Bulloch County Board of Commissioners Regular Meeting

October 16, 2012
Estimated Time: 1 Hour
Jury Assembly Room
20 Siebald Street
Statesboro, Georgia
8:30 AM

Meeting Function:	**Board of Commissioners**	Type of Meeting:	**Regular Meeting**
Meeting Chair:	**Chairman, Garret Nevil (Presiding)**	Recorder:	**Interim Clerk of the Board, Christy Strickland**
Parliamentarian:	**County Attorney, Jeff Akins**	Ex-Officio:	**Tom Couch, County Manager; Harry Starling, Chief Financial Officer; Andy Welch, Development Services Director; and Bob Smith, Public Facilities Director**

General Agenda

ITEM	RESOURCE PERSON/FACILITATOR	TIME	REFER
Call to Order; Welcome Media and Visitors	Chairman Nevil	8:30 AM	
Invocation and Pledge of Allegiance	Commissioner Rushing	8:32 AM	
Roll Call	Interim Clerk of the Board	8:33 AM	
Approval of General Agenda	Chairman Nevil	8:35 AM	
Public Comments	Audience	8:37 AM	
Presentation		8:45 AM	
Proclamation for 4-H Week	Lee Anna Deal		
Consent Agenda	Chairman Nevil	9:00 AM	
Approval of Minutes – Regular Meeting & Executive Session held on October 4, 2012; Special Called Meeting & Executive Session held on October 9, 2012	Interim Clerk of the Board		Tab A
Approval of a purchase for a New Case Skid-Steer Loader	Public Facilities/Environmental Management		Tab B
Approval of a purchase of a New Solid Waster Roll Off Truck	Public Facilities/Environmental Management		Tab C
Approval of Alcoholic Beverage Licenses for Jay Food Mart & Fast Stop	Interim Clerk of the Board		Tab D
Approval of Alcoholic Beverage License On The Go Food Mart	Interim Clerk of the Board		Tab E
Approval of an Intergovernmental Agreement for Application for CDBG-EIP Funds for Rail Spur	Legal		Tab F
New Business			
Discussion/Action: Resolution for the Board of Education's General Obligation Sales Tax Bonds, Series 2012A and 2012B	Legal	9:05 AM	Tab G
Discussion/Action: Resolution for the Board of Education's General Obligation Sales Tax Bonds, Series 2012C	Legal	9:15 AM	Tab H
Commission and Staff Comments	Chairman Nevil, et al.	9:25 AM	
Adjourn	Chairman	9:30 AM	

Additional Information - Background information in Board packets

October 4, 2012
Statesboro, GA

Regular Meeting

The Board of Commissioners met at 5:30 p.m. at Statesboro-Bulloch Recreation Department. Chairman Nevil welcomed guests, called the meeting to order, gave the invocation and the pledge of allegiance.

Ms. Christy Strickland, Interim Clerk of the Board, performed the roll call of the commissioners and staff. The following commissioners were present: Chairman Nevil, Commissioner Mosley, Commissioner Simmons, Vice Chairman Ethridge, Commissioner Rushing, Commissioner Thompson, and Commissioner Gibson. The following staff were present: County Manager Thomas Couch, County Attorney Jeff Akins, Chief Financial Officer Harry Starling, Airport Manager Jeff Herrington, and Zoning Administrator Randy Newman.

After Roll Call, Chairman Nevil opened the meeting for Public Hearings regarding Zoning and Land Use matters and stated that the first item of business was the approval of the Zoning and Land Use Agenda. Chairman Nevil asked for amendments or modifications of the Zoning and Land Use Agenda. Hearing none, Commissioner Ethridge offered a motion to approve the Zoning and Land Use Agenda as presented. Commissioner Simmons seconded the motion, and it carried unanimously with Commissioner Gibson, Commissioner Thompson, Commissioner Rushing, Commissioner Mosley, Commissioner Simmons and Commissioner Ethridge voting in favor of the motion. Chairman Nevil asked Zoning Administrator Randy Newman to present the first item of business.

Zoning Administrator Randy Newman presented Item #1 which was an application submitted by Larry Smith requesting an appeal on the decision voted on by the Planning and Zoning Commission on September 13, 2012 to deny the variance request to allow a Pre-Hud mobile home to be placed in his manufactured home park. Mr. Newman stated the total property consists of 162 acres and is located on C.L. Woods Road, Tax Map #014 0000019 000. Mr. Larry Smith stated he had purchased the mobile home and did not realize the requirements of moving a mobile home in Bulloch County. He stated he had already invested money into renovating the mobile home. Commissioner Thompson asked Mr. Smith how the manufactured home was moved to the current location. Mr. Smith stated it was moved with a tractor approximately one mile down a dirt road and that it never went on

the highway. Zoning Administrator Randy Newman stated prior to moving the manufactured home Mr. Smith should have obtained a Manufactured Home Permit through the Building Department. He also explained that a licensed installer would be required to set up the manufactured home. There was no one signed up to speak for or against the request. After additional discussion, Commissioner Thompson offered a motion to grant the variance request submitted by Larry Smith with conditions as set forth in Exhibit # 2012-098. Commissioner Rushing seconded the motion, and it carried unanimously with Commissioner Gibson, Commissioner Thompson, Commissioner Rushing, Commissioner Mosley, Commissioner Simmons and Commissioner Ethridge voting in favor of the motion

Zoning Administrator Randy Newman presented Item # 2 which was an application submitted by Paul Allen for a conditional use to allow a cell tower to be placed on his property. Mr. Newman stated the property consists of 300.5 acres and is located on Highway 80 West, Tax Map # 006 000060 000. The Planning and Zoning Commission recommended approval of the request. Acting as agent, representing Verizon Wireless, Ms. Jennifer Blackburn stated there is an existing tower in the area that is owned by Allied with whom Verizon Wireless is in negotiations with to be able to collocate but if an agreement is not reached Verizon needs to erect a new tower. Chairman Nevil asked if other collocates would be able to go on the tower. Ms. Blackburn stated there would be room for three additional collocates. After additional discussion Commissioner Rushing made a motion to approve the Conditional Use Request submitted by Paul Allen with conditions as set forth in Exhibit # 2012-099. Commissioner Gibson seconded and it carried unanimously with Commissioner Gibson, Commissioner Thompson, Commissioner Rushing, Commissioner Mosley, Commissioner Simmons and Commissioner Ethridge voting in favor of the motion.

Zoning Administrator Randy Newman presented Item #3 which was an application submitted by Kimberly Williams for a conditional use to operate a family personal care home. Mr. Newman stated the property consists of 7.52 acres and is located on Ponderosa Road, Tax Map # 039 000008 000. Mrs. Williams stated she is a Licensed Master Social Worker and has been employed in various human service delivery roles for more than 15 years and enjoys working with the elderly. She stated she would like to have six adults and give them a more country like living environment. She went over all the amenities the home has and said there would be 24-hour supervision seven days a week. Mrs. Williams stated at the September 13, 2012 Planning & Zoning Meeting the neighbors had expressed some concerns about property values, increased traffic, safety of residents in the home, and

