

**CITY OF CALHOUN  
REGULAR CITY COUNCIL MEETING  
DEPOT COMMUNITY ROOM  
109 SOUTH KING STREET  
DECEMBER 8, 2003, 7:00 P.M.**

**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  
Eddie Peterson, Director of Public Safety and Public Works  
Cathy Harrison, City Administrator**

1. Mayor Palmer called the meeting to order, welcomed everyone in attendance.
  - a. Councilman Denmon gave the invocation.
2. Mayor Palmer led the group in the Pledge of Allegiance to the United States Flag.
3. Minutes of the November 24, 2003 regular City Council meeting were approved as written.
4. Mayor's comments:
  - a. Mayor Palmer stated the Mayors' Motorcade to Northwest Georgia Regional Hospital on December 4, 2003 was successful. He stated the regional hospitals throughout the state were blessed with donations and gifts from each community. Mayor Palmer expressed his appreciation to those groups and individuals who had given for patients of the Northwest Regional Hospital.
  - b. Mayor Palmer reminded the Council of the National League of Cities meeting on December 9-13, 2003 in Nashville, Tennessee.
  - c. Mayor Palmer also reminded the Council of the GMA Legislative Mayors' Day Conference in Atlanta on January 24-26, 2004. He stated the 26<sup>th</sup> would be a City Council meeting date and since the Council would be in Atlanta during the day, the noon work session would not be held.
  - d. Mayor Palmer stated the December 22, 2003 City Council meeting would be held as scheduled.
  - e. Mayor Palmer reminded the public the city will observe Christmas on December 25 and 26 and business offices will be closed. However, emergency services will be available by calling 629-2758.
5. Council Comments:
  - a. Mayor Pro Tem Shelton stated:
    - 1) The Calhoun police department made 821 cases during October. They issued 207 warrants, 113 for speeding and 501 others. Anticipated fines for the month were \$102,912.50 and actual fines collected on previous cases were \$90,418.00. There were 13 DUI cases, 340 warnings tickets, 75 highway accidents and 22 private property accidents with 7 injuries.

They provided 101 escorts, completed 1,957 incident reports, responded to 133 alarms, and drove 50,546 miles on patrol. They responded to 6,200 calls for service via E-911.

- 2) The fire department responded to a total of 63 calls for service during the month of November 2003. The calls included 11 fire incidents, 26 EMS or rescue incidents, 9 hazardous condition incidents, 3 service calls, 4 good intention calls, 8 false alarms, and 2 special incidents. The fire department completed training of all firefighters on specialized programs during the month. The firefighters completed routine maintenance of stations and vehicles.
- 2) The fire inspector conducted 37 inspections and conducted a fire extinguisher class for 65 people at Superior Manufacturing, and conducted 3 burn site inspections.

b. Councilman Woods stated:

- 1) The electric department projects under construction or complete include: the new Calhoun Elementary School, which is near completion; lighting of the campus is under construction and the transformers have been reset; line reconducting on East Line and Hillcrest Drive is under way and should be completed shortly; a new pad mounted transformer is being added to the Shaw Industries/Georgia Tufters complex; the new Arts Council theater is energized and complete. There are several projects in engineering and design including the water plant pumping expansion; Park Avenue and downtown service alleys and the Calhoun Middle School project. Tree trimming began with a contractor on December 1. Work orders in progress included 43 for street and security lighting, 32 for new business and maintenance and 12 after hours trouble call outs. The electric system purchased 31,476,840 kWh during the month of October.
- 2) The electric inspection division issued 14 permits in the month of November, provided 38 inspections and set 10 meters.
- 3) The telecommunications department made 8 contacts during the month resulting in 2 new Internet customers and 1 10-megabit circuit. There are 3 quotes outstanding at this time. They continued construction of a 36-count fiber installation on Executive Drive. This project will create a sub-ring to the existing fiber-optic backbone system.

c. Councilman Denmon stated:

