmont Olsen Hensley

FAX

3200 Professional Pkwy, Suite 200
Atlanta, GA 30339
Telephone: (404) 952-8861
Fax: (404) 954-1160

(Operator) Name _____
Date Sent ___/___/___
Time Sent ___:___ am pm

To DONNA ZINSKJE From A. ANCHON
 Company CITY OF SUGAR HILL
 FAX Number 1945-0281 Date Submitted ___/___/___
 Account Number _____ Time Submitted ___:___ am pm

Message _____
QUOTATIONS ON GENERATOR FOR
SUGAR HILL GA PLANT

Number of Pages to Follow 10

- Return Document By Office Mail
- File Document After Sending
- Return Document Immediately/Confidential
- Destroy Document After Sending
- Mail Document After Sending
- Document Document and Send To _____

June 14, 1993

TO: Donna Zinsky
City of Sugar Hill, GA

FROM: Arthur Anchors
Piedmont-Olsen-Hensley

SUBJECT: Water Reclamation Facility
Sugar Hill, GA
Emergency Generator

Please find attached Quotations from Sunbelt Power and Cummins Onan South for a 600 KW Emergency generator and automatic transfer switch.

Some Items concerning the generator system you might want to note:

1. This 600 KW generator was sized to accomodate the future expansion of the facility.
2. This pricing does not include installation, financing overhead, and changes to the existing facility construction by the contractor. You will need to budget approximately \$75,000.00 to cover this expenditure as change order to the contract. A considerable part of this cost is in the allowable mark-up the general and the electrical contractors can place on the cost of the generator.
3. The generator pricing includes noise reducing enclosures and mufflers.
4. The fuel tanks are double-walled.

If you have any questions, please contact me.

SENT BY: ATLANTA

6-14-93 8:44AM

PIEDMONT-OLSEN-CITY OF SUGAR HILL # 3/11



06/11/93

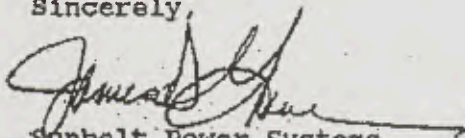
Piedmont-Olsen-Hensley
P.O. box 723308
Atlanta, Ga 30339

Arthur Anchors

In response to your request for quotation, we are pleased to quote the attached bill of materials for the referenced job.

We appreciate your interest in Caterpillar quality and Sunbelt Power System's service. We look forward to working with you on this and future projects. If there are any questions or comments concerning this quotation please do not hesitate to call.

Sincerely,



Sunbelt Power Systems
Power Group Sales

Post-It™ brand fax transmittal memo 7871		# of pages > 7	
To	ARTHUR ANCHORS	From	J. GROVE
Ct	PIEDMONT	Co.	
Dept.		Phone #	
Fax #	984-1160	Fax #	

06/11/93
Quote Number 93JDG062
Job Name 600kw Generator
Sugar Hill WWTP

Description
3412 600 ekW 60 Hz Package Generator Set
rated 600kW, 750kva-Standby, 277/480 volts,
3 phase, 4 wire
CONTROL PANEL (P)
AIR INLET SYSTEM
Aftarcooler core, Material: copper (TA
engine only)
Air cleaner, Regular duty, panel type with
service indicators
Turbocharger, 152 mm (6 in) OD straight
connection
CONTROL SYSTEM
Governor, Hydra-mechanical (3 percent
speed regulation)
Governor vernier control with
hydra-mechanical governor
COOLING SYSTEM
Drain lines
Blower fan, fan drive, and fan guard
Thermostats and housing, Full open
temperature 92 C (198 F)
Radiator, Engine mounted (includes duct
flange and guard)
Jacket water pump, gear driven, centrifugal
EXHAUST SYSTEM
Exhaust manifold, dry 203 mm (8 in) round
flanged outlet
FLYWHEELS AND FLYWHEEL HOUSINGS
Flywheel, SAE No. 0, 136 teeth
Flywheel housing, SAE No. 0
SAE Standard Rotation
FUEL SYSTEM
Fuel filters, Spin on, RH
Fuel pressure gauge, RH
Fuel lines, flexible, shipped loose. 610
mm (24 in) long.
3/8 NPTF male ends.
Fuel priming pump, RH
Fuel transfer pump
Variable timing, automatic
GENERATORS AND GENERATOR ATTACHMENTS
Brushless self excited SR4 generator.
Includes VR3 voltage regulator.
INSTRUMENTATION
Control panel, mounted on generator
terminal box, Includes:

06/11/93
Quote Number 93JDG062
Job Name 600kw Generator
Sugar Hill WWTP

Standard generator controls and monitoring:
Digital ammeter, voltmeter, and frequency meter
Ammeter/voltmeter phase selector switch
Voltage adjust rheostat
Standard engine controls and monitoring:
Automatic/manual start stop control
Engine control switch for off/reset, auto start, manual start, stop
Cycle cranking
Cooldown timer
Emergency stop pushbutton
Safety shutdown protection and LED indicators for:
Low oil pressure, low idle 69 kPa (10 psi); high idle 207 kPa (30 psi).
High coolant temperature 107 C (225 F)
Overcrank
Overspeed
Emergency stop pushbutton
Spare
Digital display for:
Coolant temperature
Oil pressure
Service hours
Engine RPM
System DC volts
System diagnostic codes

LUBE SYSTEM

Crankcase breather, dual, top mounted, 35 mm (1.38) OD outlet
oil cooler
Oil filler in valve cover and dipstick, RH
Oil filter, spin on, RH
Lubricating oil, SAE 10W-30
Oil drain lines
Shallow oil pan (Deep with engines with 589 frame generators)

MOUNTING SYSTEM

Base, structural steel or
254 mm (10 in) rails on PGS with deep oil pan

POWER TAKE-OFFS

Accessory drive, upper RH rear of front gear housing, 1.3:1 gear drive ratio

PROTECTION SYSTEM

Shutoff, solenoid, 24 volt

06/11/93
Quote Number 93JDG062
Job Name 600kw Generator
sugar Hill WWTP

Hydra-mechanical governor -- energized
to run
PSG governor -- energized to shutoff
STARTING SYSTEM
Single 24 volt electric starting motor for
-10 C (14 F)
(without starting aids)
GENERAL
Paint, Caterpillar yellow
Vibration damper
Lifting eyes
Panel lights/auxiliary relay
English units
Alarm module
Jacket water heater - 6kW, 240 volts, single phase
24 volt battery set - group 8D
Battery cables
Battery rack
Circuit breaker 1200 A, 3 Pole, mounted on generator
10" silencer, critical grade - shipped loose for
roof mounting
24V 10AMP 120V Battery Charger, installed in the enclosure
Charger Failure Alarm
1000 gallon fuel tank sub-base, double wall
construction, fabricated from structural steel
including fill, vent, gage and low fuel level alarm,
and stub-up sleeve for conduit bottom entry.
Sound attenuated weatherproof enclosure, 85 dba at 23 feet
includes gasketed, hinged doors, accoustical louvers
foam liner, exhaust flex connector, thimble, muffler
mounts.
Automatic Transfer Switch, 1000amp, 3 Pole, 4 wire,
NEMA 4X Construction, Floor standing, time delay
neutral, space heater.

Model Total \$ 114,045.00

06/11/93
Quote Number 93JDG062
Job Name 600kw Generator
Sugar Hill WWTP

Delivery of the unit will be approximately 10 to 12 weeks from release of submittals.

FOB jobsite for rigging, offloading and installation by others.

Cable, conduit, surge arrestors, control interconnect wiring, concrete pads, foundations, anchor bolts, grounding rods or any other equipment required to install the unit shall be provided by others.

All fuel in tanks and fuel used during start up or testing is to be supplied by others.

This quote is subject to credit approval.

This price does not include any applicable Federal or State sales taxes. TERMS ARE NET 30 DAYS.

This quotation is good for 60 days. Prices may change without warning after 60 days due to conditions beyond our control.



GENERATOR SET

600

60 Hz

PRIME POWER
545 KW

FEATURES

CAT® DIESEL GENERATOR SETS

Factory Designed, Certified Prototype tested with Torsional Analysis . . . Production tested and delivered to you in a package that is ready to be connected to your fuel and power lines . . . **ENGESIZE** (Computer sizing) available . . . Supported 100% by your Caterpillar® Dealer with Warranty — Parts and Labor . . . Extended Warranty available in some areas . . . Generator Set and Components meet or exceed the following specifications: AS1358, AS2789, ABGSM TMS, B84892, DIN6271, DIN6280, EGSA101P, JEM1359, IEC 347, ISO 3048/1, ISO D13852B, NEMA MG1-22.

RELIABLE, FUEL EFFICIENT DIESEL

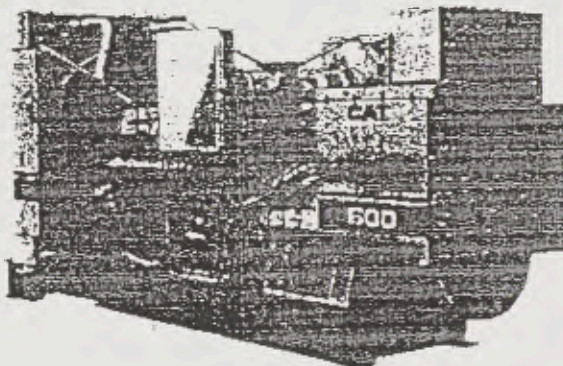
The compact, four-stroke-cycle diesel engine combines durability with minimum weight while providing dependability and economy. The fuel system operates on a variety of fuels.

THE CATERPILLAR SR4 GENERATOR

Single-bearing, wye connected, static regulated brushless excited generator designed to match the performance and output characteristics of the Caterpillar Diesel Engine that drives it.

EXCLUSIVE CATERPILLAR VOLTAGE REGULATOR

Three phase sensing and Volts per Hertz regulation with Constant Voltage in the normal operating range gives precise control and excellent Block Loading.



STANDARD PACKAGE ARRANGEMENT

ENGINE

Aftercooler
Air Cleaner with service indicator
Bass, Structural Steel
Breather, Crankcase
Cooler, Lubricating Oil
Exhaust Fitting and Flange
Filters, right hand
Fuel, full flow
Lubricating Oil, full flow
Governor
Lifting Eyes
Manifold, Exhaust, Dry
Pumps,
Fuel Transfer, gear driven
Lubricating Oil, gear driven
Jacket Water, gear driven
Radiator
Shutoff, Manual
Starting, Electric, 24 volt DC
GENERATOR
SR4 Brushless with VR3
Automatic Voltage Regulator

CONTROL PANEL

Digital Ammeter, Voltmeter,
Phase Selector Switch,
Frequency Meter
Auto start-stop control module
w/Cycle Crank and Countdown
Digital DC Voltmeter,
Tachometer, Hourmeter
Emergency Stop Push Button
Engine Control Switch for Auto,
Start/Run, Off/Reset, Stop
Digital Oil Pressure and Water
Temperature Gauges
Shutoffs with Indicators for:
Low Oil Pressure
High Water Temperature
Overspeed
Overcrank
Emergency Stop Push Button
Voltage Adjust Rheostat
System Diagnostic Codes
Digital Readout
Lamp Display

OPTIONAL EQUIPMENT

ENGINE

Air Cleaner, Heavy Duty
Charging Alternator
Exhaust Systems
Governor, Woodward
Protection Devices
Tachometer Drive
GENERATOR
Manual Voltage control
Space Heater
NHL Std. 481B
RFI N Level (VDE 875), BS800
SWITCHGEAR
Circuit Breaker

SWITCHGEAR

Paralleling
Manual
Permissive
Auto (Consult Factory)
Protective Relays

CONTROL PANEL

Enclosure, NEMA 12/IP 44
Provision for:
Alarm Module
Auxiliary Relay
Governor Speed Switch
Illuminating Lights
Installed 1724 socket

Generator Set may be shown
with optional equipment.

