

STATE OF GEORGIA

COUNTY OF CLAYTON

RESOLUTION NO. 2009 - 92

A RESOLUTION AUTHORIZING CLAYTON COUNTY TO ENTER INTO A REIMBURSABLE AGREEMENT WITH THE DEPARTMENT OF TRANSPORTATION FEDERAL AVIATION ADMINISTRATION, PROVIDING FOR THE TERMS AND CONDITIONS UNDER WHICH TEMPORARY TOWER SERVICES WILL BE RENDERED TO CLAYTON COUNTY; TO AUTHORIZE THE CHAIRMAN OR HIS DESIGNEE TO EXECUTE THE AGREEMENT, AND OTHERWISE TO PERFORM ALL ACTS NECESSARY TO ACCOMPLISH THE INTENT OF THE RESOLUTION; TO AUTHORIZE THE FINANCE DIRECTOR TO AMEND THE BUDGET WHERE NECESSARY TO REFLECT AN APPROPRIATE REVENUE SOURCE AND EXPENSE, TO PROVIDE AN EFFECTIVE DATE OF THIS RESOLUTION; AND FOR OTHER PURPOSES.

WHEREAS, Clayton County is in need of temporary tower services from the Federal Aviation Administration (the "FAA") at Clayton County's Tara Field for the September, 2009 Nascar Race Event; and

WHEREAS, the FAA agrees to provide air traffic services from the temporary tower furnished by Clayton County, set-up, test and operate the tower and provide required frequencies and light guns as needed to operate the tower at an estimated total cost of \$10,752.50 payable in advance. Such advance payment must be received before the FAA incurs any obligation to implement the agreement; and

WHEREAS, Clayton County agrees to furnish a suitable temporary tower structure, and to reimburse the FAA for personnel overtime to set-up, test and operate the temporary

tower and to obtain insurance coverage as the County deems necessary, to protect the county from all liability to third parties arising out of, or related to its performance of this agreement (not subject to sovereign immunity); and

WHEREAS, the Board of Commissioners deems it in the best interest of Clayton County, and the County will best be served by entering into the Agreement with the Federal Aviation Administration for the stated purposes.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS
OF CLAYTON COUNTY, GEORGIA AND IT IS HEREBY RESOLVED

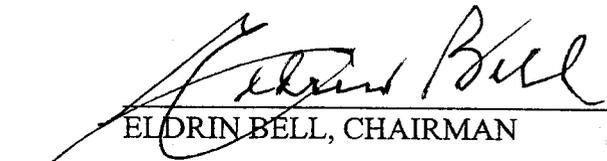
Section 1. The Board of Commissioners hereby authorizes Clayton County to enter into a Reimbursable Agreement with the Department of Transportation Federal Aviation Administration, providing for the terms and condition under which temporary tower services will be rendered to Clayton County during the September, 2009 Nascar Race event and to obtain any additional insurance coverage as may be deemed necessary to protect the County from liability related to this agreement. The Board of Commissioners hereby authorizes the Chairman or his designee, the Director of Transportation and Development to execute the Agreement and to perform all other acts necessary to accomplish the intent of this Resolution. Further, the Board of Commissioners hereby authorizes the Director of Finance to amend the budget where necessary to reflect an appropriate revenue source and expense. The Agreement is attached hereto as Exhibit "A".

Section 2. This Resolution shall be effective on the date of its approval by the Board of Commissioners.

{SIGNATURES NEXT PAGE}

SO RESOLVED, this the 7th day of July, 2009.

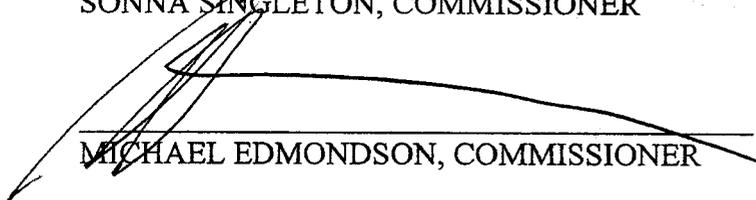
CLAYTON COUNTY BOARD OF COMMISSIONERS


ELDRIN BELL, CHAIRMAN

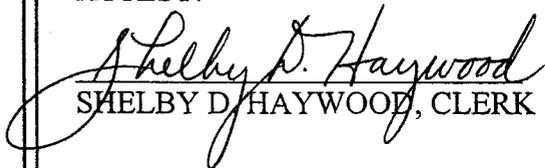
(Absent)
WOLE RALPH, VICE CHAIRMAN


GAIL B. HAMBRICK, COMMISSIONER


SONNA SINGLETON, COMMISSIONER


MICHAEL EDMONDSON, COMMISSIONER

ATTEST:


SHELBY D. HAYWOOD, CLERK