- 1) The water treatment plant pumped a daily average of 12.05 million gallons during the month of November. The well on Brittany Drive produced 32.25% of the city's total potable water.
- 2) The waste treatment plant treated an average flow of 6.495 million gallons per day. The average BOD effluent was 11, the average suspended effluent was 19 and the average COD effluent was 98.
- 3) The water and sewer construction department completed 38 water taps and 4 sewer taps. They continued work on replacement of the downtown water and sewer lines and completed work on the Covington Bridge Road 12-inch water line. They installed a 6-inch water line along Cornelison Road. They installed a new meter and fire tap for the new county high

school. They repaired 49 leaks and 18 meters. They changed out 8 meters and responded to 115 miscellaneous calls.

- 4) The Building Inspector issued 47 permits for estimated construction of \$2,980,700.00.

d. Councilwoman Potts stated:

- 1) During the month of November, the street sweeper cleaned 42 miles of curb and gutter. The street department placed 21 new street signs and completed 27 shop work orders. They dug out and patched on Court and North Wall Streets, using 9 yard of concrete. They ran the storm water maintenance plan on November 24, 2003. They laid 20 feet of 15-inch pipe and built a storm water box at the Depot. They worked on the north end of McDaniel Station Road, hauling soil and grading shoulders on the road. They removed brick and poured a 20 x 30 foot concrete pad at the Depot. They dug out and poured 45 feet of curb and 88 feet of sidewalk on Park Avenue and North Wall Street. The crew also continued with leaf pickup with the new vacuum truck.
- 2) The sanitation department ran their commercial trash routes and serviced and washed vehicles. They gained one 4-yard commercial dumpster account.
- 3) The parks department crews provided their routine maintenance on city property, water tank sites and right-of-ways, raking leaves and picking up litter. They hung Christmas decorations at the Depot and completed a new office and redesigning partitions at City Hall.
- 4) The cemetery department marked and supervised the opening and closing of 7 gravesites. They sold 11 burial spaces. They performed routine maintenance at both Fain and Chandler Cemeteries.
- 5) There was 1 workers' comp accident and no vehicle accidents during the month.
- 6) Animal control issued 2 first warnings, 1 second warning and 1 third warning regarding leash law violations. They responded to 55 customer calls.

6. Public Hearings and Comments:

- 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 had filed a disclosure statement regarding ownership or special interest in the agenda items. Councilwoman Potts stated she had an interest in items 2 and 3.

Mayor Palmer reviewed the Standards Governing the Exercise of Zoning Power, as follows:

**STANDARDS GOVERNING THE EXERCISE OF ZONING POWER**

- (1) Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.

- (2) Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.
- (3) Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned.
- (4) Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools.
- (5) Whether there will be capital costs for capital improvements to serve the area. Capital costs shall include water mains, sewer mains, new street pavement or widening, new fire stations or equipment, new police stations or equipment, and other like costs.
- (6) Whether the zoning proposal is in conformity with the policy and intent of the land use plan.
- (7) Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for their approval; or disapproval of the zoning proposal.
- (8) Whether there are other factors relevant to balancing the interest in promoting the public health, safety, morality or general welfare against the right to the unrestricted use of property.

**VARIANCE CONSIDERATIONS (ONE OR MORE)**

- (a) There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography.
- (b) The application of this ordinance to the particular piece of property would create an unnecessary hardship.
- (c) Such conditions are peculiar to the particular piece of property involved.
- (d) Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of this ordinance, provided, however, that no variance may be granted for a use of land or building or structure that is prohibited by this ordinance.

- 1) Mayor Palmer gave a second reading of a zoning variance request on required parking spaces by Terry Brumlow as agent for Scott Williams and Robert W. Miller for a lot on Curtis Parkway, being approximately 3 acres in Land Lot 231 of the 14th District and 3rd Section of Gordon County, Georgia.
  - a) A public hearing was opened.
  - b) Harrison reported that signs had been placed on the property, notices had been published in the local legal organ and she had received evidence of notification to adjoining property owners.
  - c) Attorney Bailey stated the Zoning Advisory Board heard this item on December 1, 2003 at 4:30 p.m. and on this particular item, a quorum was present to review the findings of the Zoning Review Committee. They also heard comments by an adjoining resident in Idle Acres who was concerned about the privacy aspect. Mr. Bailey explained the ordinance provided for a 20-foot buffer between the properties and also called for a 6-foot fence on the commercial property. He stated following those comments, the hearing was closed and the Zoning Advisory Board recommended approval by the Mayor and Council.