GENERAL SPECIFICATIONS -- 60 Hz

CAT 3412 ENGINE

1800 RPM
Type—Watercooled Diesel
Aspiration—turbocharged-
aftercooled
Cycle—four stroke
No. of Cylinders—V-12

Bore—137 mm (5.4 in)
Stroke—152 mm (6.0 in)
Piston Displacement—
27.0 liter (1649 cu in)
Compression Ratio—14.5:1

CATERPILLAR SR4 GENERATOR

Frame Size—589
Type—Static Regulated Brushless Excited
Construction—Single Bearing, Close coupled
Three Phase—wye connected
Insulation—Class F with Tropicalization
Terminal Box—drip proof IP 22
Overspeed Capability—150%
Wave Form—Less than 5% Deviation
Paralleling Capability—Optional with adjustable Voltage Drop
Voltage Regulator—3 Phase Sensing with Volts-per-Hertz
Adjustable -25% +10%
Voltage Regulation—Less than plus or minus 1%
Voltage Gain—Adjustable to compensate for engine speed droop
and line loss
TIF—Less than 60
THF—Less than 3%

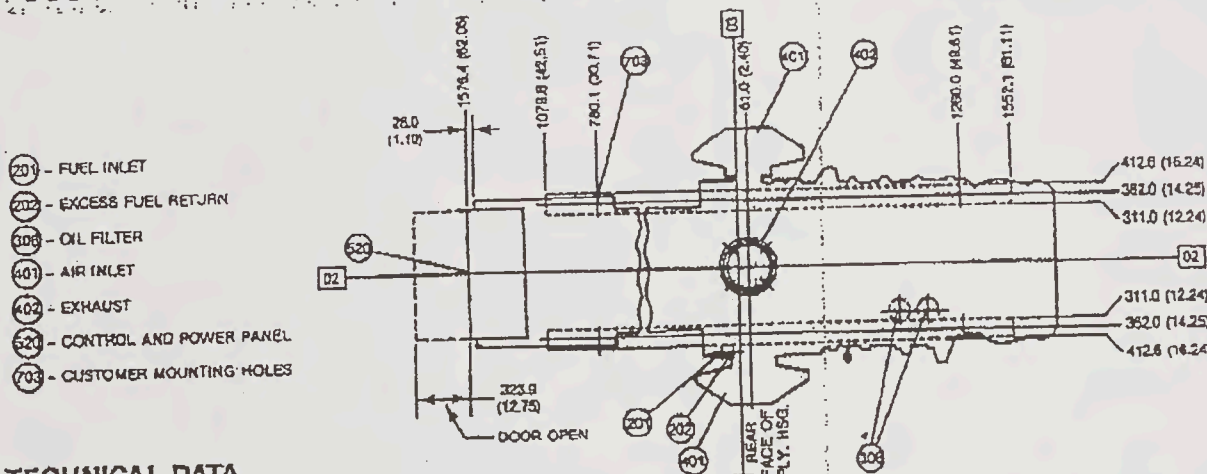
CATERPILLAR CONTROL PANEL

24 VOLT DC CONTROL
Terminal Box Mounted
Vibration Isolated
NEMA 1, IP 22 Enclosure
Dead Front
Lockable Door
Generator Instruments meet ANSI C-39-1

600

Generator Set

CATERPILLAR®



TECHNICAL DATA

Rating Information	Rating Type Power Rating @ 0.8 PF with Fan Power Rating @ 0.8 PF with Fan	METRIC		ENGLISH			
		PRIME	STBY	PRIME	STBY		
		KW	545	600	KW	545	600
		KV•A	631	750	KV•A	681	750
Dimensions	Generator Frame Size		589	589		589	589
	Length	mm	3950	3850	in	151.5	151.6
	Width	mm	1626	1626	in	64.0	64.0
	Height	mm	2153	2153	in	84.8	84.8
	Weight (Dry)	kg	4632	4632	lb	10,750	10,750
Lubrication & Cooling Systems	Engine Lubricating Oil Capacity	L	117	117	qts	124	124
	Engine Coolant Capacity w/o Radiator	L	56.7	56.7	gal	15.0	15.0
	Engine Coolant Capacity with Radiator	L	158.9	158.9	gal	42.0	42.0
	Standard Radiator Arrangement Data:						
	Air Flow (Max. @ Rated Speed)	m ³ /min	1260	1260	cfm	44,500	44,500
	Air Flow Restriction (After Radiator)	kPa	0.12	0.12	in water	0.5	0.5
	Ambient Air Temperature (Consult T.I.F.)	Deg. C	56	51	Deg. F	133	123
Coolant Pump External Resistance (Max. Allowable)	m water	8.1	6.1	ft water	20.1	20.1	
Coolant Pump Flow @ Max. Allowable Resistance	L/min	681.4	681.4	gpm	180	180	
Exhaust System	System Backpressure (Max. Allowable)	kPa	6.7	6.7	in water	27	27
	Exhaust Flange Size (Internal Dia.)	mm	203	203	in	8	8
Performance Data @ Rated Conditions	Fuel Consumption (100% Load) with fan	L/Hr	149.8	164.8	gph	39.6	43.5
	Fuel Consumption (75% Load) with fan	L/Hr	111.8	122.4	gph	29.4	32.3
	Combustion Air Inlet Flow Rate	m ³ /min	61.0	66.1	cfm	1800	1980
	Exhaust Gas Flow Rate	m ³ /min	138.0	149.0	cfm	4800	5250
	Heat Rejection to Coolant (Total)	KW	352	390	Btu/min	20,018	22,179
	Heat Rejection to Exhaust (Total)	KW	583	660	Btu/min	33,212	37,591
	Heat Rejection to Atmosphere from Engine	KW	86	92	Btu/min	4891	5232
	Heat Rejection to Atmosphere from Generator	KW	38.8	43.8	Btu/min	2210	2490
	Exhaust Gas Stack Temperature	Deg. C	600	620	Deg. F	934	961
	Deration:						
Altitude — 3.0% per 305 m (1000 ft) above	m	2250	1800	ft	7400	4860	
Temperature — 1.9% per 5.3 deg. C (10 deg. F) above at sea level or per degree above standard ambient at altitude above 780 m (2500 ft)	Deg. C	55	55	Deg. F	131	131	

CONDITIONS AND DEFINITIONS

Prime — For continuous electrical service with 10% overload capability for one hour in twelve in accordance with ISO 3048/1, DIN 6271, BS 5614, and ISO 8528.

Standby — For continuous electrical service during the interruption of normal power.

Ratings are based on SAE J1349 standard conditions. These ratings also apply to ISO 3048/1, DIN 6271 and BS 5614 standard conditions. Fuel rates are based on ISO 3048 and on fuel oil of 35 deg. API (16 deg. C or 60 deg. F) gravity having a LHV of 42 780 kJ/kg (18,390 Btu/lb) when used at 29 deg. C (86 deg. F) and weighing 838.9 g/l (7.001 lbs/U.S. gal.).

No generator set deration required below 55 deg. C

SENT BY: ATLANTA

; 6-14-93 ; 8:51AM ;

PIEDMONT OLSEN-CITY OF SUGAR HILL ;#10/11

QUOTATION

DATE: 10-JUN-93

TO: PIEDMONT, OLSEN, HENLEY
984-1160

FROM:

CUMMINS S ATLANTA
CUMMINS ONAN SOUTH
5125 HIGHWAY 85
COLLEGE PARK, GA. 30349

ATTN: ARTHUR ANCHORS

REF:

41582 - CITY OF SUGAR HILL

QTY	MODEL	
1	600DFGB	277/480 VOLT

600 kW @ 60 Hz, Standby Rating
Diesel Generator Set

L032	Rating-60 Hertz, Standby Power
P074	Model Brand-Cummins
R002	Voltage-277/480, 3 Phase Wye
B258	Alternator-60 Hz, 12 Lead, Extended Range, 125/105C
B184	Exciter/Regulator-PMG, 3 Phase Sensor
A332	Engine Governor-Cummins, EFC, Normally Closed
A333	Battery Charging Alternator-Normal Output
A334	Engine Starter-24 VDC Motor
KH35	Circuit Breaker-1200A, 3 Pole, 600V, Thermo-Mag., UL
H461	Engine Control-Detector 12 Light
H389	Shutdown-Low Coolant Level
K001	AC Control-with Meters
K796	Stop Switch-Emergency
E074	Engine Cooling-Radiator, 50C Ambient
D041	Engine Air Cleaner-Normal Duty
E083	Engine Exhaust Manifold-Dry
A299	Exhaust Connector-NPT
H095	Gauge-Fuel Pressure
H501	Coolant Heater-Two 4kW, 208/240/480V Reconnectable
L031	Warranty-5 Year Comprehensive
A358	Packing-None

QTY	MODEL	
1	OT 1000	VOLT

Onan 1000 Amp OT Series Transfer Switch

S056	Current Rating ~ 1000 Amps
A028	Poles-3
A035	Application-Utility to Genset
A046	Listing-UL
A044	Frequency-60 Hertz
A042	System-3 Phase, 3 Wire or 4 Wire
B003	Cabinet- Type 4
D001	Meters-None
J021	Program Transition- 0.5-7.5 Seconds
A050	Packing-Wooden Crate

SENT BY: ATLANTA

; 6-14-93 ; 8:52AM ;

PIEDMONT OLSEN-CITY OF SUGAR HILL ; #11/11

REF: 41582 - CITY OF SUGAR HILL

QUOTE INCLUDES:

0305-0813-01	Charger-24V/10A, 120V, 60Hz
AS SPECIFIED	Enclosure/fuel tank
ATS	Nema 4X
ATS	Space heater
ATS	SCADA controls
BATTERIES	Lead acid
EXTENSION	Mitered
FREIGHT	To jobsite
FREIGHT	Other equipment
ISOLATORS	Spring type
LIGHT	Low fuel level
LIGHT	Fuel/rupture basin
SERVICE DEPT.	Assembly on site
SERVICE DEPT.	Misc. assembly
SERVICE DEPT.	Oil/antifreeze
SERVICE DEPT.	Startup
SERVICE DEPT.	Crane rental
SILENCER	Critical
WATER HEATER	Isolation valves

THE QUOTE PRICE IS..... \$ 103,575.00

PRICING DOES NOT INCLUDE TAXES AND WILL BE ADDED IF APPLICABLE. OUR QUOTATION DOES NOT INCLUDE ANY INSTALLATION, OFF UNIT WIRING CONNECTIONS, PIPING, FITTINGS, FUEL, ETC. UNLOADING BY OTHERS.

Buford adopts 'tried' nude dancing law

By Stacey Kelley
Staff Writer

BUFORD — In response to the attention many nude dancing facilities have been attracting, city commissioners strengthened Buford's adult entertainment establishments laws Monday night to include a provision that no alcoholic beverages can be served at any nude dancing facilities that might be interested in setting up shop in the city.

The 28-page document is modeled after a recent ordinance adopted by the City of Smyrna that

was upheld by the Georgia Supreme Court. The purpose of Buford's law is to regulate these businesses, but it is not limited to these type of establishments.

Buford's ordinance addresses adult bookstores, adult motion pictures, adult video stores and escort services, and it provides strict guidelines about where and under what circumstances any of these type of establishments can operate.

The biggest change is that no erotic dance establishment will be able to serve, sell, distribute or allow the consumption of alcoholic beverages on its premises.

"I don't think they'd want to open one without alcohol," said City Attorney Walt Britt.

In other business:

- The Bona Allen mansion was rezoned to allow for a bed and breakfast to be set up on the premises. A hearing was held at the regular meeting with no opposition on the matter.

- Commissioners denied a request by Dunwoody Custom Builders, Inc. to reduce a \$500 fee the city charges to place video games in establishments. City officials said they do not feel the amount is un-

reasonable, and if they lowered it for one person they would have to lower it for others.

The builders want to place the games in a theater being planned for the Buford Mall. Commissioners said they feel that many children will waste a great deal of money playing the games and set that fee so the machines are not set up on every corner.

- The city adopted its comprehensive plan Monday, and as soon as copies of the plan can be printed, city officials will make it available for the public for a small fee.

WORK SESSION
MONDAY, JUNE 21, 1993
10:00 A.M.

A G E N D A

- A) Solid Waste Management Plan Review

WORK SESSION
MONDAY, JUNE 21, 1993
10:00 A.M.

M I N U T E S

In attendance: Mayor Pro-tem Thomas Morris, Council Members Steve Bailey, Reuben Davis, Roger Everett and Jim Stanley, City Manager Kathy Williamson and City Clerk Judy Foster.

Work Session called to order at 10:43 a.m. by Mayor Pro-tem Morris.

Solid Waste Management Plan Review

Council Member Bailey states that in draft #3, page 18, paragraph 4, the City Attorney has advised the Mayor and Council that this entire paragraph is unconstitutional and needs to be stricken. Discussion held on this matter. There is a general consensus among the Council to strike this paragraph in its entirety.

