



# Gwinnett County Board of Commissioners

Tuesday, January 16, 2007 - 2:00 PM

## Business Session - Minutes

### **I. Call To Order, Invocation, Pledge to Flag**

### **II. Opening Remarks by Chairman**

**III. Approval of Agenda** { Action: Approved Motion: Green Second: Kenerly  
Vote: 4-0 (Nasuti Absent)}

**IV. Approval of Minutes:** Business Session: January 2, 2007  
{ Action: Approved Motion: Green Second:  
Beaudreau Vote: 4-0 (Nasuti Absent)}

### **V. Announcements**

Resolution – Commending Dave Hunter, Retired Athletics Director, Brookwood High School

{ Action: Approved Motion: Bannister Second: Green Vote: 4-0 (Nasuti Absent)}

Resolution – YMCA Partner With Youth Day

{ Action: Approved Motion: Green Second: Beaudreau Vote: 4-0 (Nasuti Absent)}

Award Presentation – Atlanta Regional Commission's CREATE Community Awards in Environmental Sustainability Category – Department of Water Resources/Stormwater Division

Award Presentation – Distinguished Budget Presentation Award – Department of Financial Services

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**VI. Consent Agenda**

**A. New Business**

**1. Commissioners**

**2007-0181 Approval** to accept resignation of Dick Lowing from the Springbrook Golf Course Commission - District 3/Beaudreau {Action: Approved Motion: Kenerly Second: Beaudreau Vote: 4-0 (Nasuti Absent)}

**2007-0183 Approval** of appointment to Merit Board - District 3/Beaudreau {Action: Approved – Dick Lowing Motion: Kenerly Second: Beaudreau Vote: 4-0 (Nasuti Absent)}

**2007-0184 Approval** to accept resignation of Diane Pardoe from the Animal Advisory Council - All Districts {Action: Approved Motion: Kenerly Second: Beaudreau Vote: 4-0 (Nasuti Absent)}

**2007-0185 Approval** of appointment to Animal Advisory Council to fill the unexpired term of Diane Pardoe - Term Expires August 6, 2007 - Member at Large - All Districts {Action: Approved – Carla Brown Motion: Kenerly Second: Beaudreau Vote: 4-0 (Nasuti Absent)}

**2007-0186 Approval** of appointments to Development Advisory Committee - Planning Commission Appointment - Peggy Boydston, Registered Engineer - Ed Myers, Architect - Greg Dechko, Home Builder - Glen Wellborn, Multi-family Developer - Mark Richardson, Office Developer - Chris Stanley, Utilities Coordinating Committee - Terri Rosamond - All Districts {Action: Approved Motion: Kenerly Second: Beaudreau Vote: 4-0 (Nasuti Absent)}

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**A. New Business**

**2. Community Services/Phil Hoskins**

**2007-0058 Award RP043-06**, construction document development for Freemans Mill Park Phase I, Department of Community Services, to OJP/Architect, Inc., amount not to exceed \$380,100.00. Authorization for Chairman to execute contracts subject to approval by the Law Department. Contracts to follow award. (Staff Recommendation: Award) **{Action: Approved Motion: Kenerly Second: Beaudreau Vote: 4-0 (Nasuti Absent)}**

**2007-0057 Approval/authorization** for Chairman to execute Agreements with Gwinnett Umpires Association for Umpire/Referee and Scorekeeper Services; Charles Minter for Martial Arts instructor; and Rosanne Hein for Hydrorobics and Stretch & Strength instructor subject to approval of the Law Department. (Staff Recommendation: Approval) **{Action: Approved Motion: Kenerly Second: Beaudreau Vote: 4-0 (Nasuti Absent)}**

**2007-0060 Approval/authorization** to execute a contract with the Georgia Department of Human Resources from January 1,2007 to December 31, 2007 in the total amount of \$282,441 for the purchase of transportation services to our senior citizen clients. Authorization for Chairman or designee to approve future amendments to the contract. (Staff Recommendation: Approval) **{Action: Approved Motion: Kenerly Second: Beaudreau Vote: 4-0 (Nasuti Absent)}**

