

## MINUTES

### WAYCROSS CITY COMMISSION MEETING

**TUESDAY, JANUARY 19, 2010 - 7:00 P.M.**

The Waycross City Commission held their regular meeting on Tuesday, January 19, 2010, in the Commission Chambers of City Hall. Present with Mayor Clarence Billups were Commissioners Marian Solomon-Gaines, Norman Davis, William Simmons, Diane Hopkins, and Daniel Yarbrough.

Mayor Clarence Billups called the meeting to order.

Mayor Billups introduced Minister Madean Brooks, Christian Renewal Church, who offered the invocation, which was followed by the Pledge of Allegiance.

Mayor Billups announced the appointment of Mr. Huey W. Spearman as City Attorney effective on or before February 12, 2010.

Mr. Pete Pyrzenski presented the City Manager's Report. Mr. Pyrzenski informed the public that CSX has begun work on the Harrison and Knight Project; prepping for the light and pedestrian crossing. Under road boring has begun on the Clough and State Street sewer project. This project will entail a two week interruption in traffic. Work will begin on the Sweet Street Railroad crossing project on January 26, 2010.

Mayor Clarence Billups began the Mayor's Report by saying that the Commissioners had a great Work Session today. He commended the Waycross community for a wonderful Martin Luther King weekend. He sent thanks to Chief Tanner and the Waycross Police Department for a great job done on their excellent crowd and traffic control. Mayor Billups asked the citizens of Waycross to pray for Haiti and do everything you can do to assist them in their recovery.

There were no public remarks on official actions.

Mayor Billups presented the Consent Calendar as read by City Clerk, Julie Dinkins for consideration of official action as follows:

Approval of Minutes: Waycross City Commission Planning and Information Executive Session to Discuss Personnel Issues and Possible Litigation, January 4; Waycross City Commissioner Meeting, January 5; and Called Waycross City Commissioner Meeting and Executive Session to Discuss Personnel, Friday, January 15, 2010. There were no Ordinances Second Reading, Resolutions or Privilege License Renewals to be approved.

Commissioner William Simmons made the motion to approve the Consent Calendar as presented. Commissioner Diane Hopkins seconded the motion; all Commissioners voted in favor and the motion carried unanimously.

Mrs. Linda Jones, Director, Purchasing Department, presented Bid FY10-09 for a Brick Mason for the Head Start/Medical Facility at the old Hazzard Hill School location, 1403 Pendergast Street. Purchasing received 4 bids and all materials for this project have already been purchased. The lowest bid did not meet specifications as he did not complete the mandatory on site job inspection prior to bidding. It is the staff's recommendation to award the bid to Gabriel Smith Masonry for \$27,400 as the lowest and best bid meeting all specifications.

Commissioner Marian Solomon-Gaines made the motion to approve Bid FY10-09 as per the recommendation of the Purchasing Director. Commissioner Norman Davis seconded the motion. Commissioner William Simmons recused himself from discussion and voting on this bid due to a possible conflict of interest. The motion carried with a 4-0 vote.

Mrs. Linda Jones, Director, Purchasing Department, presented Bid FY10-13 for the HVAC Package and Installation for the Head Start/Medical Facility at the old Hazzard Hill School location, 1403 Pendergast Street. Purchasing received 4 bids. It is the staff's recommendation to award the bid to Waycross Heating and Cooling for \$32,400.00 as the lowest and best bid meeting all specifications.

Commissioner Norman Davis made the motion to approve Bid FY10-13 as per the recommendation of the Purchasing Director. Commissioner Daniel Yarbrough seconded the motion. Commissioner William Simmons recused himself from discussion and voting on this bid due to a possible conflict of interest. All voted in favor and the motion carried with a 4-0 vote.

Mrs. Linda Jones, Director, Purchasing Department, presented WAYX 10-04 for Surplus Property. The list of items presented to the Commissioners contains items that are no longer useable or needed in any City department. The Purchasing Director requests that these items be declared surplus so that they may be sold on GovDeals.com.

