

STATE OF GEORGIA

COUNTY CLAYTON

RESOLUTION NO. 2011 – 178

A RESOLUTION AUTHORIZING CLAYTON COUNTY TO ENTER INTO A PURCHASE AGREEMENT WITH LEGACY FARMS STREAM BANK, LLC AND IN ACCORDANCE THEREWITH PURCHASE STREAM MITIGATION CREDITS ASSOCIATED WITH THE PANOLA ROAD WIDENING PROJECT; TO AUTHORIZE THE CHAIRMAN TO EXECUTE THE PURCHASE AGREEMENT, AND OTHERWISE PERFORM ALL ACTS NECESSARY TO ACCOMPLISH THE INTENT OF THIS RESOLUTION; TO AUTHORIZE THE FINANCE DIRECTOR TO AMEND THE BUDGET WHERE NECESSARY TO REFLECT AN APPROPRIATE REVENUE SOURCE AND EXPENSE, ALL AS MAY BE REQUIRED UNDER THE TERMS OF THE PURCHASE AGREEMENT; TO PROVIDE AN EFFECTIVE DATE OF THIS RESOLUTION; AND FOR OTHER PURPOSES.

WHEREAS, Clayton County is required to purchase stream mitigation credits in order to obtain a permit from the United States Army Corps of Engineering (“USACOE”) for road construction projects that impact streams and wetlands; and

WHEREAS, the USACOE permit is contingent on the county purchasing the required credits from a USACOE approved mitigation bank; and

WHEREAS, the Panola Road Widening project requires 1,191.50 stream mitigation credits to mitigate adverse stream impacts associated with this project and to obtain a USACOE permit; and

WHEREAS, the purchase price of the stream mitigation credits is \$47,064.25 with funds available in the 2004 Transportation SPLOST Program for this expense; and

WHEREAS, the Board of Commissioners deems it in the best interest of the County, and the County will best be served by authorizing Clayton County to enter into an Agreement with Legacy Farms Stream Bank, LLC for the stated purpose.

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

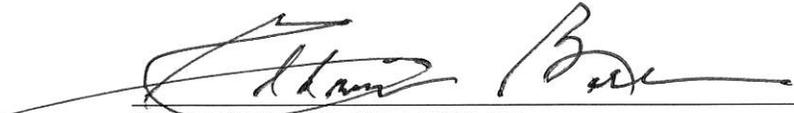
Section 1. The Board of Commissioners hereby authorizes Clayton County to enter into a Purchase Agreement with Legacy Farms Stream Bank, LLC, and in accordance therewith purchase 1,191.50 stream credits. The Board of Commissioners authorizes the Chairman to execute the Purchase Agreement, and otherwise perform all acts necessary to accomplish the intent of this Resolution. The Board of Commissioners authorizes the Finance Director to amend the budget where necessary to reflect an appropriate revenue source and expense, all as may be required under the terms of the Purchase Agreement.

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

{SEE SIGNATURES ON NEXT PAGE}

SO RESOLVED, this the 18<sup>th</sup> of October, 2011.

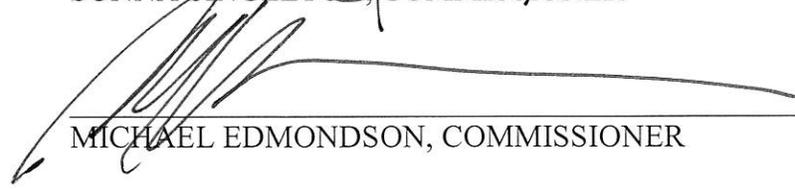
CLAYTON COUNTY BOARD OF COMMISSIONERS

  
ELDRIN BELL, CHAIRMAN

  
WOLE RALPH, VICE CHAIRMAN

  
GAIL B. HAMBRICK, COMMISSIONER

  
SONNA SINGLETON, COMMISSIONER

  
MICHAEL EDMONDSON, COMMISSIONER

ATTEST:

  
SHELBY D. HAYWOOD, CLERK