availability of emergency vehicles. She stated the home will not have any major changes so property values should not increase or decrease; the adults staying in the home would have occasional visitors but should not make any impact on traffic; the State Department of Community Health would regulate the home so there should not be any safety issues; and the Fire Department and Sheriff's Department's response time to the area is approximately twenty minutes and there is ample room for them to get to the home if needed. Mrs. Williams asked the board for approval of the request to let her provide this facility to the elderly. Zoning Administrator Randy Newman stated he had five people signed up to speak concerning the request. Mr. Greg Anderson stated he is an adjacent property owner and respects what Mrs. Williams is requesting to do but the area is residential and he does not want a business located next to them. Ms. Mattie Perry stated she has been a friend of Mrs. Williams for a long time and she is compassionate about working with the elderly and feels the personal care home would be a great facility for the elderly to stay. Mrs. Ellen Bunch stated she agreed with everything Mr. Anderson stated and just wants to keep the area residential. Pastor Joe Mosley stated he was in favor of the request and stated Mrs. Williams had done a lot for the elderly in the community. Mr. James Newkirk stated he supported Mrs. Williams' request and stated she had done so much for others in the community and respectfully asked for the Board to approve her request. Mr. Newman stated there was no one else signed up to speak. Commissioner Simmons stated he had been on the board of Community Health for several years and thinks the personal care home is needed in Bulloch County and made a motion to approve the request. Commissioner Mosley seconded the motion. Chairman Nevil asked if there were any further questions from the board. Commissioner Ethridge stated she was concerned about the home having only two bathrooms with caregivers plus the six adults. Mrs. Williams stated that the Department of Community Health may not let her have that many with two bathrooms and so she would either have to add a bathroom or reduce the number of elderly that stay in the home. Commissioner Thompson asked Zoning Administrator Randy Newman how close the pond was to the residence. Mr. Newman stated it was approximately 150 feet. Commissioner Thompson stated prior to the meeting he had reviewed the Conditional Uses for personal care homes in the past and that there was one denied due to a pond being to close to the property. He also stated he would like to see the requirements the Department of Community Health would have on the personal care home. Hearing no further discussion, Chairman Nevil stated Commissioner Simmons had made a motion to approve the Conditional Use Request that was

seconded by Commissioner Mosley. The motion failed to pass with Commissioner Ethridge, Commissioner Rushing, Commissioner Thompson and Commissioner Gibson voting in opposition to the motion, and Commissioner Simmons and Commissioner Mosley voting in favor of the motion. Chairman Nevil asked the board if they had any further questions, and if not he would need another motion. Commissioner Thompson stated he had concerns about the pond being close to the residence and made a motion to deny the conditional use request. Commissioner Rushing seconded the motion and it carried with Commissioner Gibson, Commissioner Ethridge, Commissioner Rushing and Commissioner Thompson voting in favor of the motion and Commissioner Simmons and Commissioner Mosley voting in opposition to the motion.

Zoning Administrator Randy Newman presented Item #4 which was an application submitted by J&K Partners, LLC to rezone from AG-5 (Agricultural 5 acres) to R-25 (Residential 25,000 square feet) which consists of 136.4 acres and is located on Josh Deal Road, Tax Map # 094 000022 000. Mr. Newman stated the Planning & Zoning Commission had recommended approval of the request with conditions. Acting as agent, John Dotson stated there would be approximately 124 lots for residential building. He stated the only access to the subdivision would be from Josh Deal Road, and there would not be any access from Harville Road. Mr. Newman stated there was no one to signed up to speak on the request. After hearing no further discussion, Commissioner Ethridge made a motion to approve the request with conditions as set forth in Exhibit # 2012-100. Commissioner Simmons seconded and the motion carried unanimously with Commissioner Gibson, Commissioner Thompson, Commissioner Rushing, Commissioner Mosley, Commissioner Simmons and Commissioner Ethridge voting in favor of the motion.

Zoning Administrator Randy Newman presented Item # 5 which was an application submitted by Molly and Sandor Nagy requesting a rezone from R-80 (Residential 80,000 square feet) to AG-5 (Agricultural 5 acres) and a Conditional Use to allow a camper to be lived in during the construction of the residence. Mr. Newman stated the property consists of 4.07 acres located on Highway 67 Tax Map # 128 000035 002 and #128 000035 006. He stated the Planning and Zoning Commission had approved a variance request for lot size requirements and recommended approval of the rezone and conditional use request. Mr. Newman explained that the Code Enforcement Officer Sidney Alston had received a complaint about a camper being lived in on the property. After Mr. Alston had met with Molly & Sandor Nagy and found out they wanted to live in the camper while building, Mr.

Newman stated to be able to do this they would have to file an application for a Rezone and Conditional Use. Mrs. Nagy stated they had owned the property for six months and are planning on building a home. She stated they had planted a garden, put their septic tank in, and have their driveway permit. Mr. Newman showed pictures of the inside of the camper which had been renovated and is livable. Commissioner Ethridge stated she was concerned with safety of the camper. Mr. Nagy stated the water, plumbing and electricity has been installed safely. After additional discussion, concerning the time it would take to build the residence, Commissioner Gibson offered a motion to approve the Rezone and Conditional Use Request with conditions as set forth in Exhibit # 2012-101. Commissioner Rushing seconded the motion and the motion carried unanimously with Commissioner Gibson, Commissioner Thompson, Commissioner Rushing, Commissioner Mosley, Commissioner Simmons and Commissioner Ethridge voting in favor of the motion.

Sign-in sheets for Zoning Matters are shown in Exhibit #2012-102.

Chairman Nevil closed the Public Hearings regarding Zoning and Land Use matters, and asked for amendments or modifications of the General Agenda. County Manager Thomas Couch asked to add Executive Session to the General Agenda to discuss Potential Real Estate Acquisitions. Commissioner Rushing offered a motion to approve the General Agenda as amended. Commissioner Thompson seconded the motion, and it carried unanimously with Commissioner Gibson, Commissioner Thompson, Commissioner Rushing, Commissioner Mosley, Commissioner Simmons and Commissioner Ethridge voting in favor of the motion.

Next, Chairman Nevil asked for public comments from the audience at large or in writing. County Manager Thomas Couch and Interim Clerk of the Board Christy Strickland both stated that there were no formal requests or petitions received in writing. Hearing no comments from the public, Chairman Nevil moved forward to the next item on the Agenda.

Chairman Nevil stated that the next item on the Agenda was to approve the Consent Agenda as follows: (1) to approve the Minutes of the Regular Meeting held on September 18, 2012; (2) to approve a Contract with The Barnhardt Group in the amount of $45,225.00 for evaluation of various paved roads (See Exhibit # 2012-103); (3) to authorize the County Manager to approve a Hangar Lease Agreement with Catherine L. Kloess and TJP@Jax, Inc D/B/A The Jumping Place to operate a Skydiving School and Maintenance Shop at the Statesboro Bulloch Airport. (See Exhibit #2012-104). Commissioner Thompson offered a motion to approve the Consent Agenda. Commissioner Simmons seconded the motion, and it

carried unanimously with Commissioner Gibson, Commissioner Thompson, Commissioner Rushing, Commissioner Mosley, Commissioner Simmons and Commissioner Ethridge voting in favor of the motion.

Without any items under New Business Chairman Nevil asked each Commissioner to take thirty seconds for any general comments or statements, beginning with Commissioner Ethridge and then proceeding down the bench accordingly. Commissioner Ethridge, Commissioner Simmons, Commissioner Mosley, Commissioner Rushing, Commissioner Thompson, and Commissioner Gibson, did not have comments or statements.

Next, Chairman Nevil asked for comments from the Staff, and Mr. Couch stated the Sherriff's Department had a signed a lease in April 2010 with Frontier for Voice over Services. He stated currently the monthly cost is $400.00 a month for the services. He stated the lease will expire in April 2015. County Manager Tom Couch explained that if they were to buy out the lease it would cost approximately $12,000.00 which in the end would be a big savings. He stated he just wanted the Board to be aware of what was happening. Mr. Couch gave an update on the renovations to the Community Room at the North Annex and that chairs needed to be fixed and the audio system installed. He stated the final estimate of the audio is going to be approximately $56,000-$58,000. Mr. Couch stated he is hoping everything will be done by the beginning of November.