Council Member Everett states that page 1, paragraph 3, needs to be revised to delete "other than a relocated entrance road". Council Member Stanley states that commitments have been made with regards to the relocation of the entrance to the landfill and he believes those commitments should be honored. Mr. Everett states that it was not a commitment from Mid-America, it was only a proposal. Representatives from Mid-America agreed with Mr. Everett. They stated that it was only if their D & O plans were approved by EPD. City Attorney Lee Thompson states that through eminent domain, public property can be used for public use whether it is owned by the city or not. Mr. Stanley states that the relocation of the entrance road and the 44 acres are two separate issues. More discussion held on this matter. There was a general consensus, except for Council Member Everett, to leave this paragraph as written.

Council Member Bailey states that on page 18, paragraph 5, (with paragraph 4 deleted) it refers to a map of unsuitable land for solid waste handling facilities. Mr. Bailey asks what is the status of that. City Manager Kathy Williamson states that Mike Warrix, with Mayes, Sudderth & Etheredge, who completed our Comprehensive Plan, is doing the map for the city free of charge. Mike Warrix explains that he can obtain all the information necessary for the map from the Atlanta Regional Commission and just copy the section we need. Mr. Bailey asks if "unsuitable land" means land that is environmentally unsuitable, or the Mayor and Council's idea of unsuitable land. Mr. Warrix states that the minimum planning standards are referring to land that is environmentally unsuitable for solid waste handling facilities. Council Member Stanley suggests also including a map which shows where the landfill property is located within the city.



WORK SESSION
MONDAY, JUNE 21, 1993
MINUTES, CONT'D.
PAGE 2

Council Member Stanley states that on page 18, paragraph 5, (with paragraph 4 deleted) another sentence should be added which states "Land considered suitable for solid waste handling facilities is delineated in Figure 2." Discussion held on this matter. There was a general consensus, except for Council Member Stanley, to leave this paragraph as written.

Council Member Stanley states that on page 21, paragraph 3, there should be restrictions made on buffers. Council Member Everett states that this is the wording Stephen O'Day recommended because we can impose restrictions, however, they cannot be excessive and he felt the city would be safe with this wording. City Attorney Lee Thompson states that this paragraph is written to allow what the law provides. More discussion held on this matter. There was a general consensus to leave this paragraph as written.

Mike Warrix states that he has reviewed draft #3 of the city's Solid Waste Management Plan and it does not meet the requirements of the minimum planning standards. He states that the city can submit this draft to the Atlanta Regional Commission to review informally, however, it will come back with recommended changes to the plan and will delay its adoption. He is proposing to make amendments to the document so it will meet the minimum planning requirements before it goes to ARC. He states that for \$2,900, he will make those changes and put it in the proper format and have it bound and look professional. Mayor Pro-tem Morris asks Mr. Warrix how long it will take him to do this. Mr. Warrix states that he should have it completed by the end of July and he guarantees that it will meet minimum planning standards. Mr. Warrix states that the Mayor and Council will be given a chance to review the plan before a public hearing will be held and before it is submitted to ARC. There was a general consensus among the Council to authorize Mike Warrix to make sure the Solid Waste Management Plan will meet minimum planning requirements and submit the plan back to them as soon as possible.

Adjournment

Work Session adjourned at 11:53 a.m.

Judy Foster

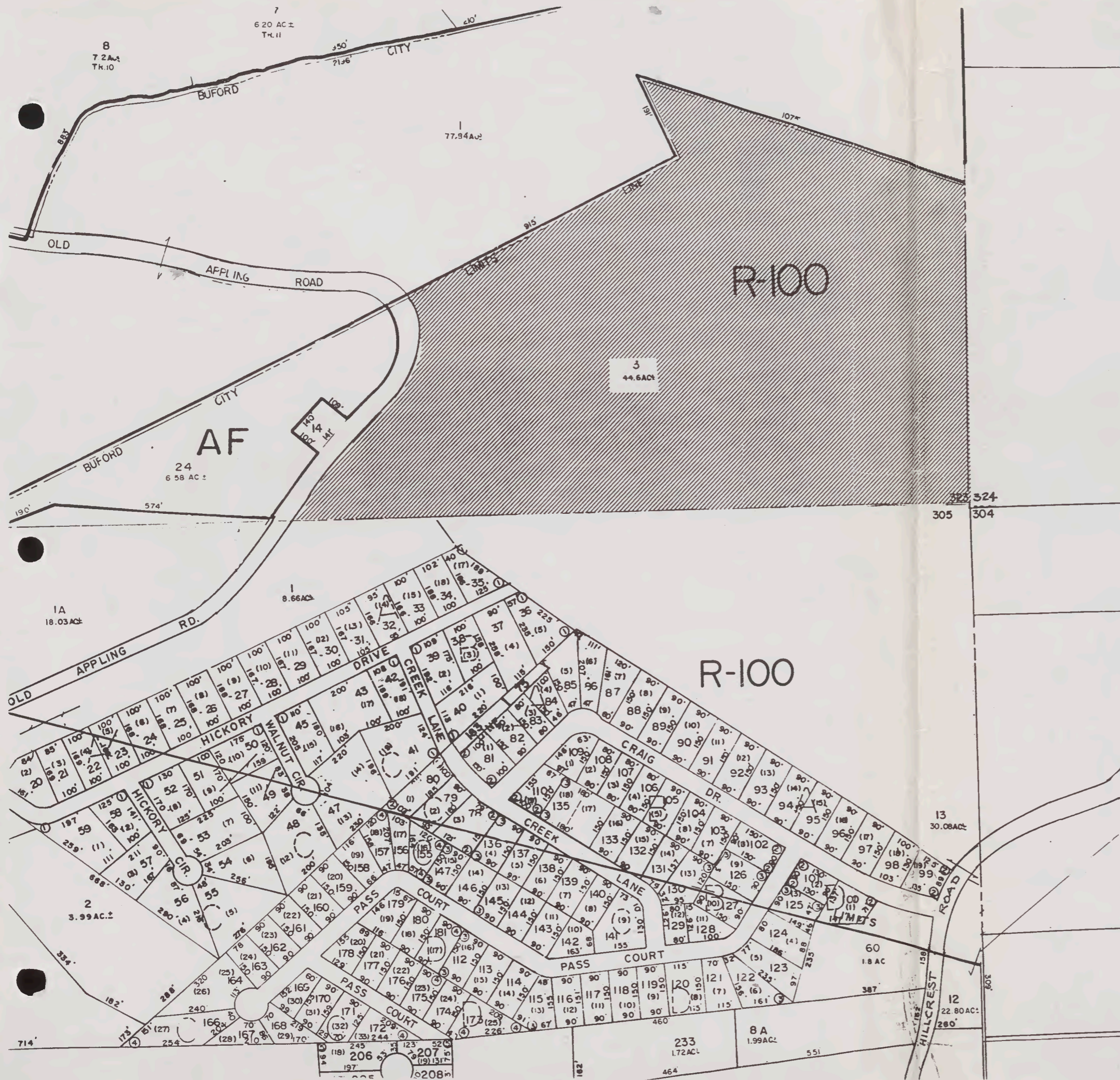


Figure I
**Land Potentially Suitable
 For Use As
 Sanitary Landfill**
**City of Sugar Hill
 Solid Waste Management Plan**

Scale 1" = 300'

Notes:

1. Shaded area defines 44 acre site currently owned by the City of Sugar Hill and under lease for use as sanitary landfill. Portions of the 44 acre tract may be unsuitable for landfill development due to the presence of creeks and/or wetlands.
2. Area included in Figure I includes portions of Land Lots 304, 305, 323, and 324 of the 7th District of Gwinnett County. Map data is from Gwinnett County Tax Maps.
3. Due to the presence of existing residential development, no other land within the City of Sugar Hill is considered potentially suitable for use as sanitary landfill.

SOLID WASTE MANAGEMENT PLAN
OF THE
CITY OF SUGAR HILL

APRIL 26, 1993

DRAFT #3

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INTRODUCTION

In an effort to address increasing solid waste management problems facing many cities and counties in Georgia, the state commissioned a Joint Senate-House Study Committee to evaluate Solid Waste Management in Georgia. The Committee determined that Georgia is facing solid waste management problems stemming from an increase in population and the related increase in solid waste volume without a like increase in solid waste disposal capacity due to siting difficulties, design regulations, and other concerns. This is commonly referred to as the solid waste dilemma. The Georgia Comprehensive Solid Waste Management Act of 1990 evolved from the Joint Senate-House Study.

The Georgia Comprehensive Solid Waste Management Act, passed in 1990 by the Georgia General Assembly requires that all cities and counties be included in and adopt a Solid Waste Management Plan. The Solid Waste Management Plan must provide for future solid waste handling capabilities, disposal capabilities, accurate record keeping and reporting, and a reduction in the per capita solid disposal rate.

This Solid Waste Management Plan provides a mechanism which will allow Sugar Hill to meet the minimum requirements of the solid waste management planning and enable the city to reduce solid waste by 25% per capita, provide effective solid waste management, and ensure ten years of solid waste collection capability and disposal capacity. This plan also expresses the desire of the citizens of Sugar Hill, and the intention of the City Council of Sugar Hill, to limit any future sanitary landfill operations within the city, other than a relocated entrance road, to a 44-acre site owned by the city as leased currently or as amended from time to time to a private landfill operator.

The seven basic elements covered by the Solid Waste Management Plan include the following:

1. Amount of Waste
2. Collection
3. Waste Reduction
4. Disposal
5. Land Limitations
6. Education and Public Involvement
7. Finance and Implementation

A brief description of each element and the goals established for each follow.

AMOUNT OF WASTE

The goal of the amount of waste element is to determine the amount and composition of the solid waste generated and/or disposed of within Sugar Hill in order to have a sound information base year upon which to base solid waste management decisions, and to determine if statewide and local goals have been met.

Inventory and Assessment

The primary sources of solid waste generated within the City of Sugar Hill would include residential, commercial/industrial and sewage sludge (starting in 1993).

Residential waste is defined as all waste generated by the inhabitants of single and multifamily residences within the City of Sugar Hill city limits. Residents generate three categories of waste: household, yard trimmings, and miscellaneous waste. The amount of household waste is based upon the actual weighing of privately operated, rear-load garbage trucks which provide backyard pick-up one day per week. These figures are shown in Table 2. In 1992 the amount of household waste was expected to be 1,930 tons. Based on a population of 5,132 residents, this equates to 2.06 lbs/person/day.

Yard trimmings and miscellaneous waste items are not picked up in a rear-load garbage truck. City trucks run weekly to pick up these wastes. These two categories of waste totalled 8,509 yards in 1991 as shown in Table 3. Using a conversion factor of 250 lbs/yard for these wastes, this would equate to 1,064 tons annually or 1.15 lbs/person/day based on 1992 population figures. The total for residential waste generated in the City of Sugar Hill in 1992 would be 3.21 lbs/person/day, or 3,000 tons/year.

Commercial/Industrial waste is a combination of retail/office services, restaurant, professional services and light industrial businesses which lie within the city limits. The only business operating on land zoned for heavy manufacturing is the current landfill, owned by the city and operated by Button Gwinnett Landfill, Inc./Mid American Waste Systems, Inc.

The types of manufacturing represented by the 8 industries currently operating in the City of Sugar Hill are shown in Table 4. These light industrial businesses generated approximately 5.5% of the 1,702 yards/month of commercial/industrial waste collected as of April, 1992. Using a conversion factor of 300 lbs/yard for this type of waste, the total commercial/industrial waste projected to be generated in Sugar Hill during 1992 is 3,100 tons/year or 3.32 lbs/person/day. The projection of these figures is shown in Table 5.

The city is currently constructing its own waste water treatment plant to handle a portion of the sewage currently handled by the City of Buford waste water treatment plant. The amount of sludge generated by residents and businesses in the City of Sugar Hill is estimated at 0.134 lb/person/day which corresponds to about 125 tons/year in 1992. When the 500,000 gal/day Sugar Hill Waste Water Treatment Plant comes on line in late 1993, production of sludge will begin at an estimated rate of 122 tons/yr. At the same time, the amount of sludge generated at the Buford Waste Water Treatment Plant will be likewise reduced by the same amount. When the plant is expanded to 1.0 million gallons per day capacity in 1999, the sludge production will increase to 244 tons/year.

Estimates for the production of sludge by the City of Sugar Hill are shown in Table 6. As this table shows, projections for sludge generation over the next ten years is expected to grow to an annual rate of approximately 320 tons/yr. Initially, this sludge is expected to be landfilled along with other solid waste generated by the city. However, as part of its overall 25% reduction goal, alternative disposal methods for this sludge should be pursued, including joining with Gwinnett County in its efforts to develop a suitable sludge management program.

