COUNTY AGENDA REQUEST

Department:	Legal	Presenter(s):	Scott Bennett
Meeting Date:	Thursday, October 11, 2012	Type of Request:	New Business

Wording for the Agenda:

Consideration of Resolution 2012-20 authorizing the acquisition of land and easements in Fayette County, Georgia, by negotiated contract or condemnation pursuant to provisions of O.C.G.A. Section 32-3-4 through Section 32-3-19, for parcels of certain real property identified on the right of way plans for the necessary re-alignment and bridge construction for Westbridge Road.

Background/History/Details:

Westbridge Road and its bridge require alignment and construction, respectively. On March 25, 2010, the Board authorized Heath & Lineback to commence engineering and design work the needed improvements along Westbridge Road, and the contract for this work was authorized at the April 22, 2010 Board meeting. On August 12, 2010, staff presented a concept design entitled "Alternative 3" to the Board describing a proposed alignment and bridge construction along Westbridge Road. The Board consented to the proposals contained in Alternative 3.

The circumstances for this work are such that it is necessary that the right of way, easements, and access rights, as described in Resolution 2012-20, can be acquired either by negotiation or condemnation.

By adopting Resolution 2012-20, the Board would authorize the acquisition of all parcels of land and easements depicted on the right of Way Plans for Westbridge Road, through negotiation or the use of eminent domain procedures for the purpose of the realignment and bridge construction of Westbridge Road. Moreover, by adopting Resolution 2012-20, the Board would authorize the County Attorney or his designee to undertake condemnation proceedings as may be necessary in accordance with the provisions of said Code by use of the Declaration of Taking procedure as set out therein.

What action are you seeking from the Board of Commissioners?

Adoption of Resolution 2012-20 authorizing the acquisition of land and easements in Fayette County, Georgia, by negotiated contract or condemnation pursuant to provisions of O.C.G.A. Section 32-3-4 through Section 32-3-19, for parcels of certain real property identified on the right of way plans for the necessary re-alignment and bridge construction for Westbridge Road.

If this item requires funding, please describe:

Funds for this request are negligible based on the results of negotiation process(es).

Has this request been considered within the past two years?	No	If so, when?	
Is Audio-Visual Equipment Required for this Request?*	No	Backup Provided with Request?	Yes

**** All audio-visual material must be submitted to the County Clerk's Office no later than 48 hours prior to the meeting. It is also your department's responsibility to ensure all third-party audio-visual material is submitted at least 48 hours in advance.***

Approved by Finance	Yes	Reviewed by Legal	Yes
Approved by Purchasing	Not Applicable	County Clerk's Approval	Yes
Administrator's Approval	Yes		

Staff Notes:

Finance - Funding for this expense would fall under the 70% SPLOST fund.

E. Discussion of staff's recommendation to approve the concept design for SPLOST Project No. B-2, known as the Westbridge Road Horizontal Curve Improvement and Bridge Replacement Project over Morning Creek.

Public Works Director Phil Mallon reminded the Board that on March 25 ,2010 he had come to the Board and received authorization to start design work on three SPLOST projects. He further reminded the Board that part of his instruction was to prepare a concept report on each of the projects and to bring the report to the Board before moving forward with a final design. He informed the Board that this presentation was in regard to the first of the three SPLOST projects; namely it was for improvements to a sharp curve and the bridge on Westbridge Road. Mr. Mallon explained that the County had retained Heath & Lineback Engineers, Incorporated to create the concept report, and that the company had done "a fine job". He continued that after the engineering firm had evaluated all practical concerns such as traffic needs, environmental impacts, and the bridge itself, the company developed seven different alternative designs. He reported that of the seven alternatives, Heath & Lineback recommended the third alternative, or *Alternative 3*. He continued that County staff has also reviewed the concept report and the seven alternatives, and they were also recommending *Alternative 3*. Mr. Mallon explained the reason *Alternative 3* was being recommended was because, by redesigning the sharp curve on Westbridge Road, the curve would be suitable for the current 45 miles-per-hour speed limit, and the recommendation would replace the existing bridge with one that meets current load standards. He added that other advantages to *Alternative 3* was that it meets existing and future traffic needs, has minimal impacts to the State's waters and wetlands, and satisfies the Federal Emergency

Management Agency's (FEMA's) "No-Rise" requirement. He concluded his presentation saying that a preliminary cost estimate had also been prepared, and that the cost for the work would be approximately $1,970,000. Discussion followed.

The Board's consensus was to proceed with *Alternative 3* as recommended by staff. A copy of the request, identified as "Attachment 26", follows these minutes and is made an official part hereof.