

**CITY OF CALHOUN
REGULAR CITY COUNCIL MEETING
DEPOT COMMUNITY ROOM
109 SOUTH KING STREET
APRIL 9, 2001**

MINUTES

**PRESENT: James F. Palmer, Mayor
John D. Shelton, Jr., Mayor Pro Tem
Ronald H. Woods, Councilman
Ray M. Denmon, Councilman
Lorene Potts, Councilwoman**

**ALSO: William P. Bailey, City Attorney
Kelly Cornwell, Director of Utilities
Cathy Harrison, City Administrator**

1. Mayor Palmer called the meeting to order and welcomed everyone in attendance. Mayor Palmer gave the Invocation.
2. Mayor Palmer led the group in the Pledge of Allegiance to the United States Flag.
3. Minutes of the March 26, 2001 regular City Council meeting were approved as written.
4. Mayor's comments:
 - a. Mayor Palmer announced the death of Jim Calvin, Executive Director of the Georgia Municipal Association. He stated his funeral would be held on Wednesday in Toccoa, Georgia.
 - b. Mayor Palmer commended city employees who recently completed the Coosa Valley customer service training in joint sessions with Gordon County. The sessions were provided by Coosa Valley Technical College. There were approximately 50 employees citywide who attended the short-term training and five employees who completed the 3-month course. Mayor Palmer congratulated each in their endeavors to better serve the citizens of Calhoun and Gordon County.
 - c. Mayor Palmer reminded the council and staff of the information meeting to be held on April 10, 2001 at 6:00 P.M. at the Echota Baptist Church to provide area residents the details of the CDBG Phase II Echota Mill Village Project.
 - d. Mayor Palmer reminded the council of three alcohol license requests scheduled for April 23, 2001 at 7:00 P.M., as follows:
 - 1) Basem Sam Salame for a new location at 468 Highway 53 East;
 - 2) Mukhi, Inc. for the John Bell location at 960 North Wall Street; and
 - 3) Stuffansuch, Inc. for the former Brangus Restaurant at 732 Highway 53 East.
5. Council Comments:

a. Mayor Pro Tem Shelton stated:

- 1) The police department made 645 cases during the month of March, with estimated fines to be collected of \$145,885.00. Fifteen of the cases were for DUI. They issued 29 warning tickets and collected \$98,659.00 in fines from previous cases. They investigated 77 accidents with 17 injuries, and 38 were property investigations. They provided 65 escorts and responded to 123 burglar alarms.
- 2) The fire department responded to 51 calls in March, with estimated fire damage of \$132,000.00. They also responded to 17 accidents, with 10 injuries. They responded to 12 false alarms and provided 29 fire inspections during the month. The fire department provided safety training classes and fire, chemistry and physics drills for their firefighters.
- 3) Mayor Pro Tem Shelton stated he also had a request from Police Chief Goswick to transfer \$4,081.00 from the Special Police Fund to the Operating Fund, in order to purchase motorcycle equipment at a reduced price, and also to purchase drug reduction material to be distributed at Eastside School under a new program, which will be contracted to Deacon Balliew, who will work with the youth in letting them know police officers are their friends. Mayor Pro Tem Shelton stated the police department currently has an excellent D.A.R.E. program, which serves the middle school and the high school. Mayor Pro Tem Shelton stated the city will be obtaining two Harley motorcycles at a lease of \$75.00 per month, which is an excellent opportunity to provide additional traffic control equipment. Chief Goswick stated he currently has four trained officers to operate the cycles and they will be obtaining an additional 60 hours of training prior to utilizing the new cycles. Following discussion, Mayor Pro Tem Shelton made a motion to authorize the transfer of funds requested, second by Councilman Denmon, with Mayor Pro Tem Shelton, Councilman Denmon, Councilman Woods and Councilwoman Potts voting affirmatively, motion carried.

b. Councilman Woods stated:

- 1) The electric department had sales of 25,741,937 kilowatt hours to a customer base of 4,304. The electric and telecommunications systems have an excellent work program of 42 projects lined up for the month of April.
- 2) The telecommunications department currently has several new internet projects at 50% complete or more. This new service is becoming very popular.

c. Councilman Denmon stated:

- 1) The water and sewer construction department completed 51 water taps during the month of March and 6 sewer taps. They installed 3,890 feet of 12-inch water line along Highway 53 Spur for the new Plainville booster pump station and installed 1,000 feet of 4-inch water line along Cagle Road and Scott Brown Road in Fairmount. They repaired 38 water leaks and 18 water meters.
- 2) The waste treatment plant had an average flow of 10.591 million gallons per day (MGD.) The average BOD effluent was 13, the average suspended effluent was 20 and the average COD effluent was 99.