Waste Stream Characterization

Characteristics of the waste generated within the City of Sugar Hill closely approximates the national averages which have been established by many studies. Table 7 shows the percentages of paper, glass, metals and other components of municipal solid waste derived by Franklin Associates which can also be applied to the City of Sugar Hill. Table 8 lists the types of materials found in the categories of Residential and Commercial/Industrial waste described in this plan.

Quantity of Waste Stream

The quantities of waste have been indicated above in the inventory and assessment section and are summarized in the following chart:

<u>Category</u>	<u>Pounds/Person/Day</u>	<u>Table Number</u>
Residential Household	2.06	2
Residential Yard/Misc.	1.15	3
Commercial/Industrial	3.33	5
Sewage Sludge	0.13	6

By combining the projections for waste generated by category with those of the population trends, a projection for the total waste generated in the City of Sugar Hill can be developed on an annual basis. As summarized in Table 9, the total city waste generated in 1992 is expected to be 6,200 tons and will increase to 13,300 tons ten years later, in the year 2001. During this period of time, wastewater treatment sludge production will be constant at 134 tons per year from 1994 through 1999 and will subsequently increase to 268 tons per year when the plant is expanded from 0.5 million gallons per day to 1.0 million gallons per day.

COLLECTION

The goal of the collection element is to ensure a efficient and effective collection system for solid waste, recyclables and compostables.

Inventory and Assessment

The current collection system in the City of Sugar Hill is contracted until the year 2001 to Gwinnett Sanitation, Inc. for the collection and hauling of residential and commercial/industrial waste (refer to attached contract). Backyard collection of solid waste and curbside collection of recyclable materials is provided on a once-per-week basis. A recycling bin is provided by Gwinnett Sanitation, available from city hall, for a \$5.00 deposit. Large metal bins are located in front of city hall for the purpose of drop-off recyclable items. The city provides miscellaneous trash pick-ups on a weekly basis for items that cannot be picked up by a rear-load garbage truck. This service is accomplished by the use of city trucks which are part of the street and bridge department and primarily dedicated to sanitation services. Prison labor and city employees are also utilized to accomplish these tasks.

Needs and Goals

In 1992, Gwinnett Sanitation, Inc. served all 2250 residential locations as well as 60 commercial sites. The need for this service will be met by the private hauler until the expiration date of the current contract, which is in 2001. By that time, negotiation of a new contract would be necessary. By the year 2001, service requirements are expected to grow to 4500 residential and 125 commercial sites.

Currently, Gwinnett Sanitation charges \$8.05 household/month for this weekly garbage pick-up service, with annual increases tied to the Atlanta consumer price index, not to exceed 5% per annum. Miscellaneous trash pick-up service and the associated equipment, maintenance, and labor costs are financed through the general fund.

By the year 2001, these charges could increase to \$12.50 household per month. Current charges in addition to estimated future charges are shown as follows:

Monthly Collections Costs Per Household

	<u>Current</u>	<u>2001</u>
Garbage Pickup (Gwinnett Sanitation)	\$8.05	\$12.50
Recycling	2.00	3.10
Miscellaneous *	<u>2.45</u>	<u>3.60</u>
Total	\$12.50	\$19.20

* Note: Amount includes prison labor, city employees' salaries, new truck purchase price depreciated over seven years and the maintenance on vehicle.

Implementation Strategy

Based on a 7.5% expected population growth rate and provisions in the current collection contract for annual rate increases, as well as increased operating expenses to the city, we can project total collection expenditures of \$6,000,000.00 over the next ten years. The city would maintain rates to customers for expenses incurred by waste collection and modify billing practices so that customers are paying actual costs. Additionally, the city should no longer subsidize collection charges.

Planning has been done for the future and the system currently in place that will meet the needs of the city well into the 21st century.

Any required additional equipment will be budgeted through the city's general fund and purchased directly by the city. This would include a dump truck, a leaf vacuum, and similar equipment. Over the 10-year period, these capital equipment items are estimated to total approximately \$100,000 of which can be obtained through city funds or through the GMA Pooled Leasing Program. Other items can be purchased as the budget permits.

The city does not anticipate any significant change in the availability of prison labor used in the miscellaneous trash pick up service. It is anticipated that additional city employees will be necessary to meet the increased needs driven by population and commercial growth for solid waste collection and disposal as well as other services provided by the city.

WASTE REDUCTION ELEMENT

The Waste Reduction Element is the third of the seven elements in the solid waste management planning process. Being part of Gwinnett County, the best waste reduction programs for the City of Sugar Hill might be the expanded programs being implemented by the county. Its goal is to ensure (at a minimum) a 25% per capita reduction by 1996 of the amount of municipal solid waste being received at disposal facilities. This goal will be accomplished through a combination of Source reduction, reuse, recycling, composting, and volume reduction.

Source reduction and waste diversion, reuse, (reuse, recycling and composting) are among the top priorities of this plan and are basic elements of current solid waste management programs in Gwinnett County. To meet the 1996 reduction goal, the amount of waste disposed of in landfills must be reduced by increasing existing levels of source reduction, reuse, and recycling, and diversion of yard trimmings.

Source Reduction

Source reduction addresses how products are manufactured, purchased and used and is the most cost effective and environmentally sound waste management option available to us. Source reduction options include product reuse, reduction of material volume, reduced toxicity of products, increased product lifetime and decreased consumption.

Implementation of a source reduction program can be achieved through education, research, financial incentives and disincentives, and regulation, as well as technological developments. Current source reduction efforts in Sugar Hill consist primarily of public awareness and education which target consumers, businesses, industry, government and other institutions (e.g., schools). They focus on changing the values and behavior patterns of individuals and organizations.

Reuse

An example of product reuse (like cloth shopping bags vs. paper or plastic) is the use of reusable products instead of a disposable equivalent. Donating/selling household appliances, furniture and clothing rather than discarding them are also methods of product reuse.

Many consumers are utilizing more reusable products and are taking their used household appliances, furniture and clothing to area consignment thrift shops or donating them to local churches.

A change in attitude and behavior is required to reduce waste before it is produced; therefore, the primary focus of Sugar Hill's source reduction

program shall continue to be public awareness and education. Gwinnett Clean & Beautiful shall be the lead agency in providing source reduction public awareness and education programs in Gwinnett. The aim of the education program is to provide and develop information about source reduction needs, goals and methods and to elicit voluntary efforts by the public and private sectors to help bring about specific changes. Specific programs/activities are listed in the Education and Public Involvement Element.

To ensure environmentally sound and cost effective source reduction programs, the city shall utilize the following criteria for evaluating source reduction options: economic and administrative feasibility, efficiency and costs; social and economic equity; volume requirement and scarcity of materials and natural resources used in a product's manufacture; manufacturing by-products that eventually must be disposed; useful life, reusability or recyclability of the products; and priority to source reduction of products, from products more hazardous to those less hazardous to human health and the environment.

Recycling

Recycling employs technologies which involve separation, collection, preparation and processing of recovered materials to buyers' specifications, sale of these materials in open markets, and eventually the reuse of the materials. Only when the materials are reused (or returned to use in the form of raw materials or products) is the recycling loop complete.

Recycling is a basic element of every responsible waste management program, and has been aggressively pursued in Sugar Hill since 1988. During the 1980's, Gwinnett County had many voluntary recycling programs in operation by private entities such as manufacturing facilities, waste haulers, scrap dealers, paper dealers and landfill operators. Other programs were run by local volunteer organizations and Gwinnett Clean & Beautiful as community services. Gwinnett County's recycling program has been recognized numerous times at the state and national levels. The city will continue to participate in the Gwinnett County recycling programs.

According to a 1992 survey conducted by the Gwinnett Clean & Beautiful staff, there are over 280 programs for the collection of recovered materials for recycling. These locations use a combination of collection methods which include: drop-off, buy-back, curbside, commercial, and multifamily pick-up. These collection systems recover newspaper, aluminum, glass, ferrous metals, telephone books, magazines, plastic containers, office paper, corrugated paper, motor oil, used appliances, lead acid batteries and plastic bags.

Seasonal programs (e.g. tree chipping) also play an important part in managing waste collection and disposal; however, the success of recycling operations is ultimately determined by the level of public participation and by the degree to which its markets (for marketable recyclables) are developed.

Three general "outlets" for secondary materials exist: brokers (dealers), end-users, and internal markets. Gwinnett Clean & Beautiful promotes and uses well developed markets in all three areas. Part of Gwinnett's plan calls for continuing an aggressive program of market expansion and development. This program includes exploring the use of regional and cooperative markets with other local governments.

The city should itself implement an in-house waste reduction committee whose goal is to reduce the amount of waste generated and disposed of from city buildings. This committee should develop and implement an in-house recycling program as well as a procurement policy to stimulate markets for recovered materials.

Newspaper, aluminum, glass, corrugated paper and some plastics are among the major waste stream components being recycled in Sugar Hill. Yard trimmings, food, plastics and wood (which account for nearly 33% of the disposed materials) are virtually unrecycled at present.

There are four major objectives to be addressed in order to increase existing levels of recycling in Sugar Hill: first, there must be an increased awareness of the need to recycle; second, there must be convenient access to information, facilities and services to perform recycling activities; third, there must be motivation to participate; and fourth, there must be stable markets available for recovered materials.

Gwinnett Clean & Beautiful serves as the waste reduction/recycling coordination agency for Sugar Hill. Besides its educational programs, the central clearinghouse for information provided by Gwinnett Clean & Beautiful is important to improved public access to information. Additional drop-off, buy-back, multi-family business, commercial and curbside recycling programs need convenient access to facilities and services. As some of these programs come on line and/or are expanded, additional intermediate processing centers and other facilities may be needed. Sugar Hill's recycling programs have been designed according to the needs and priorities of the citizens. They include a mix of strategies, ranging from simple, single material drop-off centers to large scale, centralized processing facilities. The full backing and financial support of City Government through a franchised program of collection ensures that needed facilities can be created when and in the mix needed.

Sugar Hill expects to provide facilities, programs, incentives, and penalties as required to support achievement of its waste reduction goals. Among programs to be supported and expanded are the following:

Drop-Off/Buy Back Facilities require residents and/or businesses to source-separate recyclable materials and bring them to a specified drop-off or collection center. Drop-off centers range from single material collection points to staffed, multi-material collection centers. Most successful programs have drop-off centers as conveniently located as possible. Drop-offs at shopping centers or other convenient locations

are common. Mobile collection centers, which can be moved to new locations periodically, also increase convenience and will be considered.

Buy-Back refers to a drop-off program which provides a monetary incentive to participate by paying residents for their recyclables. There are presently seven buy-back facilities and 204 drop-off locations in Gwinnett, the largest of which is the Recovered Materials Processing Facility (RBF) located on Satellite Boulevard. This facility is presently being expanded, and other facilities will be created as the needs arise.

Estimates indicate that generally curbside programs can reduce the "total waste stream" by 4 to 12 percent. The City of Sugar Hill implemented a curbside recycling program in June 1992 and it is still growing and being evaluated but it is hoped the effect will be much greater in a community that is nearly entirely residential. In curbside programs, source-separated recyclables are collected separately from regular refuse at the curbside. Because residents are not required to transport the recyclables any further than the curb, participation in curbside programs is typically much higher than for drop-off programs. The franchised waste hauler is now required to provide this service every week as part of their regular service.

Incentives and Disincentives

Several types of incentives and disincentives to increase waste reduction programs have been enacted in different locations across the country. Sugar Hill expects to utilize each of these programs where appropriate and effective. Those not presently in use will receive further study and consideration as we closely monitor our progress toward the 1996 goal.

In order to increase recycling participation at the residential level, the city will consider the following options:

Adjusting disposal fees, pay per container fees and composting facilities may also prove to be economic incentives to recycle.

Disposal bans could be considered for certain materials. Yard trimmings, tires, used motor oil, and household hazardous wastes are examples of materials that will be considered for banning from landfills. Before any ban is recommended, a study will be conducted to determine if adequate alternatives to disposal exists and the anticipated impact on illegal dumping.

At present, voluntary participation in recycling programs in Sugar Hill is achieving a high rate of success, an estimated 40%. Therefore, Mandatory Source Separation which legally requires residents and businesses to separate recyclable materials from their waste is not recommended at this time.