Chairman Nevil stated that there was no further business expected for the open session of the regular agenda, and the Board must close the meeting and enter into Executive Session to discuss Potential Real Estate Acquisition. Chairman Nevil stated that at the conclusion of the Executive Session, which was expected to last about fifteen minutes, the Board would reconvene and in all likelihood move for adjournment. Chairman Nevil called for a motion to adjourn into Executive Session in accordance with the provisions of O.C.G.A. 50-14-3 and other applicable laws, pursuant to the advice of the County Attorney, Jeff Akins, for the purpose of discussing Potential Real Estate Acquisitions. Without further discussion, Commissioner Ethridge offered a motion to enter into Executive Session to discuss Real Estate matters in accordance with the provisions of O.C.G.A 50-14-3 (b) (See Exhibit #2012-105). Commissioner Mosley seconded the motion, and it carried unanimously with Commissioner Ethridge, Commissioner Mosley, Commissioner Simmons, Commissioner Rushing, Commissioner Thompson, and Commissioner Gibson voting in favor of the motion.

The meeting was reconvened, and Chairman Nevil asked if there were any further comments from the Commission or Staff. Hearing no further comments from the Board or Staff, Chairman Nevil asked for a motion to adjourn. Commissioner Simmons offered a motion to adjourn the meeting. Commissioner Rushing seconded the motion, and it carried unanimously with Commissioner Gibson, Commissioner Thompson, Commissioner Rushing, Commissioner Mosley, Commissioner Simmons and Commissioner Ethridge voting in favor of the motion.

_____

J. Garrett Nevil, Chairman

_____

Attest: Christy Strickland, Clerk of the Board

October 9, 2012
Statesboro, GA

Special Called Meeting

The Board of Commissioners met for a Special Called Meeting (See Exhibit # 2012-106) at 5:30 P.M. in the Emergency Operation Center located on Highway 301 North. Chairman Nevil called the meeting to order.

Commissioners present at the meeting were: Chairman Nevil, Commissioner Mosley, Commissioner Simmons, Commissioner Ethridge (came in late), Commissioner Thompson, Commissioner Gibson and Commissioner Rushing. The following staff were present: County Manager Thomas Couch, County Attorney Jeff Akins, Development Services Director Andy Welch, and Interim Clerk of the Board Christy Strickland.

Chairman Nevil stated the first item on the agenda was to enter into Executive Session to discuss Potential Real Estate Acquisitions. Chairman Nevil stated that at the conclusion of the Executive Session, which was expected to last about fifteen minutes, the Board would reconvene to go into New Business. Chairman Nevil called for a motion to adjourn into Executive Session in accordance with the provisions of O.C.G.A. 50-14-3 and other applicable laws, pursuant to the advice of the County Attorney, Jeff Akins, for the purpose of discussing Real Estate. Without further discussion, Commissioner Gibson offered a motion to enter into Executive Session to discuss Real Estate matters in accordance with the provisions of O.C.G.A 50-14-3 (b)(l) (See Exhibit #2012-107). Commissioner Mosley seconded the motion, and it carried unanimously with Commissioner Ethridge, Commissioner Mosley, Commissioner Simmons, Commissioner Rushing, Commissioner Thompson, and Commissioner Gibson voting in favor of the motion.

Without any Consent Items or Unfinished Business, Chairman Nevil stated that the first item of New Business was the discussion and/or action to approve a Real Estate Contract with Statesboro Restaurant, Inc. and Statesboro Motor Lodge, Inc. Without any discussion, Commissioner Thompson offered a motion to approve the Real Estate Contract for purchase of the property located on North Main Street Tax Map # S18 000001 000 in the amount of $269,000. (See Exhibit # 2012-108) Commissioner Rushing

seconded the motion, and it carried unanimously with Commissioner Ethridge, Commissioner Mosley, Commissioner Simmons, Commissioner Rushing, Commissioner Thompson, and Commissioner Gibson voting in favor of the motion.

Hearing no further comments from the Board or Staff, Chairman Nevil asked for a motion to adjourn. Commissioner Simmons offered a motion to adjourn. Commissioner Mosley seconded the motion, and it carried unanimously with Commissioner Simmons, Commissioner Mosley, Commissioner Rushing, Commissioner Ethridge, Commissioner Gibson and Commissioner Thompson voting in favor of the motion.

_____

J. Garrett Nevil, Chairman

_____

Attest: Christy Strickland, Clerk of the Board

BULLOCH COUNTY BOARD OF COMMISSIONERS
AGENDA ITEM SUMMARY

DEPARTMENT MAKING REQUEST (Box 1)	MEETING DATE October 16, 2012		
Public Facilities/ Environmental Mgt.	RESOLUTION ATTACHED? (Box 3)	YES	
		NO	X

REQUESTED MOTION OR ITEM TITLE (Box 4)

Approval of New Case Skid- Steer loader purchased from Border Equipment Co.

SUMMARY/BACKGROUND ATTACH DETAILED SUMMARY, IF NEEDED (Box 5)

RFB results attached

AGENDA CATEGORY (CHECK ONE) (Box 6)		FINANCIAL IMPACT STATEMENT (Box 7)					
PRESENTATION (6a)		BUDGETED ITEM? (7a) 2002 SW SPLOST	YES	X	AMENDMENT REQURED? (7b)	YES	
			NO			NO	X
PUBLIC HEARING (6b)		ATTACH DETAILED ANALYSIS, IF NEEDED (7c)					
CONSENT (6c)	X						
NEW BUSINESS (6d)							
OLD BUSINESS (6e)							
OTHER (6f)							

APPROVED FOR AGENDA (Box 8)

DEPARTMENT DIRECTOR		PURCHASING OFFICER		OTHER		COUNTY CLERK		COUNTY STAFF ATTORNEY		COUNTY MANAGER	
YES	X	YES		YES		YES		YES		YES	
NO		NO		NO		NO		NO		NO	
INITIAL Bob Smith		INITIAL		INITIAL		INITIAL		INITIAL		INITIAL	
DATE Oct. 2, 2012		DATE		DATE		DATE		DATE		DATE	

COMMISSION ACTION AND REFERRAL (Box 9)

APPROVED		DATE TO BE RETURNED TO AGENDA
DENIED		
DEFERRED		NOTES
OTHER		

MOMORANDUM

Date: **September 26, 2012**

To: **Mr. Tom Couch**

From: **Kenneth Trapnell** _____

Subject: **Skid Steer Loader Bid Report**

Sealed bids were opened at the North Main Annex, 115 North Main Street, Statesboro, Ga. 30458 on September 26, 2012 at 3:00 P.M. for one (1) skid steer loader.

Six (6) IFB's were sent out on September 10, 2012.

The bid solicitation was advertised on bullochcounty.net beginning on September 10, 2012.

Bid results are as follows:

VENDOR	PURCHASE PRICE	REPURCHASE PRICE (3 Yrs./3,000 Hrs.)	DELIVERY DATE
Border Equipment Co. (Case)	$30,611.00	$14,000.00	45-60 Days
Bobcat of Augusta (Bobcat)	$31,476.00	$14,000.00	By 11-10-12
Yancey Bros. (Caterpillar)	$33,715.00	$9,500.00	2 Weeks
Bobcat of Savannah (Bobcat)	$37,508.53	$10,000.00	10/5/12

Bob Smith states the skid steer loader that was bid was the size and quality loader he needed.

The specifications I used were "Caterpillar 236B3 or equal."

In my opinion all the bids received are considered in compliance with our specifications.

stated in all applicable solicitations. This provision does not apply to public works construction projects or road projects pursuant to the laws of the State of Georgia.