**3. Financial Services/Lisa Johnsa**

**200-70054 Approval** Tax Digest corrections, changes to the Digest, in-additions, deletions and errors discovered in the billing and collection process of the Tax Assessors and Tax Commissioners Offices. (Staff Recommendation: Approval) **{Action: Approved Motion: Kenerly Second: Beaudreau Vote: 4-0 (Nasuti Absent)}**

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**4. Human Resources/Kenneth Poe**

**2007-0127 Award RP037-06**, medical exams, drug screenings and random drug testing on an annual contract, (February 01, 2007 through January 31, 2008), Department of Human Resources, to Caduceus Occupational Medicine, base amount \$152,405.00. Authorization for Chairman to execute contracts subject to approval by the Law Department. Contracts to follow award. (Staff Recommendation: Award) {Action: Approved Motion: Kenerly Second: Beaudreau Vote: 4-0 (Nasuti Absent)}

**2007-0010 Approval** to renew RP047-05, provision of employee service awards program on an annual contract, (March 01, 2007 through February 29, 2008), Department of Human Resources, O.C. Tanner Recognition Company, base amount \$53,743.00. Ratification of current contract, (March 01, 2006 through February 28, 2007), base amount \$63,666.00. (Staff Recommendation: Approval) {Action: Approved Motion: Kenerly Second: Beaudreau Vote: 4-0 (Nasuti Absent)}

**5. Planning & Development/Glenn Stephens**

**2007-0138 Ratification** of final plats, final plat revisions, and exemption plats for December 1 through December 31, 2006 (Staff Recommendation: Approval) {Action: Approved Motion: Kenerly Second: Beaudreau Vote: 4-0 (Nasuti Absent)}

**2007-0062 Rezoning** Waiver of 12-month time lapse requirement for rezoning (CIC-07-009 & SUP-07-037). The applicant requests approval to hear the above referenced cases in February 2007. The most recent case was acted on by the Board of Commissioners in May 2006, requiring a waiver of the 12-month waiting period. The proposal is to revise the approved site plan and to add an outdoor ballfield at Dacula Kids Village located on Hwy. 324 at Dacula Road. Commission District 3/Beaudreau (Staff Recommendation: Approval) {Action: Approved Motion: Kenerly Second: Beaudreau Vote: 4-0 (Nasuti Absent)}

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**6. Police Services/Charlie Walters**

**2007-0065 Approval/authorization** to enter into annual contract (renewal) with Gwinnett Sexual Assault Center (GSAC) for forensic examination and collection of evidence for sexual assault cases. Total cost for this period, \$228,172.07, which reflects balance from \$260,000 annual flat fee, less \$31,827.93 prorated credit from 2005 contract. (Staff Recommendation: Approved) {Action: Approved Motion: Kenerly Second: Beaudreau Vote: 4-0 (Nasuti Absent)}

**2007-0066 Approval/authorization** for the Board of Commissioners to read and adopt the amended Gwinnett County Animal Control Ordinances. (Staff Recommendation: Approved) {Action: Approved Motion: Kenerly Second: Beaudreau Vote: 4-0 (Nasuti Absent)}

**2007-0067 Approval/authorization** to enter into an agreement between the Gwinnett County Police Department and the Financial Crimes Enforcement Network of the United States Department of Treasury allowing the Gwinnett County Police Department electronic access to information collected and maintained by the FinCEN. (Staff Recommendation: Approved) {Action: Approved Motion: Kenerly Second: Beaudreau Vote: 4-0 (Nasuti Absent)}

**7. Support Services/Connie Hinson**

**2007-0122 Approval** to renew RP041-05, BroadVision based web development services on an annual contract and approval of change order number one (March 13, 2007 through March 12, 2008), Department of Support Services, International Business Machines Corporation (IBM) and BroadVision, Inc., base amount \$198,000.00. (Staff Recommendation: Approval) {Action: Approved Motion: Kenerly Second: Beaudreau Vote: 4-0 (Nasuti Absent)}

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**7. Support Services/Connie Hinson**