- d) Mayor Palmer asked if there were any comments by the applicant or by the public. There were none and the hearing was closed.
- e) Councilman Woods made a motion to waive the third and fourth reading and approve the request based upon the following conditions:

- (a) There are no extraordinary or exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography.
- (b) The application of this ordinance requiring 150 parking spaces on this particular piece of property would create an unnecessary hardship.
- (c) There are no conditions peculiar to the particular piece of property involved.
- (d) Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of this ordinance.

- d) The motion was seconded by Councilman Denmon, with Councilman Woods, Councilman Denmon, Councilwoman Potts and Mayor Pro Tem Shelton voting affirmatively, motion carried.
- 2) & 3) Mayor Palmer gave a second reading of a request by Ronald B. and Lorene Potts for zoning of R-1B and annexation of a house and lot on 405 Peters Street and a house and lot at 126 Erwin Street.
- a) A public hearing was opened.
  - b) Harrison reported that signs had been placed on the property, notices had been published in the local legal organ and she had received evidence of notification to adjoining property owners.
  - c) Attorney Bailey stated the Zoning Advisory Board had also heard these matters on December 4 and based upon the fact that only two remaining board members were eligible to vote, which does not constitute a quorum, no official recommendation was made. Attorney Bailey reviewed the findings of the Zoning Review Committee composed of city department heads as follows:
    - i) Regarding the house on Peters Street, Don McGinnis stated there is a house located on the property, which, at one time was a trailer that has been added to, with a regular roof and a foundation for the added-on portion. He stated the property does touch other city property and is eligible for annexation. The zoning requested fits within the zoning ordinance and he had no problem with the request.
    - ii) Terry Mills stated there is a fire hydrant located in front of the property and he had no problem with the request.
    - iii) Wayne Brown stated the police department currently serves the area and they have no problem with the request.
    - iv) Kevin McEntire stated Peters Street is a county street and is maintained by the county. The driveway has good sight distance and the property is eligible for residential trash service, if annexed.

- v) Kenny Rogers stated the property is currently served by North Georgia EMC and would not be eligible for city power. He had no problem with the request.
- vi) Eddie Peterson stated the lot assists in filling in a zoning island in the area and he had no problem with the request.
- vii) Mark Williamson's report stated the property is currently served with water and sewer service.

And

- i) Regarding the house and lot on Erwin Street, Don McGinnis stated there is an older house located on the property. The requested zoning is proper for the house and lot. The property touches other city property and is eligible for annexation and he had no problem with the request.
  - ii) Terry Mills stated a fire hydrant is located within 500 feet of the house and it does meet code.
  - iii) Wayne Brown stated the police department had no problem with the request, since they currently serve the area.
  - iv) Kevin McEntire stated Peters Street is a county street. The property would be eligible for residential trash service, if annexed.
  - v) Kenny Rogers stated the property is currently served by North Georgia EMC and would not be eligible for city power. He had no problem with the request.
  - vi) Eddie Peterson stated this property also assists in filling a zoning island in city property and he had no problem with the request.
  - vii) Mark Williamson's report stated the property is currently served by the city with water and sewer service.
- d) Mayor Palmer inquired if there were any comments from the applicant or the public. There were none and the hearing was closed.
  - e) Mayor Palmer asked for separate motions on the individual lots.
  - f) Councilman Woods made a motion to waive the third and fourth reading and approve the request for zoning of R-1B and annexation of a house and lot at 405 Peters Street, based upon the following:

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| <ul style="list-style-type: none"><li>(1) The zoning proposal would permit a use that is suitable to the adjoining and nearby property.</li><li>(2) The proposal will not adversely affect the existing use or usability of adjacent or nearby property.</li><li>(3) The property in question is currently zoned in the unincorporated area of the county and has a reasonable economic use as currently zoned.</li><li>(4) The zoning proposal would not result in an excessive impact on existing streets, utilities or schools.</li><li>(5) Any costs for capital improvements for the property would be borne by the owner.</li><li>(6) The request is in conformance with the policy and intent of the land use plan.</li></ul> |
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- (7) There are no existing or changing conditions affecting the use or development of the property.
- (8) There are no other factors relevant to balancing the interest and promoting the public health, safety, morality or general welfare against the right to unrestricted use of the property.

g) The motion was seconded by Mayor Pro Tem Shelton, with Councilman Woods, Mayor Pro Tem Shelton, and Councilman Denmon voting affirmatively and Councilwoman Potts abstaining, motion carried.

h) Councilman Woods made a motion to waive the third and fourth reading and approve the request for zoning of R-1B and annexation of a house and lot at 126 Erwin Street, based upon the following:

- (1) The zoning proposal would permit a use that is suitable to the adjoining and nearby property.
- (2) The proposal will not adversely affect the existing use or usability of adjacent or nearby property.
- (3) The property in question is currently zoned in the unincorporated area of the county and has a reasonable economic use as currently zoned.
- (4) The zoning proposal would not result in an excessive impact on existing streets, utilities or schools.
- (5) Any costs for capital improvements for the property would be borne by the owner.
- (6) The request is in conformance with the policy and intent of the land use plan.
- (7) There are no existing or changing conditions affecting the use or development of the property.
- (8) There are no other factors relevant to balancing the interest and promoting the public health, safety, morality or general welfare against the right to unrestricted use of the property.

i) The motion was seconded by Mayor Pro Tem Shelton, with Councilman Woods, Mayor Pro Tem Shelton, and Councilman Denmon voting affirmatively and Councilwoman Potts abstaining, motion carried.

b. Other hearings or comments:

- 1) Mayor Palmer gave a second reading to the proposed amendments to the soil and sedimentation ordinance.
  - a. A public hearing was opened.
  - b. Eddie Peterson stated Calhoun is a local issuing authority and in order to conform with House Bill 285 passed by the legislature, the city must amend its current ordinance in order to continue to issue permits. The revisions will call for stop-work orders. It should streamline the process and it should reduce some of the testing by developers. The cost will be increased to \$40.00 per acre for the local issuing authority and \$40.00 per acre for the state.
  - c. Mayor Palmer stated a third reading of the proposed changes will be held on December 22, 2003 at 7:00 p.m.

7. Old business:

- a. Mayor Palmer gave a second reading to the beer, wine and liquor license renewal requests for 2004, as follows:

ABC Highway 53 Package Store, LLC	Sidney Collins	Sidney Collins
Abujaber, Inc. d/b/a Lizzi's Deli & Grill	Abujaber, Inc.	Amanda Marie Allen
American Legion Post 47	American Legion	C. L. Rutledge
Arch City Package	Patricia DeFoor	Patricia DeFoor
B&L Beverage	Tim Bockholt	Tim Bockholt
B&L Liquor, Inc	Lindsey Lewis	Lindsey Lewis
China Cook	Linn Buu Quan	Linh Buu Quan
Dixie Beverage Shop	Barbara Bishop	Barbara Bishop
El Pueblito Mexican Rest.	El Pueblito Mexican Rest.	Juana Naranjo
El Rayos	Gerardo Herrera	Gerardo Herrera
Fast Food & Fuel	Fast Petroleum, Inc.	Sharon K. Wright
GAK Package Store	Ghulam Akbar Khan	Ghulam Akbar Khan
Gondolier's Pizza	Gondolier's Pizza	Alexis Prasinis
Great Wall Chinese Restaurant	Great Wall, Inc.	Kitty Leung
J & P	Patsy Colleps	Patsy Colleps
J J's Package Store	Raymond J. Brown	Raymond J. Brown
Jimmy's Package	Alton DeFoor	Alton DeFoor
Los Gallos De Mexico	Martin Carranza	Martin Carranza

Following review, Councilwoman Potts made a motion to approve the renewals as listed, with the understanding that all the appropriate employees must be certified by the police department prior to issuance of the license, second by Mayor Pro Tem Shelton, with Councilwoman Potts, Mayor Pro Tem Shelton, Councilman Woods and Councilman Denmon voting affirmatively, motion carried.

