FULTON COUNTY BOARD OF COMMISSIONERS
RECESS MEETING
POST AGENDA ITEM 06-0412

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Scheduled date for ratification: May 3, 2006

06-0412 Discussion on the Bellwood Quarry. **(Handel)**
(Held 4/5/06)

A. A motion was made by Commissioner Boxill and seconded by Commission Chair Handel that Fulton County sell to the City of Atlanta the property in question for a purchase price of $15.2 million to be paid no later than 90 days after closing; that the County transfer appropriate leases related to Vulcan to the City of Atlanta to coincide with closing; that a minimum of 175 beds in the Atlanta Detention Center be available to the Fulton County Sheriff at the current rate ($68/day); that Fulton County ask the City to commit to aggressively and proactively urge ICE (Immigration and Customs Enforcement) to seek alternative space for its inmates within 90 days, and should those beds become available, the City of Atlanta will give Fulton County the right of first refusal to those beds or any other beds that may become available at the same rate currently being paid by the County; that these points be conveyed in a letter addressed to the Mayor and each member of the City Council and that the letter include that the County encourages the City Council and the Mayor to continue working with the County regarding jail overcrowding in recognition of the fact that jail overcrowding is a serious concern to all jurisdictions; and that Fulton County urges the City Council and the Mayor to implement Article V of the City's agreement with the Marshall to terminate its bed allocation with the Marshall within 90 days, thus entering into a contract with Fulton County for close to the same number of beds at the same amount, ensuring that the City will have continued revenue. The motion carried by a vote of 5-2-0. Commission Chair Handel, Vice Chair Darnell, and Commissioners Riley, Lowe, and Boxill voted yes. Commissioners Pitts and Edwards voted no.

B. A motion was made by Commissioner Edwards and seconded by Vice Chair Darnell to hold for two weeks to give the County Attorney an opportunity to review the information supplied by Mr. Bondurant concerning

the contracts with the City and to provide the Board with information based on those contracts, and for Board members to use the next two weeks to negotiate something more beneficial regarding the concerns of both parties. The vote was 3-3-0. Vice Chair Darnell and Commissioners Pitts and Edwards voted yes. Commission Chair Handel and Commissioners Riley and Boxill voted no. Commissioner Lowe did not vote. (THE MOTION DID NOT RECEIVE FOUR AFFIRMATIVE VOTES; THEREFORE, NO ACTION WAS TAKEN)

C. A motion was made by Vice Chair Darnell and seconded by Commission Chair Handel that the following provision be included in any purchase and sale agreement transferring the lease options and the land to the City of Atlanta: No portion of the property containing the Bellwood Quarry may be used for the storage or overflow of raw or minimally treated sewage or wastewater; violation of this provision shall cause title to the quarry property to revert to Fulton County, with a friendly amendment from Commissioner Boxill that the following phrase be added: to exclude the safe and sanitary operation of public restrooms. The motion carried by a vote of 6-1-0. Commission Chair Handel, Vice Chair Darnell, and Commissioners Pitts, Riley, Boxill, and Edwards voted yes. Commissioner Lowe voted no.

D. A motion was made by Commissioner Boxill and seconded by Commission Chair Handel to instruct the County Attorney to write a letter to Judge Shoob requesting that he encourage the Marshall to seek space other than the Atlanta Detention Facility within the next 90 days, with a friendly amendment from Commission Chair Handel that also ICE (Immigration and Customs Enforcement) be encouraged to seek space …. The motion carried by a unanimous vote of 7-0-0. Commission Chair Handel, Vice Chair Darnell, and Commissioners Pitts, Riley, Lowe, Boxill, and Edwards voted yes.