Award And Reservations: It is understood and agreed that in consideration of the sum of One Dollar and No/100 ($1.00) cash in hand paid, receipt whereof is hereby acknowledged, the bidder agrees that this bid shall be an option, which is hereby given to the Purchaser to accept or reject this bid at any time within sixty (60) calendar days from the date on which it is opened and read. It is expressly convenanted and agreed that this proposal is not subject to withdrawal by the bidder during the term of said option. The party submitting the bid is solely responsible for delivering the bid to the exact location and by the time stated. The Purchaser reserves the right to reject any or all bids and to waive technicalities and informalities in bids, to accept in whole or in part, such bid or bids may be deemed in the best interest of the purchaser.

Award will be made to that responsive and responsible bidder with the best offer for Bulloch County, price and other factors considered.

TERMS AND CONDITIONS

Units offered under this advertisement shall be new, standard production models. **Also, units offered shall be 2012 or 2013 year models only.**

Bidders must submit with their bid, the printed specifications, advertising literature, and an **itemized list of equipment included on make and model units they propose to furnish.**

The design of the mechanical members shall be such that the stress imposed through normal shock loads at maximum engine torque shall not cause rupture or permanent deformation or undue wear on any member.

The successful bidder shall have a qualified service facility and have access to parts inventory within 100 miles of Statesboro, Georgia.

The award winner must submit one service and repair manual with all available wiring and electronics diagrams at delivery time. It is preferred this information be on CD disc if possible. Also one operator's manual must be included.

The bidder shall list on a separate sheet of paper any variations from, or exceptions to the conditions and specifications of this bid. This sheet is included with this Bid Invitation and is labeled Exceptions to Specifications and Conditions Sheet. All bidders are expected to make every attempt to bid in compliance with our bid specifications. However, if you have to take an exception in order to bid use this exception sheet. An exception is considered anything less than our specifications.

The price or prices quoted shall include all transportation charges fully prepaid to Bulloch County Correctional Institute. **Delivery date must be stated on bid.**

BULLOCH COUNTY BOARD OF COMMISSIONERS
AGENDA ITEM SUMMARY

DEPARTMENT MAKING REQUEST (Box 1)	MEETING DATE October 16, 2012		
Public Facilities/ Environmental Mgt.	RESOLUTION ATTACHED? (Box 3)	YES	
		NO	X

REQUESTED MOTION OR ITEM TITLE (Box 4)

Approval of New Solid Waste Roll-Off Truck purchase from Freightliner of Savannah

SUMMARY/BACKGROUND ATTACH DETAILED SUMMARY, IF NEEDED (Box 5)

RFB results attached

AGENDA CATEGORY (CHECK ONE) (Box 6)		FINANCIAL IMPACT STATEMENT (Box 7)					
PRESENTATION (6a)		BUDGETED ITEM? (7a) 2002 SW SPLOST	YES	X	AMENDMENT REQURED? (7b)	YES	
			NO			NO	X
PUBLIC HEARING (6b)		ATTACH DETAILED ANALYSIS, IF NEEDED (7c)					
CONSENT (6c)	X						
NEW BUSINESS (6d)							
OLD BUSINESS (6e)							
OTHER (6f)							

APPROVED FOR AGENDA (Box 8)

DEPARTMENT DIRECTOR		PURCHASING OFFICER		OTHER		COUNTY CLERK		COUNTY STAFF ATTORNEY		COUNTY MANAGER	
YES	X	YES		YES		YES		YES		YES	
NO		NO		NO		NO		NO		NO	
INITIAL Bob Smith		INITIAL		INITIAL		INITIAL		INITIAL		INITIAL	
DATE Oct. 2, 2012		DATE		DATE		DATE		DATE		DATE	

COMMISSION ACTION AND REFERRAL (Box 9)

APPROVED		DATE TO BE RETURNED TO AGENDA
DENIED		
DEFERRED		NOTES
OTHER		

MEMORANDUM

Date: **September 28, 2012**

To: **Mr. Tom Couch**

From: **Kenneth Trapnell** ___**Kenneth Trapnell**_____

Subject: **Solid Waste Truck With The Transfer of Existing Roll-Off Hoist Bid Report.**

Sealed bids were opened at the North Main Annex on September 28, 2012 at 3:00 P.M. for one (1) solid waste truck with the transfer of existing roll-off hoist.

Eight (8) Invitations to Bid were e-mailed to vendors on September 13, 2012.

The bid solicitation was advertised on bullochcounty.net beginning on September 13, 2012.

Bids received are as follows:

Vendor	Equipment Being Bid	Bid Price	Delivery
Roberts Truck Center	**2011** Volvo Truck **(Does Not Meet Specs.)** (Alternate Bid-Delivered by Jan Price)	$96,500.00	In Stock
Freightliner of Savannah	2013 Freightliner Truck	$103,824.00	60-120 Days
Roberts International Trucks	International Truck (Delivered by Mitchell Cason)	$107,697.32	100 Days
Bunch Truck & Equipment LLC	Mack Truck	$111,995.00	150 Days
Roberts Truck Center	2012 Volvo Truck (Delivered by Mitchell Cason)	$113,687.00	12 Weeks
Beck Motor Company	2013 Peterbilt Truck	$117,438.00	60 Days

Some of the bids meet our specifications and some do not.

Bob Smith is to evaluate the bids received and make a recommendation for the award.

The IFB that was issued for the roll-off truck stated the following on page two (2). Units offered under this advertisement shall be new, standard production models. **Also, units offered shall be 2012 or 2013 year models only.**

If you need more, please let me know. Thanks.

BULLOCH COUNTY BOARD OF COMMISSIONERS
AGENDA ITEM SUMMARY

DEPARTMENT MAKING REQUEST:	MEETING DATE: 10.16.12		
Public Safety: Sheriff, Administration: Clerk of the Board	RESOLUTION ATTACHED?	YES	
		NO	x

REQUESTED MOTION OR ITEM TITLE:

To grant an alcoholic beverage license for package retail beer and wine sales to Samir Patel (Licensee/Designee) and Kiran Patel (Owner), for Fast Stop, located at 22933 Highway 80 East, Statesboro, Georgia and Jay Food Mart located at 101 Kyle Sorrell Road, Statesboro, GA.

SUMMARY/BACKGROUND ATTACH DETAILED SUMMARY, IF NEEDED:

There is no apparent reason to deny the applications. Approval is recommended. Applications are attached. Criminal histories are attached.

AGENDA CATEGORY (CHECK ONE)		FINANCIAL IMPACT STATEMENT					
PRESENTATION		BUDGETED ITEM?	YES	N	AMENDMENT REQUIRED?	YES	
			NO			NO	X
PUBLIC HEARING		ATTACH DETAILED ANALYSIS, IF NEEDED:					
CONSENT	X						
NEW BUSINESS							
OLD BUSINESS							
OTHER							

APPROVED FOR AGENDA

DEPARTMENT DIRECTOR		PURCHASING OFFICER		OTHER		COUNTY CLERK		COUNTY STAFF ATTORNEY		COUNTY MANAGER	
YES		YES		YES		YES		YES		YES	
NO		NO		NO		NO		NO		NO	
INITIAL		INITIAL		INITIAL		INITIAL		INITIAL		INITIAL	
DATE		DATE		DATE		DATE		DATE		DATE	

COMMISSION ACTION AND REFERRAL (Box 9)

APPROVED		DATE TO BE RETURNED TO AGENDA
DENIED		
DEFERRED		NOTES
OTHER		

Office of the Sheriff

SHERIFF
LYNN M. ANDERSON

17257 HWY 301 NORTH
STATESBORO, GA 30458
(912) 764-8888
FAX (912) 764-2917

The following information is furnished to the Bulloch County Board of Commissioners, in regards to an application for a beer and Wine License. This information is furnished by the Bulloch County Sheriff's Department for the purpose of the Board in their decision on the issuance of a license.