- b. Mayor Palmer gave a second reading of the pawn license renewal requests for 2004, as follows:

Bubba's Pawn Mart	Laurence Mauldin
Cash Express	Cal Rountree
Cash One Payday Advance and Title Pawn	Teresa Young
Cash One Payday Advance and Title Pawn	Sandy Gallman
D&S Pawn	Nancy P. Long
National Title Pawn of Calhoun	Jennifer Ann Quinn
Park Avenue Pawn & Jewelry	Douglas Driscoll
Pawn Mart, Inc.	Scotty Brown
Pete's Music City & Pawn	Clifford L. Cochran
The Cash Store	Sharon West
This & That Pawn Shop	Clyde E. McEntyre
Title Exchange & Pawn	Hugh M. Austin
Titlemax of Calhoun, Inc.	Cecily Hay-Sudduth

Councilman Denmon made a motion to approve the pawn license renewal requests for 2004, second by Councilwoman Potts, with Councilman Denmon, Councilwoman Potts, Councilman Woods and Mayor Pro Tem Shelton voting affirmatively, motion carried.

- c. Mayor Palmer gave a second reading of the taxi license renewal requests for 2004 as follows:

Los Buenos Amigos Taxi	Sonia Romero
Taxi Hispano	Everilda Velasquez
Taxi Latino	Ofilio Lara
Taxi Union	Isidro Bautista

Councilman Denmon made a motion to approve the renewal requests, second by Mayor Pro Tem Shelton, with Councilman Denmon, Mayor Pro Tem Shelton, Councilman Woods, and Councilwoman Potts voting affirmatively, motion carried.


8. New business:

- a. Mayor Palmer gave a first reading to the fee resolution regarding soil and sedimentation amendments. Eddie Peterson reviewed the changes. Mayor Palmer stated a second reading could be held on December 22, 2003.
- b. Mayor Palmer gave a first reading of a zoning variance request by Roger Rigney for a 10-foot variance on the east side of a lot and a 10-foot variance on the northeast corner of the lot on Metter Lane. He stated the earliest date for a public hearing would be January 12, 2004 at 7:00 p.m. Councilwoman Potts made a motion to set the public hearing for that date and time, second by Councilman Denmon, with Councilwoman Potts, Councilman Denmon, Councilman Woods and Mayor Pro Tem Shelton voting affirmatively, motion carried.
- c. Mayor Palmer stated the city had received quotes for the building, content and liability insurance coverage for the city and city schools for next 12-month period. He stated the quotes included a quote from GRMA, which is the Georgia Municipal Association insurance trust for \$433,601.00. The quote from St. Paul/Zurich for the city coverage was for \$350,590.00 and a separate policy through Utica Mutual for \$78,814.00 for the schools for comprehensive coverage, for a total of \$429,404.00. Mayor Palmer stated a complete proposal had been received from St. Paul/Zurich for the school system and the city combined, but that coverage was an additional \$30,000.00. Therefore, the best bid would be the split coverage between St. Paul/Zurich for the city and Utica for the schools. Mayor Palmer stated the Council had heard a full report on the proposals and the strong and weak points of each proposal during lunch. Based upon the information presented, he would recommend the low bid of \$429,404.00 for the next fiscal year on the split bid from St. Paul/Zurich for the city coverage for \$350,590.00 and from Utica Mutual for \$78,814.00 for the schools. Councilman Woods made a motion to approve the Mayor's recommendation for the split coverage of St. Paul/Zurich for the city coverage for \$350,590.00 and from Utica Mutual for \$78,814.00 for the schools for the next year, second by Councilman Denmon, with Councilman Woods, Councilman Denmon, Councilwoman Potts and Mayor Pro Tem Shelton voting affirmatively, motion carried.
- d. Mayor Palmer gave a first reading of a late license renewal request by Johnny Bryant for ABC Liquor at 769 Highway 53 East. He stated a second reading can be held on December 22, 2003 at 7:00 p.m.
- e. Mayor Palmer gave a first reading of a request for zoning of R-2 and annexation by Randy Abernathy and Jeff Gilmer for a lot on Peters Street across from Parkbrook Apartments. He stated the earliest date for a public hearing would be January 12, 2004 at 7:00 p.m. Councilwoman Potts made a motion to set the public hearing for that date and time, second by Councilman Denmon, with