Sugar Hill's entire recycling program is designed to be flexible, innovative, and to maximize cooperative participation by all entities involved. Its integrated, comprehensive public outreach program is one of the basic keys to the program's success. The public must know the importance of recycling, the nature of the local waste problem, and how they can get involved. Sugar Hill's plan is to continue the programs which have been so successful in conserving landfill space through recycling. Sugar Hill intends to employ a number of techniques, ordinances and incentives to significantly increase recycling participation.

Composting

Composting is a technique in which organic materials such as leaves, grass clippings, brush and food wastes decay and turn into humus used for enriching the building soil. It is estimated that 54% of the yard trimmings is grass clippings, 28% is leaves, and 18% is brush. Composting programs can significantly benefit other waste management operations, both environmentally and economically.

A major part of Sugar Hill's Solid Waste Reduction Strategy is to reduce the amount of waste received at landfills through yard trimmings composting. The utilization of yard trimmings composting programs can divert as much as 18% of the waste stream from our landfills and be a major factor in the ability to reach the 25% per capita reduction goal. It is estimated that most yard trimmings are grass and by promoting "Grasscycling" or mulching and backyard composting, Sugar Hill can reduce the amount of this type material required to be handled at a disposal site or central composting facility by up to 50 percent.

Since July 1, 1990, Sugar Hill has had the authority to place restrictions on yard trimmings including the provision that it not be mixed in with other solid waste. A total ban on disposal of yard trimmings in landfills should be implemented by the city on or before September 1, 1996.

In Sugar Hill, an estimated 12-18% of the waste disposed of in landfills consists of yard trimmings and wood which can be placed in separate containers for collection and transported to a central processing site or placed in a backyard composting bin.

The City of Sugar Hill currently provides chipping of limbs and brush. In addition, GSI, Inc. and Speedway Waste Services own and operate chippers. There is one private chipping/mulching company operating in Gwinnett, Sunbelt Recycling, Inc. Gwinnett County owns two chippers that are used primarily for chipping brush and small logs which result from clearing of roadways.

Most residential yard trimmings are currently separated by residents and collected at the curb by city-owned vehicles and state prisoners, and chipped. There is significant need to reduce the amount of yard trimmings put in municipal solid waste landfills and increase opportunities for

composting in the community. As yard trimmings are diverted from the landfill, the need for a centralized composting facility will increase. As more composting programs are begun in the city, the viability of compost markets will be a key factor in determining how successful a composting project can be.

Backyard composting is also considered a source reduction technique in that materials composted in backyard operations do not have to be managed as municipal solid waste. Collection and disposal costs are eliminated for those materials composted in a backyard. In addition, leaving grass clippings on a freshly mown lawn (instead of bagging) will further help reduce yard trimmings by up to 50 percent.

The city has established that a realistic goal to divert is 9% to 12% of the municipal Solid Waste Stream through yard trimmings composting. To achieve this, the City of Sugar Hill, in conjunction with the Extension Agency and Gwinnett Clean & Beautiful are providing increased public education and technical assistance programs regarding home ("backyard") composting of yard trimmings (and some vegetative food waste). In addition, the city will continue the annual Christmas tree reuse and mulching program.

The city will continue to explore the development of private, municipal or county drop-off areas for residential and commercial sector leaves, brush, branches, and perhaps additional small pieces of clean wood, such as pallets. Further, a centralized composting facility for organic materials is being considered. If publicly owned and operated, then compost, mulch, and wood chips will be distributed in bulk at low or no cost to program participants and others.

As composting processing facilities develop, the city will consider requiring residential haulers to collect yard trimmings separately and restrict the disposal of yard trimmings in landfills altogether. This could increase per household collection fees by \$0.75 to \$1.25/month.

Any composting facility developed in the city will meet or exceed local, state, and federal rules and regulations for siting, development and operation. The compost resulting from composting operations shall be non-pathogenic, free of offensive odors, biologically and chemically stable, and free of injurious components or particles, and able to sustain plant growth. Rejects generated by the composting process shall be disposed of in accordance with EPD rules and regulations.

Household Hazardous Waste (HHW)

Many products used for everyday household cleaning and upkeep contain substances that can threaten human health and the environment if they are disposed of improperly. Common detergents, cleaners, and furniture polishes, as well as pesticides, paints, thinners, solvents, and do-it-yourself automotive materials are just a few examples of these "household hazardous wastes."

The city will participate with Gwinnett Clean & Beautiful, as well as many other community organizations in implementing a Household Hazardous Waste Education Program. The primary focus of this program is to reduce this waste through source reduction. There are no special household hazardous waste collection programs in Sugar Hill at this time. People typically dispose of it by pouring it down drains or storm sewers, burning or bury it in the backyard, or mixing it in with non-hazardous household waste that is collected by the city or a waste management company.

Although improperly disposed of household hazardous waste makes up only a very small percentage (less than one percent) of the municipal solid waste stream, it can pose serious problems for any type of waste management effort. There is a need to further educate citizens about household hazardous waste as well as provide opportunities to dispose of it properly.

Efforts to minimize improper household hazardous waste disposal will include public education program, toll-free information "hotlines", recycling of certain wastes, and the establishment of special collection days or permanent collection sites if deemed appropriate.

It is important to keep in mind that the chief goal of any program that addresses household hazardous waste is to reduce the amount of this waste that is being added to the everyday municipal solid waste stream.

Cost

Existing new and proposed solid waste funding sources are identified in the financing section. Currently, Sugar Hill finances all solid waste programs through user fees.

Summary and Strategy

An inventory and assessment of waste reduction programs in Sugar Hill has been conducted and described. Upon completion, the following objectives were developed:

- To increase awareness of need to reduce, reuse, recycle and compost.
- To provide more convenient access to information, facilities, and services to perform waste reduction activities.
- To increase participation through motivation.
- To increase availability of stable markets for recovered and compostable materials.

In order to achieve Sugar Hill's waste reduction goals and objectives, the following strategies will be implemented:

- Expand public education and research programs at the local level. These programs will address the need for waste reduction and highlight the following values: environmental protection; pollution prevention; energy and resource conservation; alternative's cost effectiveness; and pursuit of community goals.
- Participate in Gwinnett Clean & Beautiful's Council from industry and government in the development of a waste reduction "message" for the general public.
- Increase citizen participation through education in backyard composting.
- Continue use and evaluation of existing curriculum and foster development of new curriculum for schools and universities when need arises.
- Minimize household hazardous waste through education and awareness.
- Alert business community to potential legislation that could be enacted if voluntary waste reduction measures are inadequate.
- Build upon waste reduction activities at local, regional, state or national level.
- Support standardized labeling (e.g., logos, symbols, wording) for products that promote waste reduction.
- Assemble a directory that lists recycling facilities and local shops that purchase or sell used items.
- Utilize programs offered by the private sector such as Home Depot for construction material recovery programs that reclaim building materials for use by residents.
- Establish drop-off locations for yard trimmings and wood waste.
- Improve access to market information.
- Establish composting demonstration site where public can view different composting methods, bin construction and end productions.
- Expand "Grasscycling" Program.
- Develop and implement Master Composter and Master Recycler programs.
- Provide technical assistance to businesses that are developing waste reduction programs.
- Disseminate information regarding performance, appearance and marketing advantage of using products and packaging that promote source reduction, recycling and reuse.

- Support the local food bank or warehouse where local restaurants and businesses could take edible food items that could be given to the less fortunate.
- Encourage development of "repair and fix it" centers where items could be taken for repairs and reuse. These centers could be manned by the elderly. Repaired items could be given to the needy or less fortunate, or sold to the public.
- Continue assessment of pros and cons of avoided disposal fees and disposal bans legislations.
- Design financial incentives to encourage waste reduction by linking an economic benefit to the implementation of waste reduction activities.
- Establish incentives or "awards" to all sectors of community for participation in waste reduction activities.
- Increase business and industry participation in in-house waste reduction programs.
- Encourage industry efforts to reward employees for useful suggestions that lead to waste reduction.
- Continue to assess per container rates for volume based pricing for collection of waste.
- Consider implementation of tax incentives and disincentives.
- Develop an ordinance requiring woody debris and yard trimmings to be diverted from sanitary landfills based on availability of alternatives such as mulching or composting facilities.
- Expand existing recycling programs as markets develop or need arises.

Table 11 outlines Sugar Hill's Waste Reduction Strategy as well as providing estimates of its effectiveness relative to the conservation of landfill space through 1996.

Table 12 outlines waste reduction strategies that can be used. Waste generators have been put into five categories: single family (homeowners), multi-family (apartment, condominium residents), business (includes commercial and industrial), institutional (schools, hospitals, prisons, etc.), and government (all areas of government including military installations). The table will show how each category of waste generator can participate (if applicable) in three different processes of waste reduction.

DISPOSAL

The goal of the disposal element is to ensure that the disposal needs of the city are met for at least the next ten years, and that any new or expanded solid waste disposal/treatment facilities developed fully or partly within the city boundaries meet or exceed all federal, state, regional and local rules, regulations, ordinances, laws and requirements.

Inventory and Assessment

The City of Sugar Hill currently leases forty-four acres to Mid-America Waste Systems, Inc. ("Mid-America Waste Systems"), of which eight acres are actively being utilized for the purpose of landfilling municipal solid waste. The city's solid waste disposal needs have been provided for in its Solid Waste Management Ordinance, which incorporates a collections agreement naming Gwinnett Sanitation as the sole franchise to provide collection and disposal of waste generated within the city. This agreement runs through November 30, 2001. Disposal cost for waste generated within the city are covered by the combination of collection fees set forth in the Solid Waste Management Ordinance, and from the city's general fund. Specific details of the collection agreement are contained in the attached Solid Waste Management Ordinance.

Until early 1992, essentially all waste generated in the city was disposed of in the eight acre landfill lying within the forty-four acres leased to Mid-America Waste Systems, located at the northeast edge of the City of Sugar Hill. This site originated in 1968 and has no liner system. Although it lacks many environmental controls and monitoring systems required of current and forth-coming landfill sites, this site does contain 3 ground water monitoring wells. Two of these are for down-gradient monitoring, and one is for up-gradient monitoring. This site has been operated since 1986 under a lease agreement with Mid-America Waste Systems. The site also can accept waste imported from Gwinnett and Forsyth counties. The lease agreement which expires in the year 2001, provides the city with \$3,840.00 in annual revenues.

Ten-Year Forecast

In 1992, the eight acre landfill was filled to very near its capacity. By previous arrangements with the collection franchisee, the city's waste is now being exported and accepted at the Mid-America Waste Systems, Arnold Road location in Lawrenceville, Georgia. The Arnold Road and Speedway facilities have sufficient capacity to accept the city's waste for the ten-year period of this plan in the event a new or expanded solid waste facility is not constructed within the boundaries of the City of Sugar Hill.

As was noted in the previous paragraph(s), Mid-America Waste Systems leases a total of forty-four acres from the City of Sugar Hill. The

remainder of the unfilled balance of the forty-four acres is potentially suitable for landfilling and has been granted site suitability approval by the Georgia Environmental Protection Division (EPD) for use as expansion space for landfill operations and a permit application is currently pending before EPD. If this 44-acre site is approved for a new or expanded solid waste facility, all solid waste management and disposal activities will be handled in accordance with the terms of the lease agreement with Mid-America Waste Systems as amended from time to time. The terms of the lease stipulate strict adherence to all laws, regulations, and ordinances, including compliance with all state regulations implementing federal Subtitle D requirements.

Buffers

Buffers shall meet or exceed the requirements of the Georgia Comprehensive Solid Waste Management Act of 1990.

Disposal Costs

Disposal costs are as defined in the collections agreement with the waste hauler, Gwinnett Sanitation Inc.

Capacity

Under the terms of the existing agreement with the collections franchisee, sufficient capacity is available to satisfy the requirements of the City of Sugar Hill as referenced by tables 2,5,6,9, and 10. In the event the 44-acre site leased to Mid-America Waste Systems is approved for solid waste management and disposal activities, the facility constructed on that site will afford sufficient capacity for waste generated by the City of Sugar Hill during the time period covered by this plan. Upon expiration of the lease agreement with Mid-America Waste Systems, the city will accept competitive bids or renegotiate with the landfill operator to award collection and disposal franchise rights within the city for the balance of the two years of this plan.

Disclosure of Liability

The landfill operator must provide full disclosure of the nature and extent of any potential liability that may be incurred by the city due to the proposed expansion of the landfill on the city-owned property.