**2007-0105 Approval/authorization** for Chairman to sign Change Order No. 2 to the contract with D. N. Langford Construction Company for interior renovations of Courtrooms 1A, 1B, 1E and 1F and adjacent office space within Gwinnett Justice and Administration Center. The change order increases the contract amount by \$17,304.96 from \$1,856,481.00 to \$1,873,785.96 District 4/Kenerly (Staff Recommendation: Approval) {Action: Approved Motion: Kenerly Second: Beaudreau Vote: 4-0 (Nasuti Absent)}

**2007-0125 Approval/authorization** for Chairman to sign an Affidavit and any additional documents necessary to facilitate the Countys certification of the Board of Registration and Elections appointment of Ray Street as the fifth member. Subject to review and approval by the Law Department. (Staff Recommendation: Approval) {Action: Approved Motion: Kenerly Second: Beaudreau Vote: 4-0 (Nasuti Absent)}

**2007-0130 Approval/authorization** to accept the Georgia Department of Natural Resources, Environmental Protection Division, increase to the current Corrective Action Agreement #EPD-UST-R02-1601 for underground storage tank remediation efforts at Summerour Middle School fuel site. Acceptance increases the obligated amount from \$287,419 to \$491,920 a total increase of \$204,501. District 2/Nasuti (Staff Recommendation: Approval) {Action: Approved Motion: Kenerly Second: Beaudreau Vote: 4-0 (Nasuti Absent)}

**8. Transportation/Brian Allen**

**2007-0124 Approval** to reject BL216-06, Jimmy Carter Boulevard safety improvements, Department of Transportation. (Staff Recommendation: Approval) {Action: Approved Motion: Kenerly Second: Beaudreau Vote: 4-0 (Nasuti Absent)}

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**8. Transportation/Brian Allen**

**2007-0070 Approval/authorization** for Chairman to execute Purchase and Sale Agreement between Ahmed and Pixie Lou Ali and Gwinnett County, Georgia approving the purchase of 7.16 acres, more or less, in Land Lot 202 of the 5th District of Gwinnett County, Parcel # 17, in the amount of \$690,000.00 and authorization to execute all necessary documents to complete closing, subject to approval by the Law Department. Sugarloaf Parkway Extension I (SR 20 - SR 316), F-0270-01, 2005 Sales Tax Program - Commission District 3/Beaudreau (Staff Recommendation: Approval) { **Action: Approved Motion: Kenerly Second: Beaudreau Vote: 4-0 (Nasuti Absent)** }

**2007-0071 Approval/authorization** for Chairman to execute Purchase and Sale Agreement between Winston Brown and Gwinnett County, Georgia approving the purchase of 2.3 acres, more or less, of fee simple right of way, 0.584 acres, more or less, of permanent construction easement and 2.088 acres, more or less, of permanent drainage easement located in Land Lot 151 of the 5th District of Gwinnett County, Parcel # 53, in the amount of \$630,025.00 and authorization to execute all necessary documents to complete closing, subject to approval by the Law Department. Sugarloaf Parkway Extension I (SR 20 - SR 316), F-0270-01, 2001 Sales Tax Program - Commission District 3/Beaudreau (Staff Recommendation: Approval) { **Action: Approved Motion: Kenerly Second: Beaudreau Vote: 4-0 (Nasuti Absent)** }

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**8. Transportation/Brian Allen**

**2007-0072 Approval/authorization** for Chairman to execute Purchase and Sale Agreement between Thomas D. and Laura K. Chapman and Gwinnett County, Georgia approving the purchase of 1.00 acres, more or less, located in Land Lot 235 of the 5th District of Gwinnett County, Parcel # 24, in the amount of \$478,500.00 and authorization to execute all necessary document to complete closing, subject to approval by the Law Department. Sugarloaf Parkway Extension I (SR 20 - SR 316), F-0270-01, 2001 Sales Tax Program - Commission District 4/Kenerly (Staff Recommendation: Approval) { **Action: Approved Motion: Kenerly Second: Beaudreau Vote: 4-0 (Nasuti Absent)** }