Councilwoman Potts, Councilman Denmon, Councilman Woods and Mayor Pro Tem Shelton voting affirmatively, motion carried.

9. Other written items not on the agenda:
  - a. Mayor Palmer gave a first reading of the fee schedule amendment, which would include the fees associated with water and sewer line installation. This would be the review and inspection fees and permit costs as currently listed in the water and sewer installation policy. He stated when the policy was updated recently, the fee schedule was not updated to include these fees. He stated a second reading and approval could be held on December 22, 2003.
10. Work Reports:
  - a. Kelly Cornwell, Director of Utilities: **no report.**
  - b. Eddie Peterson, Director of Public Safety and Public Works, stated he had provided a written report for the Mayor and Council and was available to respond to any questions. There were no questions.
11. Mayor Palmer inquired if there was a need to move to executive session. There was none.
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:



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James F. Palmer, Mayor

Submitted:



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Cathy Harrison, City Administrator

**MINUTES OF THE PRE-CONSTRUCTION CONFERENCE  
WATER PROJECT – GEFA & SRF PROGRAM  
CONFERENCE ROOM  
700 WEST LINE STREET  
CALHOUN, GEORGIA  
DECEMBER 4, 2003, 10:00 A.M.**

**ATTENDANCE:**     **Jerry Crawford, Director of Water and Sewer  
Bruce Shuler, C & S Construction Co.  
Gerald Bevis, Crom Corporation  
Bob Peeples, Peeples & Quigley Engineering  
Dave Raney, Georgia EPD  
Todd Langford, City Engineering Department  
Brandon M. Cook, City Engineering Department  
Cathy Harrison, City Administrator**

1.     Jerry Crawford called the meeting to order.
2.     Dave Raney discussed the need for Appendix C items for the project and the need for plans for the SR 136 portion of the project.
3.     Jerry Crawford and Dave Raney discussed DOT permits. They stated erosion control may be a county permit. Dave Raney stated the project can begin when these two questions are resolved.
4.     Jerry Crawford stated line extension plans have been approved, except for 170 feet for the river section of the project, which is less than 1% of the project.
5.     Dave Raney stated the Inspector's qualifications must be submitted to EPD for approval.
6.     Since the city will furnish materials for water line extensions and tank connections, Mr. Raney stated he would need a copy of the city's purchasing policies and a sample of the process for annual proposals for various supplies and services.
7.     Jerry Crawford stated the Sugar Valley tank site has a clear title and would be the starting point for Crom Corp. The Brownlee tank site is in a condemnation process.
8.     Dave Raney, Jerry Crawford and Gerald Bevis discussed the lack of contract approval at this point, based on the inadequate information regarding minority sub-contractors. Gerald Bevis stated he would resubmit his information, outlining in detail the process his company used in securing proposed subs. He stated he would also advertise in the local legal organ for minority sub-contractors, as well.
9.     Dave Raney stated any changes in pipe size or type of materials would need to be approved by EPD.

10. Dave Raney submitted a two page listing of EPD requirements for GEFA and SRF projects, per "Attachment A."
11. Crom Corp. will need to submit schedules to the city and EPD for approval.
12. Jerry Crawford adjourned the meeting at approximately 11:50 a.m.