The landfill operator shall provide the city copies of design and operations plans, including revisions developed pursuant to any proposed landfill expansion.

LAND LIMITATIONS

The goal of the land limitation element is to ensure that proposed solid waste handling facilities are located in areas suitable for such use, are compatible with surrounding land uses and, to the greatest extent possible, are not located in areas which have environmental or other developmental or land use limitation.

Except as otherwise authorized by law, no "person" shall engage in any land disturbing activity without first having obtained a development permit or building permit from the appropriate planning, zoning, and inspection department. All persons engaged in land disturbing activities in areas within the jurisdiction of the City of Sugar Hill must comply with all applicable zoning and land use ordinances.

"Person" means any individual, partnership, corporation, trust, entity, or authority and shall include their agents or contractors, the State of Georgia, its political subdivisions and all its departments, boards, bureaus, commissions, or other agencies.

~~Disposal of all municipal solid waste at past, present, or future facilities, fully, or partially located within the City of Sugar Hill incorporated boundaries shall be solely on the property owned wholly by the City of Sugar Hill and will be handled in accordance with the terms of a lease agreement with the Landfill Operator (LFO).~~

The terms of any such lease shall require strict adherence to all laws, regulations and ordinances, including compliance with all state regulations implementing Federal (US) Subtitle D requirements.

Land considered unsuitable for solid waste handling facilities is delineated in Figure 1.

Chattahoochee River Corridor

In order to protect the water quality and scenic vistas of the Chattahoochee River, as required by the State Metropolitan River Protection Act, no new or expanded solid waste facility may be located within 2,000 feet of the river or its impoundments. Because the River is also a county boundary, the entire 2,000 foot corridor is within the area requiring consent of adjacent counties.

In addition to the foregoing restrictions, no new or expanded solid waste facility shall be located in a protected area established by the City of Sugar Hill Chattahoochee River Tributary Protection Ordinance, except to the extent authorized by that ordinance. As used herein, the term "protected area" means the stream channel and the land area extending outward thirty-five horizontal feet from the banks on either side of all flowing streams in the drainage basins within the boundaries of Sugar Hill. A flowing stream is

defined as any stream that is portrayed on the most current United States Geological Survey 7.5 minute quadrangle for the affected area. Fifteen feet adjacent to the stream bank of said area will be left as a natural buffer and a thirty-five foot minimum will be left as accessory building setback. (This is not a change in the minimum rear yard setback nor permission to build in the flood plain.) Stream buffer areas (i.e., 15 feet from bank) must be shown in final plats.

Water Supply Watersheds

In accordance with the requirements of Ga. Comp. R. & Regs. 391-3-16.-01, a 100-foot buffer and additional 50-foot impervious surface setback are required on each side of perennial streams for seven miles upstream of any municipal water intake or reservoir. A 50-foot buffer and 25-foot additional setback are required on each side of perennial streams beyond the seven mile point in "small" watersheds (under 100 square miles). Buffers of 150 feet are required around municipal water supply reservoirs. New sanitary landfills are allowed in "small" water supply watersheds only if synthetic liners and leachate collection systems are provided.

Groundwater Recharge Areas

New sanitary landfills located within two miles of a "significant groundwater recharge area" as shown by Hydrologic Atlas 18 must have synthetic liners and leachate collection systems. Designated significant groundwater recharge areas are not known to, but may exist in the City of Sugar Hill.

Surface Water Intakes

No new sanitary landfill shall be located less than two miles up-gradient of a municipal surface water intake unless it has in place a synthetic liner, a leachate collection system and a groundwater monitoring system.

Wetlands

No solid waste handling facility shall be located in a wetland as shown on DNR Wetlands Maps unless (a) where applicable under Section 404 of the Clean Water Act or applicable Wetlands Laws, the presumption that a practicable alternative to the proposed landfill is available which does not involve Wetlands is clearly rebutted, and (b) the use of such wetland complies with all applicable state and federal laws. The City of Sugar Hill currently requires that for any new site or expansion of landfill, a specific wetlands delineation survey must be performed by a qualified soil scientist to confirm that wetlands will not be impacted.

Proximity to County Boundary

No new solid waste handling facility may be permitted within one-half mile of a county boundary unless the express approval of the adjoining county is received or EPD finds that no alternative sites or methods are available to the local government. Approval of the adjoining county is also required to expand any facility to within one-half mile of a county boundary unless the initial permit was granted prior to March 1, 1988.

Flood Plains

Solid waste handling facilities located within the 100-year floodplain may not restrict the flow of flood waters, reduce the temporary flood storage capacity or result in a wash-out of solid waste.

Hydrologic Assessment

No solid waste handling facility should be located in an area where the hydrologic assessment, as defined by the Department of Natural Resources, is unfavorable. Requirements for hydrologic assessments include the mapping of all municipal wells within two miles of a proposed site.

National Historic Sites

No solid waste handling facility may be permitted within 5,708 feet of a National Historic Site unless EPD determines that no alternative sites or methods are available to the local government. There are no such sites located within 5,708 feet of a National Historic site in the City of Sugar Hill.

Nature Preserves

No solid waste handling facility should be located in, adjoin or otherwise negatively impact a nature preserve as indicated in the Regional Development Plan.

Historic Districts and Places

No solid waste handling facility should be located in, adjoin or otherwise negatively impact districts and sites on the National Register of Historic Places or sites of local historic significance.

Sensitive Habitats

No solid waste handling facility should be located so as to result in the destruction of the habitats of rare, threatened or endangered plants, animals and biologic communities as identified in the Georgia Natural Heritage Inventory of the Department of Natural Resources.

Archaeologic Sites

No solid waste handling facility should be located so as to negatively impact an area of concentrated known archaeological sites on file at the University of Georgia.

Buffers

Buffers shall meet or exceed the requirements of the Georgia Comprehensive Solid Waste Management Act of 1990.

Comprehensive Land Use Plan

The Solid Waste Management Plan shall be implemented in a manner consistent with the land use guidelines of the Comprehensive Land Use Plan of the City of Sugar Hill and shall be interpreted in such a way as to further that plan's intent and purpose.

Infrastructure

Roadways and entrances to/from the proposed landfill expansion shall be so located as resolved in negotiations with the Facilities Issues Negotiations Committee of the City of Sugar Hill to minimize traffic volume through residential areas. An identified probable relocation of an entrance has been considered to exit onto Richland Creek Road.

EDUCATION AND PUBLIC INVOLVEMENT ELEMENT

The Education and Public Involvement Element is the sixth of the seven elements in the solid waste management planning process. Its goal is to help the citizens of Sugar Hill achieve an understanding and awareness of the social and environmental issues, problems, concerns, and needs associated with solid waste management; especially in terms of littering, source reduction, recycling, reuse, disposal of household hazardous waste, composting, volume reduction and disposal. The objective is to increase support for effective solid waste management.

The Educational Element includes an analysis of existing educational and public involvement programs under the following headings:

- * Advisory groups
- * Target audiences
- * Education materials
- * Schools
- * Seminars and lectures
- * Media
- * Education
- * Public involvement
- * Municipal involvement

Education about the issue of solid waste management both sustains public interest and encourages public participation in improved solid waste handling practices through a variety of methods. The City of Sugar Hill actively endorses and utilizes the Gwinnett Clean and Beautiful Education program.

Advisory Groups

Gwinnett Clean & Beautiful was created in 1980 to inform and involve the public about improving solid waste management practices. It serves as the lead education and public involvement agency for Sugar Hill. By addressing the solid waste issue the program elicits community participation at all age levels focusing on the cause (not merely the effect) of the problem. Current methods are continuously evaluated. It is necessary to continue the current education programs which were designed to change the attitudes and habits toward waste by presenting all the facts, involving the people, and by developing a systematic plan focusing on results. Through a step by step educational plan demonstrating that participation is easy and necessary; the number of citizens accepting the plan will increase. As behavioral attitudes change and management of solid waste becomes more responsible, increased community pride at our response follows.

Target Audiences

To further enhance the effectiveness of the educational program, key people or "Gate Keepers" are being targeted. These people are leaders of various organizations who know the pulse of the entire community. New people are encouraged to become involved as participants reach deeper into the community for new blood and ideas. The intent of the educational campaign is to make participation easy and fun by providing needed and updated facts. The community benefits of a good integrated solid waste management program emphasize the positive impact on economic development, the improved quality of life, and the sense of community pride.

Educational topics include source reduction, reuse, hazardous waste, waste to energy, recycling, composting, and landfill operations. Updates on information programs are made on a timely basis. Tangible and intangible reinforcements are stressed as well. The longer term goal is to instill proper habits in children and adults by coordinating the plan among all groups within the community and showing each member of the public how to become involved.

Sugar Hill has designated Gwinnett Clean & Beautiful as the clearinghouse for solid waste information and as the lead agency in providing a comprehensive program to educate and involve the public in programs which reduce waste and improve solid waste handling.

Target audiences (listed in Table 13) are grouped according to general categories of "Who Generates Waste in Gwinnett?".

1. Residential
2. Commercial/Business, Light Industry and Institutional)
3. Industrial

Educational Materials

The current educational program offered through Gwinnett Clean & Beautiful is reaching an estimated 300,000 citizens annually. An inventory of current Gwinnett Clean & Beautiful educational materials is listed in Table 14. These efforts have resulted in a more informed citizenry who are actively participating in solving our community's solid waste dilemma.

A major objective is to continue to increase awareness in all areas of the community (of integrated solid waste management) and to motivate more citizen participation at all age levels. As part of the education plan, current population segments and targeted audiences are being identified and addressed. Community attitude surveys show that most people receive information on solid waste management through civic and PTA programs. Thus, to reach the most members of the community, Gwinnett Clean & Beautiful has increased the program available by expanding its Speakers Bureau. The second most productive source is the newspaper, followed by television ads, neighborhood associations, radio spots and brochures.

Schools

The private and the public sectors have developed excellent solid waste management education and public involvement programs specifically designed for schools. Educating school age children on the different types and/or techniques of solid waste management is vitally important. Not only are these children current and future waste generators, they can have a profound effect on the waste practices of parents and families.

Sugar Hill, through Gwinnett County School Systems and Gwinnett Clean & Beautiful, has a well established and successful Solid Waste Management education program in place. In 1991, an estimated 98% of all schools within the Gwinnett County School System were participating.

Gwinnett Clean & Beautiful (GC&B) provides training classes for teachers on solid waste management. GC&B is the local chapter of Keep America Beautiful, Inc. Workshops conducted by GC&B specifically designed to train teachers on solid waste issues so that they can in turn teach classes. The training workshops are from programs developed for schools by Keep America Beautiful. The Waste in Place program is for children in kindergarten through sixth grade and the Waste: A Hidden Resource program is designed for middle and high school students. These programs not only provide excellent opportunities to educate future waste generators, but provide a foundation that these children can take home and educate their parents on environmental protection measures.

The Waste in Place program has been endorsed by the State Department of Education and is used in the Gwinnett County School System.

Seminars/Lectures, Learning Through Doing, Technical Assistance

Active community participation is key to the success of solid waste management today. In Sugar Hill, GC&B coordinates its efforts with local, state and federal agencies in organizing solid waste management seminars, program research and development, participating in speakers bureaus, and providing technical assistance. Local governments, school, civic groups, neighborhood, environmental, and church groups have access to these efforts and programs are developed to not only provide educational opportunities but also allow for community involvement.

As discussed, there are numerous programs available for schools. The opportunity exists for school systems to also conduct "Learning Through Doing" recycling projects. Many Gwinnett County schools have hosted training programs and put what they and their students have learned into action by developing recycling and source reduction programs at the schools.

Media

The media plays a very important role in education and public involvement programs. The visual media (television) reaches the greatest number of people and accomplishes this through Public Service Announcements (PSA's), environmental stories on solid waste related issues on local news shows (Channel 11), and paid advertisements by the private sector. Public television (GPTV) is probably the most economical route for local governments and organizations. Private companies, possibly because of less restrictive funding, utilize all forms of the media including commercial television.

Radio is an excellent medium that reaches a large portion of the population. Radio stations will periodically air environmental messages as a PSA spot such as those developed by Gwinnett Clean & Beautiful as well as other organizations and companies.

The written or printed media (newspaper) is another excellent method of educating the public. This medium is used frequently as local papers inform its readers of waste related issues. Stories range from special feature articles related to issues confronting a community go to target audiences.

Education Strategy

A summary of the plan is shown in the following table. Table 15 includes the basic elements of inventory and assessment, statement of needs and goals, implementation strategy and time frame.