- 3) The water treatment plant pumped 329,830,000 gallons of raw water during the month of March for an average of 10.639 MGD. This is up approximately 3 thousand gallons per day. Well #3 pumped a total of 33,448,000 gallons of finished water during the month, with a daily average of 1.45 million gallons.

d. Councilwoman Potts stated:

- 1) The street department brush truck and leaf vacuum truck picked up 3,040 cubic yards of brush and 460 cubic yards of leaves during the month of March. The street sweeper cleaned 38 miles of curb and gutter. The department hauled 103 loads of stone, placed 13 new street signs and completed 46 shop work orders. The storm water maintenance plan was tested. The street department crews worked at the recreation department at the swimming pool, installing 280 feet of 8-inch drain line from roof drains on the concession stand building, repaired the pool backwash pipes, hauled off old concrete, and took down lifeguard stands and diving boards. They installed traffic control loops on Highway 53 for new light and put the new lights into operation. They poured 2.5 yards of concrete at the recreation department and 1 yard at the Crowe's Nest regarding the handicap ramp. They patched cuts on Mauldin Road, King Street, and the recreation department pool, using a total of 96.84 tons of asphalt. They built storm water box and installed 30 feet of 15-inch pipe on Cherry Hill Circle and also had Jackie Burns and Mike Phillips to be certified by the Georgia DOT Erosion Control as supervisors.
- 2) The sanitation department ran their commercial trash route, serviced their vehicles and gained one 8-yard and one 4-yard dumpster account.
- 3) The parks department provided grass trimming, raking and picking up of trash at city department yards, right-of-way, and water tank sites. They painted at City Hall, enclosed a rollup door at the Street Department and built a wooden fence enclosure around a dumpster in the downtown parking area.
- 4) The cemetery department marked and supervised the opening and closing of 14 gravesites, performed routine maintenance at Fain and Chandler cemeteries and sold 11 gravesites during the month.
- 5) The safety department reported there were no workers' comp accidents and 2 vehicle accidents during the month. The safety committee inspected the all fire stations during the month.
- 6) Animal control housed 30 dogs and 5 cats during the month, issued 1 first warning and 1 third warning for leash law violations and responded to 40 customer inquiries.

6. Public Hearings.

- a. Mayor Palmer stated at this time, public hearings on zoning matters would be held. The public would have the opportunity to make pro and con comments with a ten-minute maximum time limit for each side of the matter. Each person speaking would be required to have filed a Financial Disclosure Statement five days prior to the hearing, and each person would be required to give their name and address before speaking. An inquiry was made to determine if any of the elected officials needed to file a disclosure statement regarding ownership or special interest in any of the agenda items. The response was negative.