NAME: Kiran Patel

BUSINESS: (1) Jay Food Mart (2) First Stop

LOCATION: (1) 101 Kyle Sorrell Rd (2) 22933 Hwy 80E

CRIMINAL HISTORY: OK

RESIDENCY: OK

This information is furnished to the Bulloch County Board of Commissioners for their information only at their request.

LYNN M. ANDERSON, SHERIFF, BULLOCH COUNTY, GA.

This 28 Day of Sept, 2012

NOTARY PUBLIC

"The sheriff shall keep and preserve the peace of his county."

BULLOCH COUNTY, GEORGIA
APPLICATION FOR ALCOHOLIC BEVERAGE LICENSE

YOU MUST COMPLETE APPLICATION IN ITS ENTIRETY

DATE OF APPLICATION 9-20-12 NEW ✓ RENEWAL ____

Type of Business to be operated:

✓	Retail beer and wine packaged only	$1,500.00
____	Retail beer and wine by the drink (pouring license)	$1,500.00
____	Retail liquor by the drink (pouring license)	$3,000.00
____	Pouring license (beer, wine, and liquor)	$4,500.00
____	Wholesale license	$1,200.00
____	Farm Winery	$2,250.00
____	Catering License (off premise)	$ 500.00
✓	Application Fee (***due upon returning application***)	$ 250.00
____	Event Permit	$ 50.00
____	License Transfers	$ 250.00
____	Temporary Permit (all forms)	$ 250.00
	Total license fee (include the application fee)	$ ____

***Late Penalty ***
All renewal applications received after November 1 and before January 1 - 25% of license fee

All renewal applications received after January 1 - 50% of license fee

Applicant's full name KIRAN PATEL
Name of business NEELKANTH INVESTMENTS INC DBA FAST STOP
Location of business 22933, US HWY 80 E, STATESBORO, GA: 30461
Type of business organization (Corporation, limited liability company, partnership, etc.)
CORPORATION
Business mailing address AS LOCATION Phone ____
Applicant's home address [redacted] Phone ____
Applicant's age 35 Date of birth [redacted] Social Security # [redacted]

Are you a resident U.S. Citizen?
YES ✓ NO ____

Are you a resident of Bulloch County?

YES ✓ NO ____

If "No", then you must designate a resident of Bulloch County who shall be responsible for any matter relating to the license (ie., a "designee"). If you are appointing a designee, provide the following information:

Designee's Name & Home Address _____

Designee's Home Phone _____ Designee's Age _____

Designee's Date of Birth _____ Designee's SS# _____

Are you the owner of the business?

YES ✓ NO _____

If "Yes", attach documentation demonstrating your ownership of the business, such as an Operating Agreement, Partnership Agreement, or Shareholder's Agreement.

If "No", what is your title or interest in the business? _____

List all partners, shareholders, members, or managers of the business below:

KIRAN PATEL

Attach a copy of your business's Certificate of Existence from the Secretary of State's office.

BE ADVISED THAT ANY PARTNER, SHAREHOLDER, MEMBER OR MANAGER LISTED ABOVE MUST COMPLETE A SEPARATE APPLICATION AND CONSENT FORM FOR A BACKGROUND CHECK AND IT IS YOUR RESPONSIBILITY TO ENSURE THIS IS DONE.

Has the applicant or designee EVER been arrested for anything other than a traffic violation?

YES _____ NO ✓

If "Yes", attach a detailed explanation to this application, and be sure to provide the date, jurisdiction, offense, and circumstances of the arrest.

Has the applicant or designee EVER been denied an alcoholic beverage license?

YES _____ NO ✓

If "Yes", attach a detailed explanation to this application, and be sure to provide the date, County or City, and circumstances of the denial.

Has the applicant or designee EVER had an alcoholic beverage license suspended or revoked?
YES _____ NO ✓_____

If "Yes", attach a detailed explanation to this application, and be sure to provide the date, County or City, and circumstances of the suspension or revocation.

Approved _____ Rejected _____ This _____ day of _____, 20___.

Bulloch County Board of Commissioners

By: _____
J. Garrett Nevil, Chairman

Attest: _____
Maggie R. Fitzgerald, Clerk

Response Key: .BUSX-

0654168 GA-CCH 20120927 17:40:48 20120927 17:40:47 201503E502
IR.GASIR0000.GA0160001.

GEORGIA CRIMINAL HISTORY NAME AND IDENTIFIER SEARCH

REQUESTED BY:
DATE: 20120927 PUR: E ATTN: NEVILS/KCM
ARN: ALR FAST STOP
RESPONSE DATE: 20120927

QUERY REQUESTED ON:
NAM/PATEL, KIRAN
DOB/[redacted]
SEX/M
RAC/A
SOC/[redacted]

NO RECORD FOUND

END OF RECORD

U[a]

No GCIC Record on File
[illegible]ch County Sheriff's Office
9/27/12
[illegible]ons Officer Date

Response Key: .BUSX-

0654168 GA-CCH 20120927 17:40:48 20120927 17:40:47 201503E502
IR.GASIR0000.GA0160001.

GEORGIA CRIMINAL HISTORY NAME AND IDENTIFIER SEARCH

REQUESTED BY:
DATE: 20120927 PUR: E ATTN: NEVILS/KCM
ARN: ALR FAST STOP
RESPONSE DATE: 20120927

QUERY REQUESTED ON:
NAM/PATEL, KIRAN
DOB/[redacted]
SEX/M
RAC/A
SOC/[redacted]

NO RECORD FOUND

END OF RECORD

U[a]

CCIC Record on File
County Sheriff's Office
9/27/12
Officer Date

TYPE: mid
LSTCN: 1652045848
GBITCN: 22542145089996
DATE/TIME: 2012-/09-10 17: 29: 26
NAME: PATEL, KIRAN R
SID: NoRecord
OTN:
OCA:
IDENT: NO GEORGIA CRIMINAL HISTORY IS AVAILABLE FOR THIS REQUEST

TYPE: mfi - FBI Identification Response
LS TCN: 1652045848
GBI TCN: 22542145089996
DATE/TIME: 2012-09-10 17: 37: 13
OCA:
FBI NUMBER:
SID:
NAME: PATEL,KIRAN R
FBI IDENT: N
FBI RAPSHEET RESPONSE BELOW:

CIVIL APPLICANT RESPONSE

ICN E2012254000000175633 CIDN OCA
PATEL,KIRAN R A [redacted]
MNU SOC SEX M
FPC
HENRY CLASS API

GA0160000 SHERIFF'S OFFICE DATE FP
STATESBORO GA 2012/09/10
A SEARCH OF THE FINGERPRINTS ON THE ABOVE
INDIVIDUAL HAS REVEALED NO PRIOR ARREST
DATA. CJIS DIVISION
2012/09/10 FEDERAL BUREAU OF INVESTIGATION

GA0160000
BULLOCH COUNTY
SHERIFF'S OFFICE
17257 HWY 301 N
STATESBORO,GA 30458

Office of the Sheriff

SHERIFF
LYNN M. ANDERSON

17257 HWY 301 NORTH
STATESBORO, GA 30458
(912) 764-8888
FAX (912) 764-2917

The following information is furnished to the Bulloch County Board of Commissioners, in regards to an application for a beer and Wine License. This information is furnished by the Bulloch County Sheriff's Department for the purpose of the Board in their decision on the issuance of a license.

