

Senate Bill 535

By: Senators Stoner of the 6th and Thompson of the 33rd

A BILL TO BE ENTITLED  
AN ACT

1 To amend an Act creating the Board of Commissioners of Cobb County, approved June 19,  
2 1964 (Ga. L. 1964, Ex. Sess., p. 2075), as amended, particularly by an Act approved May 30,  
3 2003 (Ga. L. 2003, p. 3808), so as to reconstitute the board of commissioners; to change the  
4 description of the commissioner districts; to provide for definitions and inclusions; to provide  
5 for continuation in office of current members; to provide for election and terms of office of  
6 subsequent members; to provide for submission of this Act for preclearance under the federal  
7 Voting Rights Act of 1965, as amended; to provide for an effective date; to repeal conflicting  
8 laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 style="text-align:center">**SECTION 1.**

11 An Act creating the Board of Commissioners of Cobb County, approved June 19, 1964 (Ga.  
12 L. 1964, Ex. Sess., p. 2075), as amended, particularly by an Act approved May 30, 2003 (Ga.  
13 L. 2003, p. 3808), is amended by revising Sections 1 through 4 as follows:

14 style="text-align:center">"SECTION 1.

15 The Board of Commissioners of Cobb County which exists on January 1, 2013, is continued  
16 in existence but on and after such date, shall be constituted as provided in this Act. The  
17 Board of Commissioners of Cobb County so continued and constituted, sometimes referred  
18 to in this Act as the 'board,' shall continue to have the powers, duties, rights, obligations, and  
19 liabilities of that board as it existed immediately prior to January 1, 2013.

20 style="text-align:center">SECTION 2.

21 (a) Those members of the Board of Commissioners of Cobb County who are serving as  
22 such prior to January 1, 2013, and any persons selected to fill a vacancy in any such office  
23 shall continue to serve as such until the regular expiration of their respective terms of office  
24 and upon the election and qualification of their respective successors. On and after

25 January 1, 2013, the Board of Commissioners of Cobb County shall consist of five  
 26 members who shall be elected from commissioner districts described in subsection (b) of  
 27 this section except for the chairperson who is elected at large as provided in Section 3.

28 (b) For purposes of electing members of the board of commissioners, other than the  
 29 chairperson, Cobb County is divided into four commissioner districts. One member of the  
 30 board shall be elected from each such district. The four commissioner districts shall be and  
 31 correspond to those four numbered districts described in and attached to and made a part  
 32 of this Act and further identified as 'Plan: cobbcc-sd06-prop1-2011 Plan Type: Local  
 33 Administrator: sd006 User: bak'.

34 (c)(1) When used in such attachment, the term 'VTD' (voting tabulation district) shall  
 35 mean and describe the same geographical boundaries as provided in the report of the  
 36 Bureau of the Census for the United States decennial census of 2010 for the State of  
 37 Georgia.

38 (2) The separate numeric designations in a district description which are underneath a  
 39 VTD heading shall mean and describe individual Blocks within a VTD as provided in the  
 40 report of the Bureau of the Census for the United States decennial census of 2010 for the  
 41 State of Georgia. Any part of Cobb County which is not included in any such district  
 42 described in that attachment shall be included within that district contiguous to such part  
 43 which contains the least population according to the United States decennial census of  
 44 2010 for the State of Georgia.

45 (3) Any part of Cobb County which is described in that attachment as being in a  
 46 particular district shall nevertheless not be included within such district if such part is not  
 47 contiguous to such district. Such noncontiguous part shall instead be included within that  
 48 district contiguous to such part which contains the least population according to the  
 49 United States decennial census of 2010 for the State of Georgia.

50 (4) Except as otherwise provided in the description of any commissioner district,  
 51 whenever the description of such district refers to a named city, it shall mean the  
 52 geographical boundaries of that city as shown on the census map for the United States  
 53 decennial census of 2010 for the State of Georgia.