- 1) Mayor Palmer gave a second reading of a zoning variance request by Dr. Brent Box and Jerry W. Braden requesting permission to provide the public road, which will serve only these two facilities at a width of 50 feet.
 - a) A public hearing was opened.
 - b) Harrison reported that notices had been sent to adjoining property owners, signs had been placed on the property and notices had been published in the local legal organ.
 - c) Councilwoman Potts stated the Zoning Advisory Board had met on the matter on April 5, 2001 at 4:30 P.M. and had reviewed information provided by Dr. Box, Mr. Braden and the Zoning Review Committee. The Zoning Advisory Board had recommended the variance to 50 feet as opposed to the normal 65-foot right-of-way, with the understanding that discussions would need to be held with the Gordon County Commission regarding any closures of the road and for improvements to the road.
 - d) Mayor Palmer inquired if there were any comments.
 - e) Mr. Jerry Braden stated he is a resident of Summerville, Georgia. At the present time, Timms Road has a 30-foot right-of-way. Their proposal is to extend it to a 50-foot right-of-way, with the additional right-of-way being provided by Dr. Box and himself on the property he proposes to purchase. He stated it is his intention to develop a housing development on the property, once his manner of financing has been secured.
 - f) There were no other comments and the public hearing was closed. Councilwoman Potts made a motion to waive the third and fourth reading and to approve the zoning variance request for a 50-foot street as opposed to a 65-foot street, subject to the issues being addressed with Gordon County. The motion was seconded by Councilman Woods, with Councilwoman Potts, Councilman Woods, Councilman Denmon and Mayor Pro Tem Shelton voting affirmatively, motion carried.
- 2) Mayor Palmer gave a second reading of a zoning variance request of John and Deborah Harris for a zero side set-back to allow construction of a carport at 324 South River Street.
 - a) A public hearing was opened.
 - b) Harrison reported that notices had been sent to adjoining property owners, signs had been placed on the property and notices had been published in the local legal organ.
 - c) Councilwoman Potts stated the Zoning Advisory Board had met on the matter on April 5, 2001 at 4:30 P.M. They reviewed information provided by the Zoning Review Committee and by pictures indicating there was approximately 25 to 30 feet from the property line to the actual structure located south of the Harris property. Based on the lack of any comments from the adjoining property owners, it was the consensus of the Zoning Advisory Board to recommend approval of the request.
 - d) There were no other comments and the public hearing was closed.
 - e) Councilwoman Potts made a motion to waive the third and fourth reading and to approve the request to allow construction of a

carport up to the property line. The motion was seconded by Councilman Woods, with Councilwoman Potts, Councilman Woods, Councilman Denmon and Mayor Pro Tem Shelton voting affirmatively, motion carried.

b. Other hearings:

- 1) A public hearing was opened on the Calhoun Affordable Housing Development, Inc. revolving loan application of \$50,000.00 for assistance with a development off Curtis Parkway, which will create 3 full-time jobs.
 - a) Mayor Palmer requested a report from the Loan Advisory Commission.
 - b) Councilman Woods stated the Loan Advisory Commission had reviewed the application and by majority vote, had recommended approval of the request. He stated the applicant had filed an additional request to allow the loan to be made at a higher interest rate with a refund of interest from 5% to 8.5%, to be forwarded as a rebate to them to allow them to apply the rebate as rent subsidy. They had also inquired of the possibility of extending the period for interest payments only from a one-year time period to a five-year time period. Councilman Woods stated that on advice from the City Attorney, he would recommend that the application stand as a traditional economic development loan, which would include a 5% interest rate for a 10-year period, with principal and interest payments to be made quarterly.
 - c) Following discussion, the public hearing was closed.
 - d) Councilman Woods made a motion to approve the request for a \$50,000.00 loan at 5% for a 10-year period. The motion was seconded by Councilman Denmon, with Councilman Woods, Councilman Denmon, Councilwoman Potts and Mayor Pro Tem Shelton voting affirmatively, motion carried.
- 2) Councilman Woods stated at the same time, Mr. Jerry Braden, in his corporate name, had requested that his loan approved earlier in the amount of \$50,000.00 also be allowed to bear a higher interest rate with the city agreeing to refund down to 5% of the interest each quarter, which could be used as rent subsidy for their housing project. The request also included the possibility of interest payments only for the first five years. Councilman Woods stated that based upon the action taken on the Calhoun Affordable Housing Development, Inc. application and their request, the same criteria should follow on the traditional loan, which was approved earlier for Mr. Braden in his corporate name. The City Administrator was authorized to notify Mr. Braden of this decision.
- 3) Mayor Palmer opened a public hearing on the CDBG grant for Phase II of the Mill Village area and introduced Engineer Mike Richards to review the project. Mr. Richards exhibited a plan of the area, outlining the portion of the Mill Village that includes properties south of Red Bud Road, east of Highway 41 and on the east and west of College Street, up to Nelson Street on the south side. He reviewed the funding level, the amount of funds that would be expended for sewer improvements, the amount of funds expended for water improvements and the amount of funds to be expended for street improvements. He stated the total project would be over \$493,000.00 in grant funds, with additional money being

provided by the city for engineering and inspection services during the project, as well as some sidewalk improvements to be done with local sidewalk funds. He stated there would not be any displacement of families due to the project and it would be criteria included in the contract that driveways will not be blocked during the construction period. However, there will be periods of time when the construction may make it inconvenient for some of the residents in the area. However, the city and its contractors will do everything possible to provide as prompt service as possible to assist the homeowners with these improvements to the infrastructure. Following review by Mr. Richards, Mayor Palmer inquired if there were any questions or comments from the public. There were none and the public hearing was closed.