Public Involvement

Public involvement is one of the keys to a successful solid waste management program. The public has a right and a responsibility to understand the full costs, responsibilities, and liabilities of managing the waste they produce. Involving the public in decision making throughout the waste management planning process results in a more informed citizenry that can actively participate in solving the community's solid waste problems. The City of Sugar Hill will continue to involve the public as the plan is updated in the future. The City will consider re-activating the Sugar Hill Clean & Beautiful Committee to assist with public involvement and education efforts and to serve as a liaison with Gwinnett Clean & Beautiful.

Municipal Involvement

To foster inter-county cooperation, the City of Sugar Hill will participate in the Municipal Government Advisory Council. This Council was established under the auspices of Gwinnett Clean & Beautiful in 1990. The Council consists of an elected representative from each city which include the elected official and the city staff person responsible for solid waste. The Council is chaired by the Gwinnett Municipal Association liaison to Gwinnett Clean & Beautiful.

The purpose of the Council is to provide opportunities for the exchange of information and ideas regarding the management of solid waste and to foster inter-county cooperation and participation in solid waste management planning and facilities.

Summary

The City of Sugar Hill will utilize a successful and well established education and public involvement program based on involving all sectors of the community. This program is conducted by Gwinnett Clean & Beautiful, the county's lead agency for public involvement and education. Annual costs for Gwinnett's Education and Program and Public Involvement are \$145,000.00. Gwinnett Clean & Beautiful has developed and implemented an improved mechanism for monitoring and reporting the status of county solid waste education and public involvement programs relating to meeting state/county goals. There are no costs associated with the City's involvement in this program.

IMPLEMENTATION & FINANCE

The goal of this element is to achieve a balanced and affordable Solid Waste Management Plan which meets the needs of the community and meets or exceeds the requirements of the State Solid Waste Management Act.

Past operations were financed by general revenues of the City of Sugar Hill. The current operational funding of solid waste disposal of the city is through collection rates charged to the residents and businesses of City of Sugar Hill with built-in incremental increases as defined by the terms of the collection contract. Funding for miscellaneous trash pick-up and to provide for chippers, leaf vacuums, and related machinery and man-power is by general budgeted funds of the city. Activities related to reduce the instream volume by 25% will be funded jointly by the city and the landfill operator.

Financial considerations for the planning, engineering, development and operation of the proposed landfill expansion (if so approved) is to be solely borne by the landfill operator.

Costs to the City of Sugar Hill is as follows:

Annual Collection Costs

1)	Residential Pick-up.....	\$191,321
2)	Multi-Housing.....	\$ 12,774
3)	Commercial Pick-up.....	\$ 73,266
4)	Miscellaneous.....	\$ 27,363
	Total:	\$304,724*

*Source: 1992 Actual Operating Expenses
Budget of the City of Sugar Hill

Ten Year Collection/Disposal Cost Projections

<u>Year</u>	<u>Residential</u>	<u>Commercial & Industrial</u>	<u>Misc. (Yard Waste)</u>	<u>Sludge</u>	<u>Totals</u>
1993	\$231,813.97	\$ 79,847.20	\$ 29,825.16	\$ 4,110.00	\$300,457.16
1994	260,247.31	89,652.96	33,491.25	8,466.60	391,050.12
1995	290,399.68	100,015.40	37,372.58	13,069.80	440,857.46
1996	325,437.68	112,076.46	41,888.74	17,886.90	497,289.78
1997	364,423.47	125,570.28	46,908.00	22,075.20	550,976.96
1998	407,936.31	140,516.92	52,513.86	26,427.00	627,394.10
1999	456,204.59	157,153.45	59,005.59	31,753.80	704,117.43
2000	505,451.55	174,107.00	65,051.34	35,755.50	780,365.39
2001	564,500.66	194,481.84	72,644.45	40,734.00	872,360.95
2002	630,564.89	215,334.11	80,591.40	46,482.00	972,972.39
2003	702,834.35	235,415.97	89,259.73	54,500.00	<u>1,082,110.06</u>
				Total:	\$ 7,228,759.80

The City of Sugar Hill has assurance of adequate solid waste handling capacity and capability for ten years through the following:

- 1) Collection contract with Gwinnett Sanitation
- 2) Letter of Disposal Assurance
- 3) Lease agreement with Button Gwinnett
- 4) The remaining two years of the ten-year term shall be resolved either by contract extension or awarding to a competitive bidder.

T A B L E 1

CITY OF SUGAR HILL

Population Statistics & Projections

<u>Year</u>	<u>Population</u>	<u>Percent Change</u>
1970	1,745	-
1980	2,340	34.0
1990	4,557	94.7
1991	5,132 est.	12.6
1992	5,132 est.	-
1995	6,610 est.	28.7
2000	10,080 est.	52.4
2005	15,360 est.	52.3
2010	23,500 est.	52.9

SOURCE: U.S. Bureau of the Census, 1970-1990.
 Mayes, Sudderth & Etheredge, Inc., 1992
 City of Sugar Hill Comprehensive Plan, 1992

T A B L E 2
CITY OF SUGAR HILL

Backyard Household Waste Pick-Up by Contract Hauler

Year: 1991

<u>Month</u>	<u>Tons</u>
January	158.45
February	158.45
March	158.45
April	158.45
May	158.45
June	158.45
July	158.45
August	158.45
September	158.45
October	158.45
November	191.20
December	141.50

Year: 1992

January	165.50
February	135.60

2,218.30 TOTAL

Actual scaled waste from backyard pick-up was obtained in late 1991 and early 1992. The average waste collected is 158.45 tons/month; approximately 2.05 lb/person/day or 1927 tons/year.

T A B L E 3
 CITY OF SUGAR HILL
 Landfill Tipping of City Truck

Year: 1991 (actual)

<u>Month</u>	<u>Yards</u>	<u>Tons/Month</u>
January	346	43.25
February	506	63.25
March	614	76.75
April	1,160	145.00
May	713	89.12
June	840	105.00
July	1,225	153.12
August	745	93.12
September	522	65.25
October	809	101.15
November	614	76.75
December	415	51.89
<hr/>		<hr/>
TOTALS:	8,509	1,063.65

Based on an average of 250 lbs per yard, this converts to 1.1513 lbs per person per day. Waste picked up by city trucks includes branches, limbs, heavy yard waste, furniture, mattresses, etc. It is estimated that approximately 60% of this material could be mulched, which could apply toward 25% waste reduction.

T A B L E 4
 CITY OF SUGAR HILL
 Industrial Fabrication

1992

<u>Company</u>	<u>Employees</u>	<u>Products</u>	<u>Possible Recyclables</u>
Bailey's Cabinet Shop	89	wood	saw dust, wood
Hill Cabinet Shop	24	wood	saw dust, wood
Nu-Air Company	31	aluminum	aluminum
Riverside Cabinet Shop	23	wood	saw dust, wood
H & H Custom Woodwork	10	wood	saw dust, wood
Marine Trailer, Inc.	12	boat tlrs	metal
Roberts Custom Cabinets	--	wood	saw dust, wood
P & H Custom Wood Work	--	wood	saw dust, wood

T A B L E 5

CITY OF SUGAR HILL

Projected Commercial & Industrial Waste

<u>Year</u>	<u>Total Yards/Month</u>	<u>Tons/Year</u>
1992	1,702	255.3
1993	1,854	278.1
1994	2,021	303.1
1995	2,191	328.6
1996	2,388	358.2
1997	2,604	390.6
1998	2,834	425.1
1999	3,093	463.5
2000	3,342	501.3
2001	3,643	546.4

Based on 300 lb/yard of non-compacted waste picked up on commercial routes, these figures average 3.316 pounds per person per day. Figures for 1992 are actual and all subsequent figures are projected on population increases.

T A B L E 6
CITY OF SUGAR HILL
Projected Sludge Waste

<u>Year</u>	<u>Population</u>	<u>Pounds/Day*</u>	<u>Total Tons/Year</u>	<u>Sugar Hill Plant**</u>
1992	5,132	688	126	0
1993	5,594	750	135	0
1994	6,097	817	149	122
1995	6,646	891	163	122
1996	7,244	971	177	122
1997	7,896	1,058	193	122
1998	8,607	1,153	211	122
1999	9,381	1,257	229	244
2000	10,080	1,351	247	244
2001	10,987	1,472	269	244
2002	11,976	1,605	293	244
2003	13,054	1,749	319	244

* Est. 0.134 lbs/person/day dry sludge production

** Sugar Hill will have a 0.5 mgd plant on line and fully loaded in 1994 and expects to expand that plant to 1.0 mgd in 1999. The balance of sludge produced will be at the Buford Plant.

T A B L E 7

CITY OF SUGAR HILL

Characterization of Municipal Solid Waste

<u>Wastestream Component</u>	<u>National Average</u>
Paper & Paperboard	41.1%
Yard Waste	17.9%
Glass	8.2%
Metals	8.1%
Rubber, Leather, Textiles	8.1%
Food Waste	7.9%
Plastics	6.5%
Miscellaneous Organic Waste	1.6%

SOURCE: Characterization of MSW in the United States 1960-2000; Franklin Associates, Ltd. 10/19/89
Prepared for the U.S. Environmental Protection Agency.

T A B L E 8

CITY OF SUGAR HILL

Municipal Solid Waste (MSW) Source

<u>Category</u>	<u>Source</u>	<u>Waste Type</u>
Residential	Household Yard	Glass, plastic, paper, aluminum, food, yard- waste, appliances, misc.
Commercial	Retail, restaur- ants, office	Paper products, plastic, food, aluminum, glass
Industrial	Manufacturing & processing	Wood, metal, paper- products, sludges
Miscellaneous/Other	Institution, construction & demolition (C&D)	Wood, brick, block, roofing, food, plastic, glass, etc
Sludge	Water waste- treatment plant	Sludge

T A B L E 9
 CITY OF SUGAR HILL
 Tons of Waste per Year

<u>Year</u>	<u>Residential</u>	<u>Commercial & Industrial</u>	<u>City Trucks</u>	<u>Sludge</u>	<u>Total</u>
1992	1,927	3,106	1,078	0	6,111
1993	2,101	3,385	1,175	0	6,661
1994	2,290	3,690	1,281	122	7,383
1995	2,483	4,000	1,389	122	7,994
1996	2,706	4,359	1,514	122	8,701
1997	2,949	4,753	1,650	122	9,474
1998	3,215	5,180	1,799	122	10,316
1999	3,504	5,646	1,960	244	11,354
2000	3,786	6,100	2,118	244	12,248
2001	4,126	6,649	2,308	244	13,327
					93,569 TONS

T A B L E 1 0
 CITY OF SUGAR HILL
 Pounds of Waste per Day

<u>Year</u>	<u>Population</u>	<u>Residential</u>	<u>Commercial & Industrial</u>	<u>City Trucks</u>	<u>Sludge</u>	<u>TOTAL</u>
1992	5,132	10,561	17,017	5,908	0	33,486
1993	5,594	11,512	18,549	6,440	0	36,501
1994	6,097	12,547	20,217	7,019	670	40,453
1995	6,610	13,603	21,918	7,610	670	43,801
1996	7,204	14,825	23,888	8,294	670	47,677
1997	7,853	16,161	26,040	9,041	670	51,912
1998	8,560	17,616	28,394	9,855	670	56,525
1999	9,330	19,201	30,938	10,742	1,340	62,221
2000	10,080	20,744	33,425	11,605	1,340	67,114
2001	10,987	22,611	36,432	12,649	1,340	73,132

T A B L E 1 1
 CITY OF SUGAR HILL
 Waste Reduction Strategy

Plan Element	Estimated Diversion Rate by Weight
<u>Source Reduction</u>	
Backyard Composting and Grasscycling	1.5%
Consumer Education	1.0%
Product Reuse	<.5%
<u>Recycling</u>	
Drop-off & Buy Back Centers	3.0%
Residential Curbside Collection	7.0%
Commercial/Industrial/Inst. Recycling	3.0%
<u>Composting</u>	
Central Yard Trimmings Composting & Multiple Drop-off sites	12.0%

TOTAL DIVERSION	28.0%

T A B L E 1 2

CITY OF SUGAR HILL

Waste Reduction Strategies by Generator

<u>Waste Generator</u>	<u>Source Reduction</u>	<u>Waste Diversion</u>	<u>Volume Reduction</u>
Single-Family	Purchasing -Reusable Products -Products in Bulk -Longer Life Prdts Efficient Mat'l Use	Recycling Composting	Volume Based Rates
Mulit-Family	Purchasing -Reusable Products -Products in Bulk -Longer Life Prdts Efficient Mat'l Use	Recycling Composting	Volume Based Rates
Business (Comm., Ind.)	Purchasing/Producing -Reusable Products -Products in Bulk -Longer Life Prdts Efficient Mat'l Use Waste Exchange	Recycling Composting	Combustion Shredding Baling Compaction Volume Based Rates
Institutional (Hospitals, Prisons, Schools, etc.)	Purchasing/Producing -Reusable Products -Products in Bulk -Longer Life Prdts Efficient Mat'l Use Waste Exchange	Recycling Composting	Combustion Shredding Baling Compaction Volume Based Rates
Government	Purchasing/Producing -Reusable Products -Products in Bulk -Longer Life Prdts Efficient Mat'l Use Waste Exchange	Recycling Composting	Combustion Shredding Baling Compaction Volume Based Rates

T A B L E 1 3
CITY OF SUGAR HILL
Educational Target Audience

Residential Generators:

Children can be reached through:

School Groups

- Classes and clubs
- Student board

PTA

- Whole group
- Gwinnett Clean & Beautiful/ PTA Representatives

Teachers

- Gwinnett Clean & Beautiful Teacher Advisory Board
- In-services

Scouts

- Boy
- Girl

Boys and Girls Clubs

Library programs

Community Clubs

- 4H
- Junior Achievement
- Key, Civitan, etc.