Submitted:



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Cathy Harrison, City Administrator

**“ATTACHMENT A”**

**GEORGIA ENVIRONMENTAL PROTECTION DIVISION  
PRECONSTRUCTION CONFERENCE CHECK-LIST  
CALHOUN DWSRF 00-026**

**GENERAL INFORMATION:**

The Owner is responsible for compliance with all requirements of its loan contract.

EPD will inspect work in progress on a monthly basis (at least) to verify conformity of project to approved construction contract documents and to loan contract requirements.

Questions and comments regarding loan funding of this project may be directed to:

Dave Raney  
Environmental Protection Division  
Water Protection Branch  
Construction Management Unit  
4220 International Parkway  
Atlanta, Georgia 30354  
(404) 675-1612

**INSPECTIONS:**

Primary emphasis will be given to:

- Conformance of work with contract documents
- Verification of work quantities

The Owner will receive written inspection reports, with a copy to the Engineer.

Comments, observations, and questions will be directed to the owner's representative during inspections. The Contractor is welcomed to participate, but EPD has no authority or intention to direct the Contractor's work.

EPD will follow-up on the resolution of problems noted during its inspections.

The Owner's construction files (shop drawings, concrete & soil test reports, etc.) will be reviewed in the field.

Additional emphasis will be given to:

- (1) Environmental protection, including compliance with the Land-Disturbing Activities Permit and proper disposal of materials.
- (2) Site restoration - temporary and permanent.
- (3) Compliance with OSHA requirements - Contractor is responsible for safety, but unresolved violations will be noted as construction contract deficiencies. Persistent or serious violations may be referred to OSHA for enforcement.
- (4) Protection of stored materials.

**LOAN DRAWS:**

Loan funds will only be disbursed for work conforming with approved plans, specifications, and change orders and for materials properly stored.

Pay estimates accompanying the Owner's draw requests must clearly define work in place. A stored material summary should show the value of materials received, placed, and stored during the pay period. This summary should be cross-referenced to the contractor's schedule of

values. Invoices for materials should be included with the pay estimate.

One loan draw may be submitted per month.

Loan funds will be disbursed in accordance with funding percentages shown in the loan contract budget.

Retainage must be deposited in an interest-bearing account in accordance with Georgia Law.

**CHANGE ORDERS:**

All change orders must be submitted to EPD for approval. Associated costs will be funded only after approval. Change Order packages should explain the reason(s) for and clearly define the required work and its costs.

To protect the Owner, prior concurrence by EPD is recommended for significant technical changes.

**FEDERAL REQUIREMENTS:**

A "competent person", as defined by OSHA as responsible for safety, should be identified on site. The contractor is responsible for compliance with OSHA standards for safety.

EEO efforts must be continuous throughout the project. It is the responsibility of the Owner to monitor compliance. Loan funds can and will be withheld for noncompliance. All subcontracts must be reported to EPD regardless of size until MBE/WBE participation meets the goals stated in the contract.

Davis Bacon wages must be paid on this project. The Owner is responsible for monitoring and for collection and review of certified payrolls.

**PROJECT CLOSEOUT:**

EPD will conduct a final inspection with representatives of the Owner (loan recipient) and/or the Engineer. Contractor representatives may attend as well.

A final draw will be processed upon receipt of the following:

- (1) Contractor's final estimate
- (2) Engineer's certification that the project has been completed in accordance with the EPD-approved contract documents
- (3) Owner's certification that there are no liens or claims outstanding against the project.

**OTHER:**

The Owner is required to submit information required by Appendix "C" of the loan contract before loan disbursements may commence.

Appendix "C" Materials include:

- Proof of Advertising
- Certified Bid Tabulation
- Engineer's Award Recommendation
- Governing Body's Award Resolution
- Executed Contract Documents (including as-bid plans and specifications)
- Construction and Payment Schedules
- Notice to Proceed
- Contractor's Affidavit regarding Non-Collusion
- Qualifications of construction inspector and approximate hours per week of inspection.