NAME: Samir Patel

BUSINESS: (1) JAY Food Mart & (2) Fast Stop

LOCATION: (1) 101 Kyle Sorrell Rd (2) 22933 Hwy 80E

CRIMINAL HISTORY: OK

RESIDENCY: OK

This information is furnished to the Bulloch County Board of Commissioners for their information only at their request.

LYNN M. ANDERSON, SHERIFF, BULLOCH COUNTY, GA.

This 28 Day of Sept, 2012

NOTARY PUBLIC

"The sheriff shall keep and preserve the peace of his county."

BULLOCH COUNTY, GEORGIA
APPLICATION FOR ALCOHOLIC BEVERAGE LICENSE

****YOU MUST COMPLETE APPLICATION IN ITS ENTIRETY****

DATE OF APPLICATION 9-21-12 NEW ✓ RENEWAL _____

Type of Business to be operated:

✓	Retail beer and wine packaged only	$1,500.00
____	Retail beer and wine by the drink (pouring license)	$1,500.00
____	Retail liquor by the drink (pouring license)	$3,000.00
____	Pouring license (beer, wine, and liquor)	$4,500.00
____	Wholesale license	$1,200.00
____	Farm Winery	$2,250.00
____	Catering License (off premise)	$ 500.00
✓	Application Fee (***due upon returning application***)	$ 250.00
____	Event Permit	$ 50.00
____	License Transfers	$ 250.00
____	Temporary Permit (all forms)	$ 250.00
	Total license fee (include the application fee)	$ _____

***Late Penalty ***
All renewal applications received after November 1 and before January 1 - 25% of license fee

All renewal applications received after January 1 - 50% of license fee

Applicant's full name SAMIR PATEL
Name of business NEELKANTH INVESTMENTS INC DBA JAY FOOD MART
Location of business 101 KYLE SORRELL ROAD, STATESBORO, GA. 30461
Type of business organization (Corporation, limited liability company, partnership, etc.)
CORPORATION
Business mailing address 22933 US HWY 80 E. Statesboro, GA 30461 Phone 912-764-5315
Applicant's home address [redacted] Phone 912-536-5444
Applicant's age 44 Date of birth [redacted] Social Security # [redacted]

Are you a resident U.S. Citizen?
YES ✓ NO ____

Are you a resident of Bulloch County?

YES ✓ NO ____

If "No", then you must designate a resident of Bulloch County who shall be responsible for any matter relating to the license (ie., a "designee"). If you are appointing a designee, provide the following information:

Designee's Name & Home Address _____

Designee's Home Phone _____ Designee's Age _____

Designee's Date of Birth _____ Designee's SS# _____

Are you the owner of the business?

YES _____ NO ✓

If "Yes", attach documentation demonstrating your ownership of the business, such as an Operating Agreement, Partnership Agreement, or Shareholder's Agreement.

If "No", what is your title or interest in the business? _____

List all partners, shareholders, members, or managers of the business below:

KIRAN PATEL _____

Attach a copy of your business's Certificate of Existence from the Secretary of State's office.

BE ADVISED THAT ANY PARTNER, SHAREHOLDER, MEMBER OR MANAGER LISTED ABOVE MUST COMPLETE A SEPARATE APPLICATION AND CONSENT FORM FOR A BACKGROUND CHECK AND IT IS YOUR RESPONSIBILITY TO ENSURE THIS IS DONE.

Has the applicant or designee been convicted of any crime(s) in the past 5 years?

YES _____ NO ✓

If "Yes", attach a detailed explanation to this application, and be sure to provide the date, jurisdiction, offense, and circumstances of the arrest/conviction.

Has the applicant or designee EVER been denied an alcoholic beverage license?

YES _____ NO ✓

If "Yes", attach a detailed explanation to this application, and be sure to provide the date, County or City, and circumstances of the denial.

Has the applicant or designee EVER had an alcoholic beverage license suspended or revoked?
YES _____ NO ✓

If "Yes", attach a detailed explanation to this application, and be sure to provide the date, County or City, and circumstances of the suspension or revocation.

Approved _____ Rejected _____ This _____ day of _____, 20___.

Bulloch County Board of Commissioners

By: _____
J. Garrett Nevil, Chairman

Attest: _____
Christy A. Strickland, Clerk

Response Key: .BUSX-

0654171 GA-CCH 20120927 17:41:37 20120927 17:41:37 201503E504

Georgia Crime Information Center
3121 Panthersville Road
Decatur, GA 30037
(404) 244-2639

********** CRIMINAL HISTORY RECORD **********

Produced on 2012-09-27

********** Introduction **********

This rap sheet was produced in response to the following request:

FBI Number	469538JB9
State Id Number	GA2566895K (GA)
ARN	ALR FAST STOP
Purpose Code	E
Attention	NEVILS/KCM

The information in this rap sheet is subject to the following caveats:

**THIS RESPONSE IS BEING PRODUCED FOR YOUR REQUEST SENT: 2012-09-27 (GA; 2007-08-11)

Important! Criminal history record information is obtained one of two ways: 1) by conducting an inquiry using personal identifiers such as name and date of birth (name search), or 2) by submitting fingerprint cards to the Georgia Crime Information Center (GCIC). When conducting a name search for criminal history record information, there is a possibility that the information returned belongs to a different person with the same, or similar, identifiers. In this case, a positive match of the person whose criminal history record is sought requires submission of fingerprint cards to GCIC. When conducting a fingerprint search for criminal history record information, the information returned does, in fact, belong to the individual. In this case, conducting a name search using the individual's personal identifiers would be the same information. (GA; 2007-08-11)

When the information contained in a criminal history report causes an adverse employment or licensing decision the individual, business or agency making the decision must inform the applicant of all information pertinent to the decision. The disclosure must include information that a criminal history record check was conducted, the specific contents of the record and the effect the record had upon the decision. Failure to provide all such information to the person subject to the adverse decision is a misdemeanor offense under Georgia law. Additionally, any unauthorized dissemination of this record or information herein also violates Georgia law. The plea of nolo contendere may be considered a conviction for some purposes: however, except as otherwise provided by law, it shall not be used against the defendant in any other court as a conviction or admission of guilt or for the purpose of effecting any civil disqualification of the defendant to hold public office, to vote, to serve upon any jury, or any other civil disqualification imposed upon a person convicted of any offense under the laws of this state. (GA; 2007-08-11)

In the event that identifiers are not clearly associated to a specific

cycle, the information is most likely non-fingerprint based information received from the Department of Corrections at the time of release from incarceration. (GA; 2007-08-11)

********** IDENTIFICATION **********

Subject Name(s)

PATEL, SAMIR (2007-08-08)
PATEL, SAMIR B (AKA) (2007-08-08)

Subject Description

FBI Number	State Id Number
469538JB9	GA2566895K

Social Security Number
[redacted]

Sex	Race
Male [redacted]	Asian [redacted]

Height	Weight	Date of Birth
5'07" [redacted]	200 [redacted]	[redacted]

Hair Color	Eye Color
Black [redacted]	Black [redacted]

Place of Birth
INDIA [redacted]

III Record SSO

********** CRIMINAL HISTORY **********

========== OTN 00056140486 (Cycle 1 of 2) ==========

Offender Tracking Number (OTN)	00056140486
Earliest Event Date	1998-10-02
Offense Date	1998-10-02
Arrest SRF	68781114
Judicial SRF	76541067

Arrest	(Cycle 1)
Arrest Date	1998-10-13
Case Number	
Arresting Agency	GA0160000 BULLOCH COUNTY SHERIFFS OFFICE
Subject's Name	PATEL, SAMIR
Arrest Type	Adult

