

STATE OF GEORGIA

COUNTY OF CLAYTON

RESOLUTION NO. 2012 - 72

A RESOLUTION AUTHORIZING CLAYTON COUNTY TO ENTER INTO AN AGREEMENT WITH FOSTER & FOSTER, P.C. FOR SERVICES TO BE RENDERED TO THE TAX COMMISSIONER OF CLAYTON COUNTY IN CONDUCTING TAX SALES AND TO ESTABLISH A FEE STRUCTURE FOR OUTSIDE COUNSEL EMPLOYED BY THE COUNTY TO HANDLE LEGAL MATTERS ON IT'S BEHALF; TO AUTHORIZE THE CHAIRMAN TO EXECUTE ANY DOCUMENTS NECESSARY 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, AND TO TRANSFER ANY REQUIRED FUNDS, ALL AS MAY BE REQUIRED; TO PROVIDE AN EFFECTIVE DATE OF THIS RESOLUTION; AND FOR OTHER PURPOSES.

WHEREAS, the firm of Foster & Foster, P.C. has handled tax sales on behalf of the Tax Commissioner of Clayton County for many years; and

WHEREAS, Foster & Foster, P.C. and the Board of Commissioners have negotiated a revised agreement under which Foster & Foster, P.C. will continue to handle said sales; and

WHEREAS, the parties desire to have said Agreement approved by the Board of Commissioners; and

WHEREAS, the Board of Commissioners also retains firms from time to time to handle other legal matters on behalf of the county, its departments, employees, elected officials and their employees; and

WHEREAS, the Board of Commissioners desires to establish a maximum hourly rate to be paid to said firms for services provided; and

WHEREAS, Freeman Mathis & Gary, LLP have been performing legal services for Clayton County as designated outside legal counsel for many years; and

WHEREAS, after researching surrounding metro counties fee schedules for outside counsel, the Board of Commissioners have determined that the rate of One Hundred Ninety Five and No/100 (\$195.00) Dollars per hour is a reasonable rate for a firm with the expertise and experience provided by Freeman Mathis & Gary, LLP; and

WHEREAS, the County deems it in its best interest of Clayton County, and the County will best be served by establishing the maximum rate to be paid to outside counsel and by fixing the rate to be paid to Freeman Mathis & Gary, LLP for all services provided to the county at the rate of \$195.00 per hour.

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 authorizes Foster & Foster, P.C. to perform tax sales on behalf of the Tax Commissioner of Clayton County for an annual fee of One Hundred Thousand and No/100 (\$100,000.00) payable monthly at the rate of Eight Thousand Three Hundred Thirty Three and 33/100 (\$8,333.33) Dollars;

Section 2. The Board of Commissioners establishes the maximum hourly rate paid for legal services on behalf of the county, it's departments, employees, elected officials or their employees at the sum of One Hundred Ninety Five and No/100 (\$195.00) per hour for all services performed by said firm.

Section 3. The Board of Commissioners establishes the hourly rate to be paid to Freeman Mathis & Gary, LLP for work as outside counsel on behalf of the county, any

department, employee, elected official or employee of any elected official at the sum of One Hundred Ninety Five & No/100 (\$195.00) per hour.

Section 4. The Board of Commissioners authorizes the Chairman to execute any documents necessary and otherwise perform all acts necessary to accomplish the intent of this Resolution.

Section 5. Further, the Board of Commissioners authorizes the Director of Finance to amend the budget where necessary to reflect an appropriate revenue source and expense, and to transfer any required funds, all as may be required.

Section 6. The effective date of this Resolution shall be April 1, 2012.

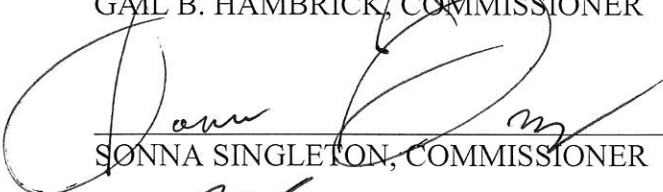
SO RESOLVED, this the 10th day of April, 2012.

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