#### 54 SECTION 3.

55 (a) No person shall be a member of the board if that person is ineligible for such office  
 56 pursuant to Code Section 45-2-1 of the O.C.G.A. or any other general law applicable to that  
 57 office.

58 (b) In order to be elected as a member of the board from a commissioner district, a person  
 59 must receive the number of votes cast as required by general law for that office in that  
 60 district only. Only electors who are residents of that commissioner district may vote for

61 a member of the board for that district. At the time of qualifying for election as a member  
62 of the board from a commissioner district, each candidate for such office shall specify the  
63 commissioner district for which that person is a candidate. A person elected or appointed  
64 as a member of the board from a commissioner district must continue to reside in that  
65 district during that person's term of office or that office shall become vacant.

66 (c) The chairperson of the board may reside anywhere within Cobb County and, if elected,  
67 must receive the number of votes cast for that office as required by general law in the entire  
68 county. The chairperson must continue to reside within the county during that person's  
69 term of office or that office shall become vacant.

70 SECTION 4.

71 (a) The first members of the reconstituted Board of Commissioners of Cobb County shall  
72 be elected as provided in this subsection. The chairperson and the first members from  
73 Commissioner Districts 2 and 4 shall be elected at the general election on the Tuesday next  
74 following the first Monday in November, 2012. The chairperson and those members of the  
75 board elected thereto from Commissioner Districts 2 and 4 in November, 2012, shall take  
76 office the first day of January immediately following that election and shall serve for initial  
77 terms of office which expire December 31, 2016, and upon the election and qualification  
78 of their respective successors. The first members from Commissioner Districts 1 and 3  
79 shall be elected at the general election on the Tuesday next following the first Monday in  
80 November, 2014. Those members of the board elected thereto from Commissioner  
81 Districts 1 and 3 in November, 2014, shall take office the first day of January immediately  
82 following that election and shall serve for initial terms of office which expire December 31,  
83 2018, and upon the election and qualification of their respective successors. Those and all  
84 future successors to members of the board whose terms of office are to expire shall be  
85 elected at the time of the state-wide general election immediately preceding the expiration  
86 of such terms, shall take office the first day of January immediately following that election,  
87 and shall serve for terms of office of four years each. Members of the board shall serve for  
88 the terms of office specified in this subsection and until their respective successors are  
89 elected and qualified.

90 (b) All members of the board who are elected thereto shall be nominated and elected in  
91 accordance with Chapter 2 of Title 21 of the O.C.G.A., the 'Georgia Election Code.'

92 (c) Commissioner Districts 1 through 4, as they exist immediately prior to January 1, 2013,  
93 shall continue to be designated as Commissioner Districts 1 through 4, respectively, but as  
94 newly described under this Act, and on and after January 1, 2013, members of the board  
95 serving from those former commissioner districts shall be deemed to be serving from and  
96 representing their respective districts as newly described under this section."

97

**SECTION 2.**

98 The Board of Commissioners of Cobb County shall through its legal counsel cause this Act  
99 to be submitted for preclearance under Section 5 of the federal Voting Rights Act of 1965,  
100 as amended, no later than 45 days after the date on which this Act is approved by the  
101 Governor or otherwise becomes law without such approval.

102

**SECTION 3.**

103 This section and Section 2 of this Act and those provisions of this Act necessary for the  
104 election of members of the Board of Commissioners of Cobb County in 2012 shall become  
105 effective upon the approval of this Act by the Governor or upon its becoming law without  
106 such approval. The remaining provisions of this Act shall become effective January 1, 2013.