Commissioner Diane Hopkins made the motion to declare the items listed in WAYX10-03 as surplus and allow the Purchasing Department to place them on GovDeals.com for sale. Commissioner Norman Davis seconded the motion. The motion carried with a 5-0 vote.

A Resolution to Approve a Loan Agreement and Promissory Note Between the City of Waycross and the Clean Water State Revolving Fund Administered by Georgia Environmental Facilities Authority was presented:

**RESOLUTION 10-04**

**A RESOLUTION TO APPROVE LOAN AGREEMENT  
AND PROMISSORY NOTE  
BETWEEN THE CITY OF WAYCROSS  
AND THE CLEAN WATER STATE REVOLVING FUND ADMINISTERED BY  
GEORGIA ENVIRONMENTAL FACILITIES AUTHORITY**

**WHEREAS**, the Commission of the City of Waycross (the "Borrower") has determined to borrow not to exceed \$134,000 from CLEAN WATER STATE REVOLVING FUND, ADMINISTERED BY GEORGIA ENVIRONMENTAL FACILITIES AUTHORITY (the "Lender") to finance a portion of the costs of acquiring, constructing, and installing the environmental facilities described in Exhibit A to the hereinafter defined Loan Agreement (the "Project"), pursuant to the terms of a Loan Agreement (the "Loan Agreement") between the Borrower and the Lender, the form of which has been presented to this meeting; and

**WHEREAS**, the Borrower's obligation to repay the loan made pursuant to the Loan Agreement will be evidenced by a Promissory Note (the "Note") of the Borrower, the form of which has been presented to this meeting;

**NOW, THEREFORE, BE IT RESOLVED** by the Commission of the City of Waycross that the forms, terms, and conditions and the execution, delivery, and performance of the Loan Agreement and the Note are hereby approved and authorized.

**BE IT FURTHER RESOLVED** by the Commission of the City of Waycross that the terms of the Loan Agreement and the Note (including the interest rate provisions, which shall be as provided in the Note) are in the best interests of the Borrower for the financing of the Project, and the Commission of the City of Waycross designates and authorizes the following persons to execute and deliver, and to attest, respectively, the Loan Agreement, the Note, and any related documents necessary to the consummation of the transactions contemplated by the Loan Agreement.

**SO RESOLVED**, this 19th day of January, 2010.

**CITY OF WAYCROSS  
BY: CLARENCE BILLUPS, MAYOR**

**ATTEST:  
JULIE C. DINKINS, CITY CLERK**

Commissioner Norman Davis made the motion to approve a Loan Agreement and Promissory Note between the City of Waycross and the Clean Water State Revolving Fund Administered by Georgia Environmental Facilities Authority as presented. Commissioner

William Simmons seconded the motion. All Commissioners voted yes and the motion carried with a 5-0 vote.

A Resolution to Approve to Approve a Resolution to Amend Section 1 and Section 2 of the Resolution to Authorize the Entry of the City of Waycross as a Member of the Joint Development Authority named the “Okefenokee Area Development Authority”; To Specify the Number of Members of the Board of Directors to be Appointed by the City of Waycross; To Specify the Terms of Office of the Board Members was presented:

**RESOLUTION NO. 10-02**

**RESOLUTION TO AMEND SECTION 1 AND SECTION 2 OF THE RESOLUTION TO AUTHORIZE THE ENTRY OF THE CITY OF WAYCROSS AS A MEMBER OF THE JOINT DEVELOPMENT AUTHORITY NAMED THE “OKEFENOKEE AREA DEVELOPMENT AUTHORITY”; TO SPECIFY THE NUMBER OF MEMBERS OF THE BOARD OF DIRECTORS TO BE APPOINTED BY THE CITY OF WAYCROSS; TO SPECIFY THE TERMS OF OFFICE OF THE BOARD MEMBERS; AND FOR OTHER PURPOSES**

**WHEREAS** there was heretofore created and activated a joint development authority, pursuant to O.C.G.A. § 36-62-5.1, named “the Okefenokee Area Development Authority” (hereinafter “O.A.D.A.”);