- 4) A public hearing was opened on the ordinance amendment regarding the adoption of official codes, building, electrical and plumbing. Mayor Palmer reviewed the proposed ordinance and inquired if there were any comments regarding the proposed ordinance. There were none and the hearing was closed. Councilman Woods made a motion to waive the third and fourth reading and to approve the ordinance, second by Mayor Pro Tem Shelton, with Councilman Woods, Mayor Pro Tem Shelton, Councilman Denmon and Councilwoman Potts voting affirmatively, motion carried.
- 5) A public hearing was opened on the JWC Investment Company, Inc., d/b/a Fast Cash Title Pawn and Check Cashing, Charles A. Farrell, Manager, at 203 West Belmont Drive. Mayor Palmer stated the police report was clear and asked for other comments. There were no comments and the hearing was closed. Councilman Woods made a motion to approve the request for JWC Investment Company, Inc., d/b/a Fast Cash Title Pawn and Check Cashing, Charles A. Farrell, Manager, at 203 West Belmont Drive, second by Councilman Denmon, with Councilman Woods, Councilman Denmon, Councilwoman Potts and Mayor Pro Tem Shelton voting affirmatively, motion carried.

c. Public Comments:

- 1) Mayor Palmer stated at this time, he would welcome comments by Mr. Lowell McKinnon regarding drainage problems on Highway 41 North.
 - a) Mr. McKinnon stated he and his brother owned houses located on Highway 41 North, south of Red Bud Road, which are currently part of the Echota Mill Village area. He stated that due to drainage problems in the area, he is having considerable backup of water on his properties, which makes it almost impossible for residents to get in and out of the properties. He stated it has caused mildew to form on sheetrock and has made it very uncomfortable and inconvenient for those renting the properties. He stated he was aware of the fact that D.O.T. has the right-of-way on which the drainage tiles are located. However, he felt the properties on the west side of Highway 41, which are causing the drain that would normally serve the area to be blocked, have refused to assist with the problem and have not even acknowledged that there is a drainage problem. He asked if there was any assistance that the city could offer to remedy this situation.
 - b) Mayor Palmer stated he was very well aware of the situation. The problem consists of three areas:
 - (1) The right-of-way property on which the drainage tile, as well as the drainage easements located on the west side of Highway 41 are the property of the Georgia Department of Transportation.
 - (2) The property that appears to have caused the problem is property located in the unincorporated area of the county and therefore is not under the jurisdiction of the City of Calhoun.