107

**SECTION 4.**

108 All laws and parts of laws in conflict with this Act are repealed.

109 Plan: cobbcc-sd06-prop1-2011  
 110 Plan Type: Local  
 111 Administrator: sd006  
 112 User: bak

113 District 001  
 114 Cobb County  
 115 VTD: 067AC1A - ACWORTH 1A  
 116 VTD: 067AC1B - ACWORTH 1B  
 117 VTD: 067AC1C - ACWORTH 1C  
 118 VTD: 067BG01 - BIG SHANTY 01  
 119 VTD: 067BK01 - BAKER 01  
 120 VTD: 067CH02 - CHEATHAM HILL 02  
 121 VTD: 067CH03 - CHEATHAM HILL 03  
 122 030209:  
 123 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011  
 124 1012 1013 1014 1015 1016 1017 1018 1019 1020 1021 3000  
 125 030233:  
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 127 1012 1013 1014  
 128 030901:  
 129 1006 1008 2018 5027 5028 5029 5030  
 130 030905:  
 131 2003  
 132 VTD: 067CK02 - CHALKER 02  
 133 030228:  
 134 2000 2001 2002 2003 2004 2005 2006 2007 2008 2009 2010 2011  
 135 2012 2013 2014 2015 2016 2017 2018 2019 2020 2021 2022 2023  
 136 2024 2025 2028 2029 2030 2031 2032 2033 2034 2035 2036 2037  
 137 2038 2039 2041 2042 2043 2044 2045 2046 2047  
 138 030601:  
 139 1006 1009 1036  
 140 VTD: 067DL01 - DOWELL 01  
 141 030232:  
 142 2000 2001 2009 2010 2011 2012 2013 2014 2015 2016 2017 2021  
 143 2022

144 030233:  
 145 2000 2001 2002 2003 2004 2005 2006 2007 2008 2009 2010 2011  
 146 2012 2013 2014 2015 2016 2017  
 147 VTD: 067DU01 - DURHAM 01  
 148 VTD: 067EL01 - ELIZABETH 01  
 149 030506:  
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 151 1127 1128 1129 1131 1132  
 152 030601:  
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 158 030602:  
 159 1000 1011 1014 2000 2001 2004 2005 2006 2007 2008 2010 2011  
 160 2013 2028 2066 3001 3002 3003 3004 3005 3011  
 161 VTD: 067EP01 - EAST PIEDMONT 01  
 162 030601:  
 163 1003 1004 1005 1007 1008 1031 1037 1038  
 164 VTD: 067FO06 - FAIR OAKS 06  
 165 030901:  
 166 5017 5021 5022 5024 5025 5026 5036 5037 5038 5040  
 167 030905:  
 168 2000 2001  
 169 VTD: 067FR01 - FORD 01  
 170 VTD: 067FY01 - FREY 01  
 171 VTD: 067HR01 - HARRISON 01  
 172 VTD: 067HY01 - HAYES 01  
 173 VTD: 067KE1A - KENNESAW 1A  
 174 VTD: 067KE2A - KENNESAW 2A  
 175 VTD: 067KE2B - KENNESAW 2B  
 176 VTD: 067KE3A - KENNESAW 3A  
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 186 VTD: 067KE4A - KENNESAW 4A  
 187 VTD: 067KE5A - KENNESAW 5A  
 188 VTD: 067KE5B - KENNESAW 5B  
 189 VTD: 067KP01 - KEMP 01  
 190 VTD: 067KP02 - KEMP 02  
 191 VTD: 067KP03 - KEMP 03  
 192 VTD: 067LM01 - LOST MOUNTAIN 01  
 193 030234:  
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 195 030235:  
 196 2000 2001 2002 2003 2004 2005 2006 2007 2008 2009 2010 2011  
 197 2012 2013 2014 2015 2016 2017 2018 2019 2020  
 198 VTD: 067LM02 - LOST MOUNTAIN 02  
 199 VTD: 067LM03 - LOST MOUNTAIN 03  
 200 VTD: 067LM04 - LOST MOUNTAIN 04  
 201 VTD: 067LW01 - LEWIS 01  
 202 VTD: 067ML01 - MCCLURE 01  
 203 VTD: 067MR2B - MARIETTA 2B  
 204 030904:  
 205 4021 4022 4023  
 206 VTD: 067MR2C - MARIETTA 2C  
 207 030901:  
 208 5039  
 209 VTD: 067MR4B - MARIETTA 4B  
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 223 VTD: 067MR4E - MARIETTA 4E  
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 226 030602:  
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 231 1092 1097 1099 1100 1104 1105 1106  
 232 030602:  
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 234 VTD: 067MS01 - MARS HILL 01  
 235 VTD: 067MS02 - MARS HILL 02  
 236 VTD: 067NC01 - NORTH COBB 01  
 237 VTD: 067OR01 - OREGON 01  
 238 VTD: 067OR03 - OREGON 03  
 239 VTD: 067OR05 - OREGON 05  
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 246 VTD: 067PR01 - PALMER 01  
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 252 VTD: 067VA01 - VAUGHAN 01  
 253 VTD: 067WG02 - WADE GREEN 02  
 254 030226:



255 1001  
  
 256 District 002  
 257 Cobb County  
 258 VTD: 067BY01 - BRUMBY 01  
 259 VTD: 067CA01 - CHATTAHOOCHEE 01  
 260 VTD: 067CH03 - CHEATHAM HILL 03  
 261 030901:  
 262 1007  
 263 VTD: 067DI01 - DOBBINS 01  
 264 VTD: 067EL01 - ELIZABETH 01  
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 270 1146 1147 1149  
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 273 030602:  
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 275 VTD: 067EL04 - ELIZABETH 04  
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 287 VTD: 067FO05 - FAIR OAKS 05  
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 312 VTD: 067MR2B - MARIETTA 2B  
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 370 VTD: 067MR6B - MARIETTA 6B  
 371 VTD: 067MR6C - MARIETTA 6C  
 372 VTD: 067MR7A - MARIETTA 7A  
 373 VTD: 067NJ01 - NICKAJACK 01  
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 388 VTD: 067OK01 - OAKDALE 01  
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 391 031206:  
 392 3013  
 393 031209:  
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 398 VTD: 067PF01 - POWERS FERRY 01  
 399 VTD: 067SM03 - SEWELL MILL 03  
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 409 VTD: 067SM04 - SEWELL MILL 04  
 410 VTD: 067SN1A - SMYRNA 1A  
 411 VTD: 067SN2A - SMYRNA 2A  
 412 VTD: 067SN2B - SMYRNA 2B  
 413 VTD: 067SN3A - SMYRNA 3A  
 414 VTD: 067SN4A - SMYRNA 4A  
 415 VTD: 067SN5A - SMYRNA 5A  
 416 VTD: 067SN6A - SMYRNA 6A  
 417 VTD: 067SO02 - SOPE CREEK 02  
 418 VTD: 067SO03 - SOPE CREEK 03  
 419 VTD: 067SP01 - SEDALIA PARK 01  
 420 VTD: 067TM01 - TERRELL MILL 01  
 421 VTD: 067TS01 - TEASLEY 01  
 422 VTD: 067VG01 - VININGS 01  
 423 VTD: 067VG02 - VININGS 02  
 424 VTD: 067VG03 - VININGS 03  
 425 VTD: 067VG04 - VININGS 04  
  
 426 District 003  
 427 Cobb County  
 428 VTD: 067AD01 - ADDISON 01  
 429 VTD: 067BF01 - BELLS FERRY 01  
 430 VTD: 067BF02 - BELLS FERRY 02  
 431 VTD: 067BF03 - BELLS FERRY 03  
 432 VTD: 067BG02 - BIG SHANTY 02  
 433 VTD: 067BW01 - BLACKWELL 01  
 434 VTD: 067CK01 - CHALKER 01  
 435 VTD: 067CK02 - CHALKER 02

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 443 VTD: 067CR01 - CHESTNUT RIDGE  
 444 VTD: 067DC01 - DICKERSON 01  
 445 VTD: 067DO01 - DODGEN 01  
 446 VTD: 067DV01 - DAVIS 01  
 447 VTD: 067EA01 - EASTSIDE 01  
 448 VTD: 067EC01 - EAST COBB 01  
 449 VTD: 067EL02 - ELIZABETH 02  
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 467 2012  
 468 VTD: 067EV01 - EAST VALLEY 01  
 469 VTD: 067FP01 - FULLERS PARK 01  
 470 VTD: 067GM01 - GARRISON MILL 01  
 471 VTD: 067GT01 - GRITTERS 01  
 472 VTD: 067HT01 - HIGHTOWER 01