**WHEREAS** O.A.D.A. adopted Articles of Organization pursuant to the Development Authorities Law (Ga. L. 1963, p. 531, 1; as amended by Ga. L. 1969, p. 137, 1, codified at O.C.G.A. §36-62-1 through 36-62-13) allowing, among other things, the entry into O.A.D.A. of other eligible governmental entities;

**WHEREAS** Article IX, Section VI, Paragraph III of the Constitution of the State of Georgia declares that the development of trade, commerce, industry and employment opportunities is a public purpose valuable to the welfare of the people of the State of Georgia and the General Assembly has enacted legislation for the creation of development authorities under the provisions of O.C.G.A. § 36-62-5.1 which provides for the creation of joint development authorities;

**WHEREAS** it was determined by the Board of Commissioners of the City of Waycross that in order to promote trade, commerce, industry and increased employment opportunities for the public good and general welfare, it was in the best interest of the City of Waycross to participate in O.A.D.A, as provided by O.C.G.A. § 36-62-5.1;

**WHEREAS** the City of Waycross executed Resolution dated December 1, 2009 authorizing the entry of the City of Waycross into the Okefenokee Area Development Authority; and

**WHEREAS** there exists a need to amend the Resolution to ensure conformity with the other enabling resolution.

**NOW, THEREFORE, BE IT RESOLVED** by the City of Waycross Board of Commissioners that Sections 1 and 2 shall be deleted and replaced with the following sections:

Section 1. Membership in O.A.D.A. and Representation on the O.A.D.A. Board of Directors. The Board of Commissioners of the City of Waycross approves the entry of the City of Waycross into O.A.D.A.

effective January 1, 2010. The City of Waycross shall be entitled to appoint four (4) members to the Board of Directors of O.A.D.A. out of the total of nine allowable under the Articles of Organization.

Section 2. Terms of Office of Members of the O.A.D.A. Board of Directors. One of the members appointed by the Board of Commissioners of the City of Waycross shall serve an initial one (1) year term, one shall serve an initial two (2) year term, and two shall serve initial three (3) year terms. All subsequent members appointed to the Board shall serve four (4) year terms.

**SO RESOLVED** this 19<sup>th</sup> day of January, 2010.

**CITY OF WAYCROSS  
BY: CLARENCE BILLUPS, MAYOR**

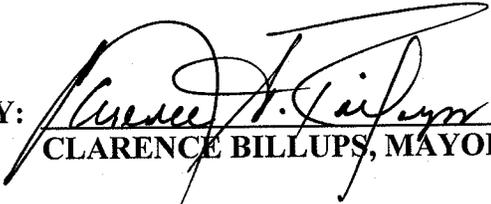
**ATTEST:  
JULIE C. DINKINS, CITY CLERK**

Commissioner Marian Solomon-Gaines made the motion to Approve a Resolution to Amend Section 1 and Section 2 of the Resolution to Authorize the Entry of the City of Waycross as a Member of the Joint Development Authority named the “Okefenokee Area Development Authority”; To Specify the Number of Members of the Board of Directors to be Appointed by the City of Waycross; To Specify the Terms of Office of the Board Members as presented Commissioner William Simmons seconded the motion. Commissioner Daniel Yarbrough recused himself from discussion and voting on this issue due to a possible conflict of interest. The motion carried with a 4-0 vote.

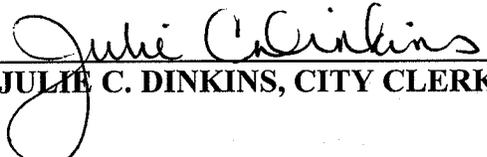
Mr. Pyrzenski congratulated Commissioner Marian Solomon-Gaines and Mayor Clarence E. Billups for being chosen as two of Waycross – Ware County’s Most Influential People according to the South Georgia Times.

After closing remarks from the Commissioners and Mayor Billups, the meeting was adjourned by motion from Commissioner Marian Solomon-Gaines, seconded by Commissioner Yarbrough, all voted in favor and Mayor Billups declared the meeting adjourned.

**CITY OF WAYCROSS**

BY:   
**CLARENCE BILLUPS, MAYOR**

**ATTEST:**

  
**JULIE C. DINKINS, CITY CLERK**