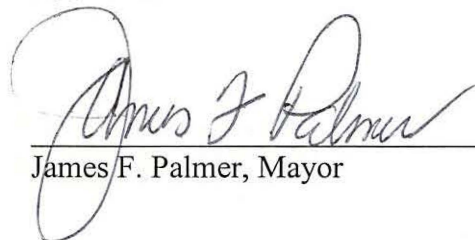
- (3) In the prior year, when the city was seeking to obtain right-of-way from the owner of the property in question and was willing to pay for that easement at another location by providing labor and machinery to locate and dislodge the blockage in the drain, the city was told by the property owner that they had no desire for the city to be on their private property and they were not willing to make this exchange for other right-of-way.
 - c) Mr. McKinnon asked if there was not the possibility of the property being annexed into the city.
 - d) Mayor Palmer and Attorney Bailey responded that it is the city's policy to provide annexations based on the property owner's request. If the property was indeed an island, it could be annexed easily. However, that determination (that it is an island) has not been made and would therefore be difficult to annex without acknowledgment from the property owner, since they had previously rejected any assistance provided by the city.
 - e) Mayor Palmer stated that, as Mr. McKinnon knew, the Georgia D.O.T. widening of Highway 41 would eliminate the problem. However, this would be approximately another 3 to 4 years before actual construction was in place and completed.
 - f) Councilman Woods stated he had a conversation with a member of the D.O.T. staff recently and been told that the main problem holding up the Highway 41 widening project at this time is the extensive engineering studies that are being done for the drainage in that immediate area.
 - g) There were no additional comments.
- 7. Old business: **none.**
- 8. New business:
 - a. Joe and Brent Stepp made a request to donate Professional Court to the City of Calhoun as a public street. They provided a deed and title opinion for the city, which had been reviewed and approved by the city attorney. Kelly Cornwell stated that Street Superintendent Kevin McEntire was on vacation but had discussed the donation of the property with Mr. Stepp the previous week and had his assistant, Jackie Burns, to review the property as late as Monday morning. It was determined that the street had been striped in accordance with the specifications and stop signs and traffic signs had been placed on the property. However, the street sign had not been added to the property, due to the lack of the proper lettering available at the city. Other than this, the property appeared to be in good condition and acceptable. Following discussion, Councilman Woods made a motion to approve the donation of Professional Court to the City of Calhoun as a public street, subject to the final inspection of the street superintendent. The motion was seconded by Councilwoman Potts, with Councilman Woods, Councilwoman Potts, Councilman Denmon and Mayor Pro Tem Shelton voting affirmatively, motion carried.
 - b. Mayor Palmer stated the annual request from the Department of Administrative Services was being considered, which included a resolution identifying the city officials who have authorization to purchase from the Department of Administrative Services. Following discussion, Councilman Denmon made a motion to approve Police Chief Therrell Goswick, Captain Larry Bowen, Fire Chief Lenny Nesbitt and Assistant Fire Chief Jerry Quinn, Street Superintendent

Kevin McEntire and Assistant Jackie Burns, Director of Utilities Kelly Cornwell, Director of Public Safety and Public Works Eddie Peterson, Water and Sewer Director Jerry Crawford, and Purchasing Director Linda Weaver, as authorized personnel for purchases through the Department of Administrative Services. The motion was seconded by Mayor Pro Tem Shelton, with Councilman Denmon, Mayor Pro Tem Shelton, Councilman Woods and Councilwoman Potts voting affirmatively, motion carried.

- c. Mayor Palmer reviewed a request of the Gordon Hospital Foundation for their annual Fun Run on May 10, 2001, and reviewed their request to close Curtis Parkway between Red Bud Road and Dews Pond Road during the race from 7:00 P.M. to 8:00 P.M. Following discussion, Councilman Woods made a motion to approve the request, second by Mayor Pro Tem Shelton, with Councilman Woods, Mayor Pro Tem Shelton, Councilman Denmon and Councilwoman Potts voting affirmatively, motion carried.

9. Other written items not on the agenda: **none.**
10. Work reports: **none.**
11. Mayor Palmer inquired if it was necessary to move to executive session. The response was negative.
12. Councilman Woods made a motion to adjourn, second by Mayor Pro Tem Shelton, with Councilman Woods, Mayor Pro Tem Shelton, Councilman Denmon and Councilwoman Potts voting affirmatively, motion carried.

Approved:


James F. Palmer, Mayor

Submitted:


Cathy Harrison, City Administrator

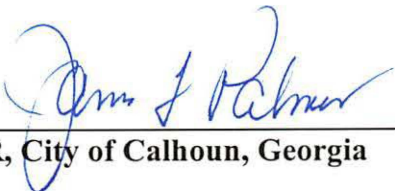
Zoning Application No: **185**

A public hearing was conducted pursuant to Section 14-2-3 of The Zoning Ordinance of the City of Calhoun, Georgia ("the ordinance") before the Mayor and Council of the City of Calhoun, Georgia on the **9th day of April 2001 to consider a zoning variance request of John and Deborah Harris for a zero side set-back to allow construction of a carport at their residence at 324 South River Street. ("The Application")**

During the public hearing, the Application was discussed in an open meeting and the following findings were made:

1. The public notice of the hearing was published in the Calhoun Times as required under § 14.2.2 of the Ordinance.
2. All required signs giving notice of the public hearing were placed upon the property as required under § 14.2.2 of the Ordinance.
3. All presently adjoining landowners received notice of the public hearing and a copy of the Application as required pursuant to § 14.4 of the ordinance.
4. All disclosures of any conflict of interest required by Title 36, Chapter 67A of the Official Code of Georgia Annotated have been reported.
5. **The findings of the Zoning Review Committee and the Zoning Advisory Board are hereby made a part of this record.** The findings and recommendations of the Zoning Advisory Board were reviewed and accepted as the findings of the Mayor and Council as follows: **Based upon the information provided, the board recommended approval of the request for a zoning variance.**
6. List any additional findings, if necessary, to support additional conditions: **none.**
7. Review of the Standards set out in § 14.5 of the Ordinance: **Substantial compliance with standards.**
8. Based upon the foregoing findings, the Application is:
 - (a) Approved X
 - (b) Denied
 - (c) Approved with express Condition

Number Voting: 4
In Favor: 4
Abstaining: 0
Opposed: 0



MAYOR, City of Calhoun, Georgia

Zoning Application No: **184**

A public hearing was conducted pursuant to Section 14-2-3 of The Zoning Ordinance of the City of Calhoun, Georgia ("the ordinance") before the Mayor and Council of the City of Calhoun, Georgia on the **9th day of April 2001 to consider a zoning variance request by Dr. Brent Box and Jerry W. Braden requesting permission to provide the public road, which will serve only these two facilities at a width of 50 feet. ("The Application")**

During the public hearing, the Application was discussed in an open meeting and the following findings were made:

1. The public notice of the hearing was published in the Calhoun Times as required under § 14.2.2 of the Ordinance.
2. All required signs giving notice of the public hearing were placed upon the property as required under § 14.2.2 of the Ordinance.
3. All presently adjoining landowners received notice of the public hearing and a copy of the Application as required pursuant to § 14.4 of the ordinance.
4. All disclosures of any conflict of interest required by Title 36, Chapter 67A of the Official Code of Georgia Annotated have been reported.
5. **The findings of the Zoning Review Committee and the Zoning Advisory Board are hereby made a part of this record.** The findings and recommendations of the Zoning Advisory Board were reviewed and accepted as the findings of the Mayor and Council as follows: **Based upon the information provided, the board recommended approval of the request for a zoning variance.**
6. List any additional findings, if necessary, to support additional conditions: **none.**
7. Review of the Standards set out in § 14.5 of the Ordinance: **Substantial compliance with standards.**
8. Based upon the foregoing findings, the Application is:
 - (a) Approved X
 - (b) Denied _____
 - (c) Approved with express Condition _____

Number Voting: 4
In Favor: 4
Abstaining: 0
Opposed: 0



MAYOR, City of Calhoun, Georgia

RESOLUTION/DESIGNATION OF CERTIFYING OFFICIALS AND PROPERTY SELECTORS

The following named individuals are hereby appointed certifying officials with authority to conduct all matters of business pertaining to the acquisition and utilization of Surplus Property acquired through the Georgia State Agency for Support Service Division. They are designated to obligate necessary Donee Organization funds for this purpose and execute Distribution Documents binding the Donee Organization to the terms, conditions reservations and restrictions applying to property obtained through the agency. The list will be updated on a regular basis depending on type of organization. Between update periods, the certifying official is responsible for notifying the State Agency in the event of additions or cancellations to the list. Individuals not listed below will be required to have written authorization from a certifying officer before being admitted to the agency distribution centers.

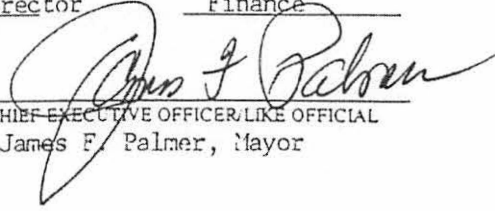
NAME	TITLE	TELEPHONE
<u>Cathy Harrison</u>	<u>City Administrator</u>	<u>706-629-0151</u>
<u>Kelly Cornwell</u>	<u>Director of Utilities</u>	<u>706-629-0151</u>
<u>Eddie Peterson</u>	<u>Director of Pub. Safety</u> <u>Public Works</u>	<u>706-629-0151</u>

The above listed individuals will assume responsibility for appointing property selectors, insure lawful utilization of property, maintain property records on property received, and assure prompt payment on service charge accounts.