**2007-0073 Approval/authorization** for Chairman to execute Purchase and Sale Agreement between Glenbrooke Cove Community Association, Inc. and Gwinnett County, Georgia approving the purchase of 8.786 acres, more or less, of right of way, 1.33 acres, more of less, of permanent construction easement and 0.03 acres, more or less, of temporary construction easement located in Land Lot 183 of the 5th District of Gwinnett County, Parcel # 53 in the amount of \$776,000.00 and authorization to execute all necessary documents to complete closing, subject to approval by the Law Department. Sugarloaf Parkway Extension I (SR 20 - SR 316), F-0270-01, 2001 Sales Tax Program, Commission District 3/Beaudreau (Staff Recommendation: Approval) { **Action: Approved Motion: Kenerly Second: Beaudreau Vote: 4-0 (Nasuti Absent)** }



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**8. Transportation/Brian Allen**

**2007-0074 Approval/authorization** for Chairman to execute Purchase and Sale Agreement between Steve and Mary Ann McCart and Gwinnett County, Georgia approving the purchase of 1.2509 acres, more or less, located in Land Lot 183 of the 5th District of Gwinnett County, Parcel # 9, in the amount of \$366,850.00 and authorization to execute all necessary documents to complete closing, subject to approval by the Law Department. Sugarloaf Parkway Extension I (SR 20 - SR 316), F-0270-01, 2001 Sales Tax Program - Commission District 3/Beaudreau (Staff Recommendation: Approval) {Action: Approved Motion: Kenerly Second: Beaudreau Vote: 4-0 (Nasuti Absent)}

**2007-0075 Approval/authorization** for Chairman to execute Purchase and Sale Agreement between New Hope Road, LLC. and Gwinnett County, Georgia approving the purchase of 0.5 acres, more or less, located in Land Lot 183 of the 5th District of Gwinnett County, Georgia, Parcel # 54, in the amount of \$300,000.00 and authorization to execute all necessary documents to complete closing, subject to approval by the Law Department. Sugarloaf Parkway Extension I (SR 20 - SR 316), F-0270-01, 2001 Sales Tax Program, Commission District 3/Beaudreau (Staff Recommendation: Approval) {Action: Approved Motion: Kenerly Second: Beaudreau Vote: 4-0 (Nasuti Absent)}

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**8. Transportation/Brian Allen**

**2007-0076 Approval/authorization** for Chairman to execute Purchase and Sale Agreement between Dawn D. Owens and Gwinnett County, Georgia approving the purchase of 2.01 acres, more or less, located in Land Lot 214 of the 5th District of Gwinnett County, Parcel # 50, in the amount of \$520,000.00 and authorization to execute all necessary documents to complete closing, subject to approval by the Law Department. Sugarloaf Parkway Extension I (SR 20 - SR 316), F-0270-01, 2005 Sales Tax Program - Commission District 3/Beaudreau (Staff Recommendation: Approval) { **Action: Approved Motion: Kenerly Second: Beaudreau Vote: 4-0 (Nasuti Absent)** }

**2007-0077 Approval/authorization** for Chairman to execute Purchase and Sale Agreement between Anthony W. Sims and Jane C. Sims and Gwinnett County, Georgia approving the purchase of 3.56 acres, more or less, located in Land Lot 171 of the 5th District of Gwinnett County, Parcels # 68 and 69, in the amount of \$596,000.00 and authorization to execute all necessary documents to complete closing, subject to approval by the Law Department. Sugarloaf Parkway Extension I (SR 20 - SR 316), F-0270-01, 2001 Sales Tax Program - Commission District 3/Beaudreau (Staff Recommendation: Approval) { **Action: Approved Motion: Kenerly Second: Beaudreau Vote: 4-0 (Nasuti Absent)** }

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**A. New Business**

**8. Transportation/Brian Allen**

**2007-0078 Approval/authorization** for Chairman to execute Purchase and Sale Agreement between Latricia Solomon and Gwinnett County, Georgia approving the purchase of 0.93 acres, more or less, located in Land Lot 245 of the 5th District of Gwinnett County, Parcel # 37A, in the amount of \$341,000.00 and authorization to execute all necessary documents to complete closing, subject to approval by the Law Department. Sugarloaf Parkway Extension I (SR 20 - SR 316), F-0270-01, 2001 Sales Tax Program - Commission District 4/Kenerly (Staff Recommendation: Approval) {Action: Approved Motion: Kenerly Second: Beaudreau Vote: 4-0 (Nasuti Absent)}