Recreational Athletic Associations

Senior Citizens can be reached through:

Clubs

Churches and religious groups

Adults can be reached through:

Recreational Athletic Associations

Environmental Groups

Civic Groups

- Rotary
- Kiwanis
- Civitan
- Woman's Clubs

Homeowners and Tenants

- Alliance
- Individual subdivision associations
- Community clusters of school concept
- City groups

Religious Organizations

- Youth
- Adult
- Senior Citizens

Consumers can be reached through:

- Supermarkets
- Shopping malls
- Stores
- Utilities
- Waste haulers

Commercial Generators can be reached through:

Apartment managers or superintendents

- Individual apartment complexes
- Company complexes
- Individuals

Institutions

- Hospitals
- Medical Centers
- Related facilities
- Prisons

Business and industry subgroups can be reached through:

- Retail, hairdressers, hotel, restaurants, real estate,

Professional organizations

Construction and Development

- Developers
- Construction workers
- Real estate

Governmental bodies and agencies can be reached through:

- County level elected and appointed officials
- City level elected and appointed officials
- Appropriate corresponding organizations such as Gwinnett Municipal Association, etc.
- Government employees

Gwinnett Clean & Beautiful's education program increases awareness of integrated solid waste management and motivates citizen participation at all age levels and in all areas of the community. As part of the education plan, additional population segments and audiences are identified and targeted. Groups are paired with an appropriate method according to a time schedule.

T A B L E 1 4

GWINNETT COUNTY

Inventory of Current SWM Educational Materials

Print Media/Materials

- * Brochures
 - Reduce, Reuse, Recycle
 - Ordinances
 - Composting
 - Make Recycling A Household Word
 - Business & Industry Source Reduction Options
 - Business & Industry Recycling Programs
 - Problems/Solutions
 - Recycling
 - How to Develop a Recycling Program
 - Waste in the Workplace
 - * Flyers
 - Christmas Tree Recycling
 - Telephone Book Recycling
 - * Bookmarks
 - * Posters
 - Recycling
 - SWM
 - Litter
 - * School Activity Sheets
 - * Litterbags
 - * Newsletter
 - Trashy Notes (quarterly)
 - * Recycling Center Directory
 - * Fact Sheets
 - Municipal Solid Waste
 - Biodegradability
 - Marketing Recyclables
 - Hazardous Waste Alternatives
 - Recycling - Glass, Alum., Newspapers
 - Recycling - National Facts
 - GA SWM Act
 - GC&B Activities
 - Procurement Policies
 - * Newspaper
 - Weekly Press releases
 - Media kits
 - * Utility Bill Inserts
- School Curricula
- * Waste in Place
 - * Waste: A Hidden Recourse

Audio/Visual

- * Mobius Curriculum: Understanding the Waste Cycle
- * Let's Reduce and Recycle

- * Radio Advertisements
- * PSA's
- * Radio Talk Shows
- * SWM/Recycling Hotline
- * Cable TV Announcements & PSA's
- * TV PSA's
- * Videos
- * Films
- * Slide Shows
- * Teleconferences
- * Press Conferences

Community Outreach/Training

- * Mascot
- * Community Fairs, Parades
- * Chamber Trade Shows
- * Workshops
- * Speakers Bureau
- * Train the Trainer - PTA & TAB
- * Puppet Shows
- * Landfill Tours
- * Recycling Center Tours
- * Business Audits
- * Symposium
- * Environmental Library
- * Staff Volunteer Training

Special Events

- * Displays
- * Town Meetings
- * Youth Environmental Patch Program
- * Public Lands Day
- * Paper Making Display
- * Special Events
 - Clean School Awards
 - Recycling Awards
 - Government Awards
 - Bus. & Ind. Awards
- * Promotional Materials
 - Tee shirts
 - Hats
 - Stickers
- * Chamber Trade Show
- * Dial-a-Truck

Technology Transfer

- * Business Peer Match
- * Community Peer Match
- * Gwinnett Technical Institute Info Network
- * Technical Information
- * Recycling Hotline

**TABLE
SOLID WASTE MANAGEMENT EDUCATION PLAN**

Basic Elements	Inventory & Assessment	Statement of Needs & Goals	Implementation Strategy	Time Frame
<u>Lead Agency</u>	GC&B was created to educate the community about SWM	Hire an Education Coordinator under auspices of GC&B	Provide funding for education program under GC&B	1991
<u>Resources</u> *Financial *Personnel *Materials	*GC&B Educ. Budget is \$200,000 *Exec. Dire of GC&B and TAB Reps are presently educating community *Materials listed in Table VII-1	*Additional County funding and personnel are needed *Expand as needed	Implement \$1.00 tipping fee at landfills and allocate 25% of fee to provide funding for overall education program	*1st qtr. 1992 *On-going
<u>Develop the Message</u> *Community Attitude Survey/Town Meetings *Define Main Issues *Comm. Resource Survey *Identify Target audiences	*Identify Gate Keepers (Key leaders) *1,100 surveyed, 7 town mtgs - 210 attended *Main issues defined *Resource Survey Completed *See Table VII-2 for list of Target Audiences	Follow-Up Survey	*GC&B will develop survey *GC&B will Identify Gate Keepers for each target audience *Update as needed	*4th qtr. 1992 *3rd qtr. 1992 *On-going
<u>TECHNIQUES</u> Residential *Citizen Programs *Single Family *Comm. Organizations *School Programs *Religious Organizations *Multi-Family See other groups in Table 5.2	Speakers Bureau, Newsletters, Resource Library, SWM info. Line, Techn. Asst., K-12 Curriculum, School Assemblies, In-svc. for TAB & PTA Volunteers, films, videos, etc. Determine amount of waste generated	Increase frequency/mailing list of newsletter. Composting exhibit at parks, Home Waste Audits, Master Recycler, Master Composter. Work with education coordinator.	Expand GC&B Speakers Bureau, hold Annual SWM Symposium, Develop insert for water & garbage bills, obtain funding for handouts. Identify targets, conduct waste audits, have kick-off. Evaluate results and reward successful programs.	Completed 4th qtr. 1991 Update annually.

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<p>Business & Industry</p> <ul style="list-style-type: none"> *Commercial *Light Industrial *Offices *Retail Stores *Entertainmt. Ctrs. *Restaurants *Hotels/Motels *Svc. Stations *Banks 	<p>Chamber Trade Show, Chamber Nat'l Res. & Environment Committee, In-house Recycling/Reduction Program guides, Sample Waste Audits, Consultation Training</p> <p>Distribute list of Recyclables/Markets Determine amount of waste generated</p>	<p>Hire Education Coordinator, Trainers, SWM Info Exchange</p> <p>Identify Gate Keepers</p>	<p>Business Kick-Off Day, Media Events</p> <p>Work with Educo. Coordinator</p>	<p>2nd qtr. 1992</p> <p>On-going</p>
<p>Municipal Programs</p>	<p>Technical Ass't. to cities and County Gov't. for recycling/reduction and education programs.</p> <p>Determine amount of waste generated.</p>	<p>Technical Ass't. workshops, Recycling Market Directory</p>	<p>Workshops</p>	<p>2nd qtr. 1992</p> <p>On-going</p>
<p>Basic Elements</p>	<p>Inventory & Assessment</p>	<p>Statement of Needs & Goals</p>	<p>Implementation Strategy</p>	<p>Time Frame</p>
<p>Industrial</p>	<p>This is usually handled by EPA/EPD.</p> <p>Determine amount of waste generated.</p>	<p>Increase awareness of resources by 20%</p>	<p>Prepare fact sheet of resources.</p> <p>Evaluate & update</p>	<p>Implemented 2nd qtr. 1991</p> <p>Annually</p>
<p>Institutional</p> <ul style="list-style-type: none"> *Government *Schools *Hospitals *Prisons 	<p>Sample Waste Audits available, Source Reduction and Recycling Guides: Available, Programs for gov't. and Corrections personnel.</p> <p>Determine amount of waste generated.</p>	<p>Increase contacts in this area by 20%</p>	<p>Utilized educo. coord. to conduct on-site waste audits and training programs or refer to private sector</p> <p>Evaluate & Update</p>	<p>Implement 3rd qtr. 1991</p> <p>Annually</p>

TECHNIQUES

Basic Element	Inventory & Assessment	Statement of Needs & Goals	Implementation Strategy	Time Frame
Internal 1. Staff Training 2. Board Training 3. Volunteer Training 4. Speakers Bureau	1. Quarterly 2. 3 sessions, 90 educated 3. 2 sessions, 145 educated 4. List of current contacts	Increase # of internal staff and volunteers trained by 10%. Increase members & programs available by 10%	Speakers, Seminars, Teleconferences, Conferences, continued educ., conduct Train the Trainer workshops	1. 1st qtr. 1992 2. On-going 3. 3rd qtr. 1992 4. 4th qtr. 1992

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REINFORCEMENT

Basic Elements	Inventory & Assessment	Statement of Needs & Goals	Implementation Strategy	Time Frame
<p>Awards *Clean School Awards *Recycling Awards *Gov't Awards *Bus. & Ind. Awards *Special Recognition</p>	<p>Presently, GC&B is giving awards annually to these groups</p> <p>Review what is available</p> <p>GC&B issues annually edu. report to Bd. of Comm., GA C&B and KAB</p> <p>News articles, Feature stories, Thank you letters and events</p>	<p>Increase # of awards by giving qtrly</p> <p>I.D. problem/improvement areas & ascertain timelines & quality of materials</p> <p>To expand report to meet DCA criteria</p> <p>Continue & expand as needed</p>	<p>Criteria & nominations to be determined by GC&B</p> <p>Promote nominations & actual awards given by community groups</p> <p>Revise materials to meet needs.</p>	<p>Annually</p>
<p>Data Collection & Reporting</p>	<p>Data Collection Program</p> <p>Update conducted annually</p>	<p>Continue</p>	<p>Conduct annually</p> <p>File reports w/Gwinnett Co. Bd. of Commissioners & GA DCA</p>	<p>1992 & Annually thereafter</p>
<p>Evaluation, Assessment, & Reporting</p>	<p>Baseline of Amount of SW generated</p> <p>Periodic update</p> <p>1.350 distributed, 220 returned</p> <p>2.-95%</p> <p>3.224,075</p> <p>4.Print, audio, visual, comm., outreach/training techniques transfer</p>	<p>3, Increase by 20%</p> <p>4.Increase members & programs availability by 10%</p> <p>5.Increase to 25% by 1996</p>	<p>1.Conduct Follow-up</p> <p>2.Conduct Photometric Index</p> <p>3.Continue to educate through present methods & increase # of programs; tally contacts</p> <p>5.Measure amount of SW disposed</p> <p>6.Measure amt. of waste recovered & % of reduction</p>	<p>1.Annually</p> <p>2.Annually</p> <p>3.Annually</p> <p>4.Annually</p> <p>5.Annually</p> <p>6.Annually</p>

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INSERT FIGURE 1

MAP OF UNSUITABLE SITES