The below listed individuals are designated property selectors and have authority to visit and acquire items of property from the Georgia State Agency for Surplus Property. (Use additional pages if needed.)

NAME	POSITION	UNIT
<u>Therrell Goswick</u>	<u>Police Chief</u>	<u>Public Safety</u>
<u>Larry Bowen</u>	<u>Police Captain</u>	<u>Public Safety</u>
<u>Lenny Nesbitt</u>	<u>Fire Chief</u>	<u>Public Safety</u>
<u>Jerry Quinn</u>	<u>Asst. Chief</u>	<u>Public Safety</u>
<u>Kevin McEntire</u>	<u>Street Supt.</u>	<u>Public Works</u>
<u>Jackie Burns</u>	<u>Street Foreman</u>	<u>Public Works</u>
<u>Kelly Cornwell</u>	<u>Director Of Utilities</u>	<u>Public Utilities</u>
<u>Eddie Peterson</u>	<u>Director of Pub. Safety</u> <u>& Pub. Works</u>	<u>Public Safety-Public Works</u>
<u>Jerry Crawford</u>	<u>Director Water-Sewer</u>	<u>Public Utilities</u>
<u>Linda Weaver</u>	<u>Purchasing Director</u>	<u>Finance</u>

Date April 9, 2001


CHIEF EXECUTIVE OFFICER/LIKE OFFICIAL
James F. Palmer, Mayor

NON-DISCRIMINATION ASSURANCE

Assurance to be executed by authorized representative of Donee activity prior to receiving donations of Surplus Personal Property from Support Services Division on and after October 17, 1977.

Assurance of compliance with GSA Regulations under Title VI of the Civil Rights Act of 1984, Section 606 of Title VI of the Federal Property and Administrative Services Act of 1949, as amended, Section 504 of the Rehabilitation Act of 1973, as amended. Title IX of the Education Amendments of 1972, as amended and Section 303 of the Age Discrimination Act of 1975.

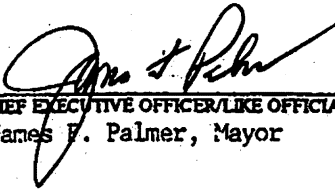
City of Calhoun hereinafter called the "donee,"

NAME OF ORGANIZATION

hereby agrees that the program for or in connection with which any property is donated to the Donee will be conducted in compliance with, and the Donee will comply with and will require any other person (any legal entity) who through contractual or other arrangements with the Donee is authorized to provide services or benefits under said program to comply with all requirements imposed by or pursuant to the regulations of the General Services Administration (41 CFR 101-6.2 OR 101-8) issued under the provisions of Title VI of the Civil Rights Act of 1964, Section 606 of Title VI of the Federal Property and Administrative Services Act of 1949, as amended, Section 504 of the Rehabilitation Act of 1973, as amended, Title IX of the Education Amendments of 1972, as amended, and Section 303 of the Age Discrimination Act of 1975, to the end that no person in the United States shall on the ground of race, color, national origin, sex, or age, or that no otherwise qualified handicapped person shall solely by reason of the handicap, be excluded from participation in, be denied the benefits of or be subjected to discrimination under any program or activity for which the Donee received Federal Assistance from the General Services Administration: and hereby gives assurance that it will immediately take any measures necessary to effectuate this agreement.

The Donee further agrees that this agreement shall be subject in all respects to the provisions of said regulations; that this agreement shall obligate the Donee for the period during which it retains ownership or possession of any such property; that the United States shall have the right to seek judicial enforcement of this agreement; and this agreement shall be binding upon any successor in interest of the Donee and the word "Donee" as used herein includes any such successor in interest.

Date April 9, 2001

BY 
CHIEF EXECUTIVE OFFICER/LIKE OFFICIAL
James F. Palmer, Mayor

City of Calhoun

P.O. Box 609

Calhoun, GA 30703

DONEE MAILING ADDRESS

INCLUDE STREET ADDRESS IF DIFFERENT FROM MAILING ADDRESS

REVISED October 3, 2000