473 VTD: 067KE3A - KENNESAW 3A  
 474 030223:  
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 478 VTD: 067KL01 - KELL 01  
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 481 VTD: 067MB01 - MABRY 01  
 482 VTD: 067MD01 - MURDOCK 01  
 483 VTD: 067MK01 - MCCLESKEY 01  
 484 VTD: 067MT01 - MT BETHEL 01  
 485 VTD: 067MT02 - MT BETHEL 02  
 486 VTD: 067MT03 - MT BETHEL 03  
 487 VTD: 067MT04 - MT BETHEL 04  
 488 VTD: 067NS01 - NICHOLSON 01  
 489 VTD: 067PO01 - POST OAK 01  
 490 VTD: 067PP01 - POPE 01  
 491 VTD: 067PR01 - PALMER 01  
 492 030220:  
 493 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009  
 494 030223:  
 495 2000 2001 2005 2006 2008 2009  
 496 030226:  
 497 1033  
 498 VTD: 067PT01 - PITNER 01  
 499 VTD: 067RM01 - ROCKY MOUNT 01  
 500 VTD: 067RM02 - ROCKY MOUNT 02  
 501 VTD: 067RW01 - ROSWELL 01  
 502 VTD: 067RW02 - ROSWELL 02  
 503 VTD: 067SA01 - SANDY PLAINS 01  
 504 VTD: 067SF01 - SHALLOWFORD FALLS  
 505 VTD: 067SI01 - SIMPSON 01  
 506 VTD: 067SM01 - SEWELL MILL 01  
 507 VTD: 067SM03 - SEWELL MILL 03  
 508 030409:  
 509 1007 1008 1009 1010 1014 1015 1016 1017 1018 1019 1020 1025

510 1026 1027 1028  
 511 030410:  
 512 2000 2001 2002 2021 2022  
 513 030504:  
 514 1011  
 515 VTD: 067SM05 - SEWELL MILL 05  
 516 VTD: 067SO01 - SOPE CREEK 01  
 517 VTD: 067SY01 - SPRAYBERRY 01  
 518 VTD: 067TR01 - TIMBER RIDGE 01  
 519 VTD: 067TT01 - TRITT 01  
 520 VTD: 067WG01 - WADE GREEN 01  
 521 VTD: 067WG02 - WADE GREEN 02  
 522 030107:  
 523 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009  
 524 030223:  
 525 1011 1013 1014 1016 3000  
 526 VTD: 067WL01 - WILLEO 01  
  
 527 District 004  
 528 Cobb County  
 529 VTD: 067AU1A - AUSTELL 1A  
 530 VTD: 067BR01 - BIRNEY 01  
 531 VTD: 067BR02 - BIRNEY 02  
 532 VTD: 067BT01 - BRYANT 01  
 533 VTD: 067BT02 - BRYANT 02  
 534 VTD: 067CH03 - CHEATHAM HILL 03  
 535 030905:  
 536 3000  
 537 031503:  
 538 1000  
 539 VTD: 067CL01 - CLARKDALE 01  
 540 VTD: 067CL02 - CLARKDALE 02  
 541 VTD: 067CO01 - COOPER 01  
 542 VTD: 067DL01 - DOWELL 01  
 543 031503:  
 544 1001 1003 1016 3003