**2007-0079 Approval/authorization** for Chairman to execute Purchase and Sale Agreement between Martin P. Thornton and Gwinnett County, Georgia approving the purchase of 4.9936 acres, more or less, located in Land Lot 214 of the 5th District of Gwinnett County, Parcel # 48, in the amount of \$480,000.00 and authorization to execute all necessary documents to complete closing, subject to approval by the Law Department. Sugarloaf Parkway Extension I (R20 - SR 316), F-0270-01, 2001 Sales Tax Program - Commission District 3/Beaudreau (Staff Recommendation: Approval) {Action: Approved Motion: Kenerly Second: Beaudreau Vote: 4-0 (Nasuti Absent)}

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**A. New Business**

**8. Transportation/Brian Allen**

**2007-0080 Approval/authorization** for Chairman to execute Purchase and Sale Agreement between Alisha Investments, Inc. and Gwinnett County, Georgia approving the purchase of 0.9458 acres, more or less, of right of way, 0.4799 acres, more or less, of permanent construction easement and 0.0575 acres, more or less, of permanent drainage easement located in Land Lot 040 of the 7th District of Gwinnett County, Parcel # 3, in the amount of \$469,210.00 and authorization to execute all necessary documents to complete closing, subject to approval by the Law Department. Old Norcross Road at Boggs Road, M-0071 aka 4180 - 2001 Sales Tax Program - Commission District 1/Green (Staff Recommendation: Approval) {Action: Approved Motion: Kenerly Second: Beaudreau Vote: 4-0 (Nasuti Absent)}

**2007-0118 Approval/authorization** for Chairman to execute Supplemental Agreement No. 2 - Final with Bruce Albea Contacting, Inc., for the Lou Ivy Road project (F-0436 aka 9680) and the Bush Road project (F-0437 aka 9681) total increase: \$315.80 - revised contract amount: \$1,052,937.12 - total contract savings: \$177,274.27 - 1997 Sales Tax Program - Commission District 2/Nasuti (Staff Recommendation: Approval) {Action: Approved Motion: Kenerly Second: Beaudreau Vote: 4-0 (Nasuti Absent)}

**9. Water Resources/Frank Stephens**

**2007-0104 Award OS001-07**, sole source purchase of Calcium Nitrate (Bioxide) on an annual contract, (February 1, 2007 through January 31, 2008), Department of Water Resources, to Siemens Water Technologies Corp., base bid \$1,717,561.26. (Staff Recommendation: Award) {Action: Approved Motion: Kenerly Second: Beaudreau Vote: 4-0 (Nasuti Absent)}

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**9. Water Resources/Frank Stephens**

**2007-0112 Award BL220-06**, electrical equipment installation, inspection, and repair on an annual contract (January 17, 2007 through January 16, 2008), Department of Water Resources, to overall low bidder, Cleveland Electric Company, base bid \$558,000.00. (Staff Recommendation: Award) {Action: Approved Motion: Kenerly Second: Beaudreau Vote: 4-0 (Nasuti Absent)}

**2007-0120 Approval** of sole source purchase of three (3) ITT Flygt pump replacements, Department of Water Resources, to ITT Flygt Corporation, amount not to exceed \$125,575.00. (Staff Recommendation: Approval) {Action: Approved Motion: Kenerly Second: Beaudreau Vote: 4-0 (Nasuti Absent)}

**2007-0061 Approval/authorization** for the Chairman to execute a county participation agreement between Gwinnett County and Shoal Partners LLC, in conjunction with the upsizing of the Great River Pumping Station Sanitary Sewer Force Main with a not to exceed amount of \$1,087,970.00. (Staff Recommendation: Approval) {Action: Approved Motion: Kenerly Second: Beaudreau Vote: 4-0 (Nasuti Absent)}

**VII. Old Business**

**1. Commissioners**

**2006-1322 Approval** of appointment to the Hospital Authority - District 3/Beaudreau(Tabled on 1/16/2007) (Tabled to 2/20/2007) {Action: Tabled Motion: Beaudreau Second: Kenerly Vote: 4-0 (Nasuti Absent)}