Charge

Charge Tracking Number	00056140486-1
Charge Literal	SIMPLE BATTERY
Statute	16-5-23; GA
State Offense Code	1379
Severity	Misdemeanor

Court Disposition (Cycle 1)

Case Number
Court Agency GA016033J
Subject's Name PATEL, SAMIR

Charge
Charge Tracking Number 00056140486-1
Charge Literal SIMPLE BATTERY
Statute 16-5-23; GA
State Offense Code 1379
Severity Misdemeanor
Disposition DISMISSED (1999-10-29; Dismissed)

========== OTN 00056359192 (Cycle 2 of 2) ==========
Offender Tracking Number (OTN) 00056359192
Earliest Event Date 1998-11-12
Offense Date 1998-11-12
Arrest SRF 70891985

Arrest (Cycle 2)
Arrest Date 1999-03-23
Case Number
Arresting Agency GA0160000 BULLOCH COUNTY SHERIFFS OFFICE
Subject's Name PATEL, SAMIR B
Arrest Type Adult

Charge
Charge Tracking Number 00056359192-1
Charge Literal DEPOSIT ACCOUNT FRAUD (BAD CHECKS) GREATER THAN OR EQUAL TO $500
Statute 16-9-20(B)(3); GA
State Offense Code 2614
Severity Felony

Charge
Charge Tracking Number 00056359192-2
Charge Literal DEPOSIT ACCOUNT FRAUD (BAD CHECKS) GREATER THAN OR EQUAL TO $500
Statute 16-9-20(B)(3); GA
State Offense Code 2614
Severity Felony

Court Disposition (Cycle 2)
Case Number
Court Agency GA016015A
Subject's Name PATEL, SAMIR B

Charge
Charge Tracking Number 00056359192-1
Charge Literal DEPOSIT ACCOUNT FRAUD (BAD CHECKS) GREATER THAN OR EQUAL TO $500
Statute 16-9-20(B)(3); GA
State Offense Code 2614
Severity Felony
Disposition DISMISSED (2000-05-09; Dismissed)

Charge
Charge Tracking Number 00056359192-2
Charge Literal DEPOSIT ACCOUNT FRAUD (BAD CHECKS) GREATER THAN OR EQUAL TO $500

Statute	16-9-20(B)(3); GA
State Offense Code	2614
Severity	Felony
Disposition	DISMISSED (2000-05-09; Dismissed)

********** INDEX OF AGENCIES **********

Agency	BULLOCH COUNTY SHERIFFS OFFICE; GA0160000; SHERIFF
Address	17257 HIGHWAY 301 NORTH STATESBORO, GA 304588421

Agency	OGEECHEE JUDICIAL CIRCUIT DISTRICT ATTORNEY ; GA016015A; PROSECUTOR
Address	1 COURTLAND STREET SECOND FLOOR STATESBORO, GA 304580000

Agency	BULLOCH COUNTY STATE COURT; GA016033J; JUDGE
Address	PO BOX 1866 STATESBORO, GA 304590000

* * * END OF RECORD * * * Uª

BULLOCH COUNTY BOARD OF COMMISSIONERS
AGENDA ITEM SUMMARY

DEPARTMENT MAKING REQUEST:	MEETING DATE: 10.16.12		
Public Safety: Sheriff, Administration: Clerk of the Board	RESOLUTION ATTACHED?	YES	
		NO	x

REQUESTED MOTION OR ITEM TITLE:

To grant an alcoholic beverage license for package retail beer and wine sales to William Jason Lupton (Owner); Robert Lee Lupton (Owner); Randall Lee Lupton (Owner); Lisa Lupton Bowen (Owner); and Latrelle Bragg (Designee) for On the Go Food Mart located at 7643 Highway 67, Statesboro, Georgia.

SUMMARY/BACKGROUND ATTACH DETAILED SUMMARY, IF NEEDED

There is no apparent reason to deny the applications. Approval is recommended. Applications are attached. Criminal histories are attached.

AGENDA CATEGORY (CHECK ONE)		FINANCIAL IMPACT STATEMENT					
PRESENTATION		BUDGETED ITEM?	YES	N	AMENDMENT REQUIRED?	YES	
			NO			NO	X
PUBLIC HEARING		ATTACH DETAILED ANALYSIS, IF NEEDED:					
CONSENT	X						
NEW BUSINESS							
OLD BUSINESS							
OTHER							

APPROVED FOR AGENDA

DEPARTMENT DIRECTOR		PURCHASING OFFICER		OTHER		COUNTY CLERK		COUNTY STAFF ATTORNEY		COUNTY MANAGER	
YES		YES		YES		YES		YES		YES	
NO		NO		NO		NO		NO		NO	
INITIAL		INITIAL		INITIAL		INITIAL		INITIAL		INITIAL	
DATE		DATE		DATE		DATE		DATE		DATE	

COMMISSION ACTION AND REFERRAL (Box 9)

APPROVED		DATE TO BE RETURNED TO AGENDA
DENIED		
DEFERRED		NOTES
OTHER		

Office of the Sheriff

SHERIFF
LYNN M. ANDERSON

17257 HWY 301 NORTH
STATESBORO, GA 30458
(912) 764-8888
FAX (912) 764-2917

The following information is furnished to the Bulloch County Board of Commissioners, in regards to an application for a beer and Wine License. This information is furnished by the Bulloch County Sheriff's Department for the purpose of the Board in their decision on the issuance of a license.

NAME: LaTrelle Bragg

BUSINESS: 7643 Hwy 67 (On The So Food Mart)

LOCATION: 7643 Hwy 67

CRIMINAL HISTORY: OK

RESIDENCY: OK

This information is furnished to the Bulloch County Board of Commissioners for their information only at their request.

Lynn M Anderson
LYNN M. ANDERSON, SHERIFF, BULLOCH COUNTY, GA.

This 11 Day of October, 2012

Sheryl Hagan
NOTARY PUBLIC

"The sheriff shall keep and preserve the peace of his county."

BULLOCH COUNTY, GEORGIA
APPLICATION FOR ALCOHOLIC BEVERAGE LICENSE

****YOU MUST COMPLETE APPLICATION IN ITS ENTIRETY****

DATE OF APPLICATION 10-3-12 NEW ✓ Transfer RENEWAL _____

Type of Business to be operated:

_____	Retail beer and wine packaged only	$1,500.00
_____	Retail beer and wine by the drink (pouring license)	$1,500.00
_____	Retail liquor by the drink (pouring license)	$3,000.00
_____	Pouring license (beer, wine, and liquor)	$4,500.00
_____	Wholesale license	$1,200.00
_____	Farm Winery	$2,250.00
_____	Catering License (off premise)	$ 500.00
_____	Application Fee (***due upon returning application***)	$ 250.00
✓	Event Permit	$ 50.00
✓	License Transfers	$ 250.00
_____	Temporary Permit (all forms)	$ 250.00
	Total license fee (include the application fee)	$ _____

***Late Penalty ***
All renewal applications received after November 1 and before January 1 - 25% of license fee

All renewal applications received after January 1 - 50% of license fee

Applicant's full name LaTrelle Taylor Bragg
Name of business On The Go Food Mart LLC
Location of business 7643 Hwy 67 Brooklet, GA 30415
Type of business organization (Corporation, limited liability company, partnership, etc.)
limited liability Company GA 31024
Business mailing address P.O. Box 4092 Eatonton Phone 706-485-0385
Applicant's home address [redacted] GA 30458 Phone [redacted]
Applicant's age 56 Date of birth [redacted] Social Security # [redacted]

Are you a resident U.S. Citizen?
YES ✓ NO ____

Are you a resident of Bulloch County?
YES ✓ NO ____

If "No", then you must designate a resident of Bulloch County who shall be responsible for any matter relating to the license (ie., a "designee"). If you are appointing a designee, provide the following information:

Designee's Name & Home Address _____

Designee's Home Phone _____ Designee's Age _____

Designee's Date of Birth _____ Designee's SS# _____

Are you the owner of the business?
YES _____ NO ✓

If "Yes", attach documentation demonstrating your ownership of the business, such as an Operating Agreement, Partnership Agreement, or Shareholder's Agreement.
If "No", what is your title or interest in the business? family

List all partners, shareholders, members, or managers of the business below:

_____ _____
_____ _____
_____ _____
_____ _____

Attach a copy of your business's Certificate of Existence from the Secretary of State's office.