545 VTD: 067FO01 - FAIR OAKS 01  
 546 VTD: 067FO02 - FAIR OAKS 02  
 547 VTD: 067FO03 - FAIR OAKS 03  
 548 VTD: 067FO04 - FAIR OAKS 04  
 549 VTD: 067HL01 - HARMONY-LELAND  
 550 VTD: 067LI01 - LINDLEY 01  
 551 031205:  
 552 1025 1026 1027 1028 1029 1030 1046 1047 1048 1052 1053 1054  
 553 031206:  
 554 1092 1097 1098 2012  
 555 031313:  
 556 1020 1024 1031 1032 1033 1035 1036 1037 1038 1039 1040 1041  
 557 1042 1044 1045 1046 1047 1048 1049 1050 1051 1052 1053 1054  
 558 2000 2001 2002 2003 2004 2006 2007 2008 2009 2010 2011 2013  
 559 2014 2015 2016 2017 2019 2020 2021 2024 2025 2026 2027 2028  
 560 2029 2030 2031 2032 2033 2034 2035 2036 2037 2038 2040 2041  
 561 2042 2043 2044 2045 2046 2047 2049 2050 2051 2052 2055 2056  
 562 2057 2060 2062 2064 2065 2066 2068 2069 2070 2071 2072 2074  
 563 2075 2076 2077 2078 2079 2081 2082 2083 2084 2085 2086 2087  
 564 VTD: 067LM01 - LOST MOUNTAIN 01  
 565 031506:  
 566 1012  
 567 031508:  
 568 1000  
 569 VTD: 067MA01 - MABLETON 01  
 570 VTD: 067MA02 - MABLETON 02  
 571 VTD: 067MA03 - MABLETON 03  
 572 VTD: 067MA04 - MABLETON 04  
 573 VTD: 067MC01 - MACLAND 01  
 574 VTD: 067MC02 - MACLAND 02  
 575 VTD: 067ME01 - MCEACHERN 01  
 576 VTD: 067NJ01 - NICKAJACK 01  
 577 031206:  
 578 1040 1044  
 579 VTD: 067NP01 - NORTON PARK 01  
 580 031106:  
 581 2027 2028

582 031115:  
 583 2002 2006 2009 2016 2031 2032 2033 2034 2037 2038 2040 2041  
 584 2042 2043 2044 2048 2049 2052 2053 2054  
 585 031117:  
 586 1001 1002 1003 1004 1005 1006 1008 1009 1012 1014 1016 1017  
 587 1018 1019 1021 1025 1026 1027 2025 2026  
 588 VTD: 067NP02 - NORTON PARK 02  
 589 VTD: 067OK01 - OAKDALE 01  
 590 031118:  
 591 2004 2005 2006 2007 2011 2019 2024 2027 2028 2029 2030 3016  
 592 031206:  
 593 1002 1003 1004 1005 1006 1007 1012 1013 1014 1015 1016 1017  
 594 1018 1024 1025 1026 1027 1036 1037 1038 1046 1047 1048 1049  
 595 1050 1052 1065 1068 1074 1075 1080 1099 1100 3056 3057 3059  
 596 3060 3062 3063 3093 3094 3095 3096  
 597 VTD: 067OR02 - OREGON 02  
 598 VTD: 067OR04 - OREGON 04  
 599 VTD: 067OR05 - OREGON 05  
 600 031503:  
 601 2000 3013  
 602 031506:  
 603 1000 1001  
 604 VTD: 067OR06 - OREGON 06  
 605 VTD: 067PE01 - PEBBLEBROOK 01  
 606 VTD: 067PE02 - PEBBLEBROOK 02  
 607 VTD: 067PS1A - POWDER SPRINGS 1A  
 608 VTD: 067PS2A - POWDER SPRINGS 2A  
 609 VTD: 067PS3A - POWDER SPRINGS 3A  
 610 VTD: 067RS01 - RIVERSIDE 01  
 611 VTD: 067SN7A - SMYRNA 7A  
 612 VTD: 067SN7B - SMYRNA 7B  
 613 VTD: 067SN7C - SMYRNA 7C  
 614 VTD: 067SW01 - SWEETWATER 01  
 615 VTD: 067SW02 - SWEETWATER 02  
 616 VTD: 067SW04 - SWEETWATER 04  
 617 VTD: 067SW05 - SWEETWATER 05