**2007-0107 Approval** of appointment to Merit Board to fill the unexpired term of Mark Grams (12/31/08) - District 1/Green(Tabled on 1/2/2007) {Action: Approved – Betsey Dahlberg Motion: Green Second: Beaudreau Vote: 4-0 (Nasuti Absent)}

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**VII. Old Business**

**2. Planning & Development/Glenn Stephens**

**2006-1072 RZC-07-005**, New Trend Developments, LLC, Commercial Retail Uses, M-1 to C-2, LL172, 7th District, Parcel 001, 500 Block of Horizon Drive, 3000 Block of Spriggs Road, District 4/Kenerly(Tabled on 1/16/2007) (Tabled to 2/20/2007)(Public hearing was held)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Approve with Conditions] {Action: Tabled Motion: Kenerly Second: Beaudreau Vote: 4-0 (Nasuti Absent)}

**2006-1070 RZM-06-007**, New Trend Developments, LLC, Townhomes, M-1 to R-TH, LL172, 7th District, Parcel 001, 500 Block of Horizon Drive, 3000 Block of Spriggs Road, District 4/Kenerly(Tabled on 1/16/2007) (Tabled to 2/20/2007)(Public hearing was held)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Approve with Conditions as R-ZT] {Action: Tabled Motion: Kenerly Second: Beaudreau Vote: 4-0 (Nasuti Absent)}

**2006-1071 RZR-06-051**, New Trend Developments, LLC, Single-Family Zero Lot Line Subdivision (Reduction in Buffers), M-1 to R-ZT, LL173, 7th District, Parcel 004, 500 Block of Horizon Drive, 3000 Block of Spriggs Road, District 4/Kenerly(Tabled on 1/16/2007) (Tabled to 2/20/2007)(Public hearing was held)[Planning Department Recommendation: Deny][Planning Commission Recommendation: Approve with Conditions as R-ZT] {Action: Tabled Motion: Kenerly Second: Beaudreau Vote: 4-0 (Nasuti Absent)}

**VIII. New Business**

**1. Commissioners**

**2007-0182 Approval** of appointment to Springbrook Golf Course Commission to fill the unexpired term of Dick Lowing Term Expires December 31, 2008 - District 3/Beaudreau(Tabled on 1/16/2007) (Tabled to 2/20/2007) {Action: Tabled Motion: Beaudreau Second: Kenerly Vote: 4-0 (Nasuti Absent)}

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**VIII. New Business**

**1. Commissioners**

**2007-0187 Approval** of Resolution to increase compensation for Chairman and District Commissioners and to pay or reimburse Commissioner expenses pursuant to Gwinnett County Expense Reimbursement Policy. {Action: Approved with Stipulations Motion: Beaudreau Second: Kenerly Vote: 3-1 (Bannister Opposed) (Nasuti Absent)}

**2. Support Services/Connie Hinson**

**2007-0133 Approval/authorization** for the Chairman to execute a purchase and sale agreement between Retail Development Partners, LLC and Gwinnett County, Georgia approving the purchase of 36.945 more or less acres located in land lot 210 of the 6th district, Gwinnett County, Georgia in the amount of \$4,650,000 and the acceptance of a donation of 20.967 more or less acres, in land lot 210 of the 6th district and authorization to execute all necessary documents to complete closing, District 1/Green (Staff Recommendation: Approval) {Action: Approved Motion: Green Second: Beaudreau Vote: 3-1 (Bannister Opposed) (Nasuti Absent)}

**3. Transportation/Brian Allen**

**2007-0119 Approval/authorization** of Right-of-Way land exchange between Maxie Price, Jr. and Gwinnett County, Georgia, for property located in Land Lot 59 of the 5th District of Gwinnett County and authorization for Chairman to execute any and all necessary documents related to exchange, subject to approval by the Law Department - Commission District 3/Beaudreau(Tabled on 1/16/2007) (Tabled to 2/6/2007) (Staff Recommendation: Approval) {Action: Tabled Motion: Beaudreau Second: Kenerly Vote: 4-0 (Nasuti Absent)}

**IX. Comments from Audience**

**X. Adjournment**