BE ADVISED THAT ANY PARTNER, SHAREHOLDER, MEMBER OR MANAGER LISTED ABOVE MUST COMPLETE A SEPARATE APPLICATION AND CONSENT FORM FOR A BACKGROUND CHECK AND IT IS YOUR RESPONSIBILITY TO ENSURE THIS IS DONE.

Has the applicant or designee been convicted of any crime(s) in the past 5 years?
YES _____ NO ✓

If "Yes", attach a detailed explanation to this application, and be sure to provide the date, jurisdiction, offense, and circumstances of the arrest/conviction.

Has the applicant or designee EVER been denied an alcoholic beverage license?
YES _____ NO ✓

If "Yes", attach a detailed explanation to this application, and be sure to provide the date, County or City, and circumstances of the denial.

Has the applicant or designee EVER had an alcoholic beverage license suspended or revoked?
YES _____ NO ✓

If "Yes", attach a detailed explanation to this application, and be sure to provide the date, County or City, and circumstances of the suspension or revocation.

Approved _____ Rejected _____ This _____ day of _____, 20___.

Bulloch County Board of Commissioners

By: _____
J. Garrett Nevil, Chairman

Attest: _____
Christy A. Strickland, Clerk

TYPE: mid
LSTCN: 1652046243
GBITCN: 22820769089991
DATE/TIME: 2012-/10-08 11: 46: 13
NAME: BRAGG, LATRELLE TAYLOR
SID: NoRecord
OTN:
OCA:
IDENT: NO GEORGIA CRIMINAL HISTORY IS AVAILABLE FOR THIS REQUEST

TYPE: mfi - FBI Identification Response
LS TCN: 1652046243
GBI TCN: 22820769089991
DATE/TIME: 2012-10-08 11: 51: 58
OCA:
FBI NUMBER:
SID:
NAME: BRAGG,LATRELLE TAYLOR
FBI IDENT: N
FBI RAPSHEET RESPONSE BELOW:

CIVIL APPLICANT RESPONSE

ICN E2012282000000040157 CIDN OCA
BRAGG,LATRELLE TAYLOR W 505 [redacted]
MNU SOC SEX F
FPC
HENRY CLASS API

GA0160000 SHERIFF'S OFFICE DATE FP
STATESBORO GA 2012/10/08
A SEARCH OF THE FINGERPRINTS ON THE ABOVE
INDIVIDUAL HAS REVEALED NO PRIOR ARREST
DATA. CJIS DIVISION
2012/10/08 FEDERAL BUREAU OF INVESTIGATION

GA0160000
BULLOCH COUNTY
SHERIFF'S OFFICE
17257 HWY 301 N
STATESBORO,GA 30458

Response Key: .BUSX-

0658183 GA-CCH 20121010 15:23:33 20121010 15:23:33 201503EA8F
IR.GASIR0000.GA0160001.

GEORGIA CRIMINAL HISTORY NAME AND IDENTIFIER SEARCH

REQUESTED BY:
DATE: 20121010 PUR: E ATTN: NEVILS/KCM
ARN: ALR ON THE GO FOOD M
RESPONSE DATE: 20121010

QUERY REQUESTED ON:
NAM/BRAGG, LATRELLE T
DOB/[redacted]
SEX/F
RAC/W
SOC/[redacted]

NO RECORD FOUND

END OF RECORD

U[a]

No GCIC Record on File
Bulloch County Sheriff's Office
10/10/12
Communications Officer Date

BULLOCH COUNTY, GEORGIA
APPLICATION FOR ALCOHOLIC BEVERAGE LICENSE

****YOU MUST COMPLETE APPLICATION IN ITS ENTIRETY****

DATE OF APPLICATION 10-3-12 NEW _____ RENEWAL _____
Transfer

Type of Business to be operated:

_____	Retail beer and wine packaged only	$1,500.00
_____	Retail beer and wine by the drink (pouring license)	$1,500.00
_____	Retail liquor by the drink (pouring license)	$3,000.00
_____	Pouring license (beer, wine, and liquor)	$4,500.00
_____	Wholesale license	$1,200.00
_____	Farm Winery	$2,250.00
_____	Catering License (off premise)	$ 500.00
_____	Application Fee (***due upon returning application***)	$ 250.00
_____	Event Permit	$ 50.00
✓	License Transfers	$ 250.00
_____	Temporary Permit (all forms)	$ 250.00

Total license fee (include the application fee) $ _____

***Late Penalty ***
All renewal applications received after November 1 and before January 1 - 25% of license fee

All renewal applications received after January 1 - 50% of license fee

Applicant's full name ROBERT LEE LUPTON
Name of business ON THE GO Food MART LLC
Location of business 7643 Hwy 67 BROOKLET, GA. 30415
Type of business organization (Corporation, limited liability company, partnership, etc.)
Limited Liability Co.
Business mailing address P.O. Box 4792 Statesboro, Ga. 30434 Phone (706) 485-0385
Applicant's home address [redacted] Phone [redacted]
Applicant's age 48 Date of birth [redacted] Social Security # [redacted]

Are you a resident U.S. Citizen?
YES ✓ NO ____

Are you a resident of Bulloch County?

YES ____ NO ✓

If "No", then you must designate a resident of Bulloch County who shall be responsible for any matter relating to the license (ie., a "designee"). If you are appointing a designee, provide the following information:

Designee's Name & Home Address LATRELLE TAYLOR BRAM [redacted] 30458

Designee's Home Phone [redacted] Designee's Age 56

Designee's Date of Birth [redacted] Designee's SS# [redacted]

Are you the owner of the business?

YES ✓ NO ____

If "Yes", attach documentation demonstrating your ownership of the business, such as an Operating Agreement, Partnership Agreement, or Shareholder's Agreement.

If "No", what is your title or interest in the business? ____

List all partners, shareholders, members, or managers of the business below:

LISA LUPTON BOWEN

ROBERT LEE LUPTON

WILLIAM JASON LUPTON

RANDALL LEE LUPTON

Attach a copy of your business's Certificate of Existence from the Secretary of State's office.

BE ADVISED THAT ANY PARTNER, SHAREHOLDER, MEMBER OR MANAGER LISTED ABOVE MUST COMPLETE A SEPARATE APPLICATION AND CONSENT FORM FOR A BACKGROUND CHECK AND IT IS YOUR RESPONSIBILITY TO ENSURE THIS IS DONE.

Has the applicant or designee been convicted of any crime(s) in the past 5 years?

YES ____ NO ✓

If "Yes", attach a detailed explanation to this application, and be sure to provide the date, jurisdiction, offense, and circumstances of the arrest/conviction.

Has the applicant or designee EVER been denied an alcoholic beverage license?

YES ____ NO ✓

If "Yes", attach a detailed explanation to this application, and be sure to provide the date, County or City, and circumstances of the denial.

Has the applicant or designee EVER had an alcoholic beverage license suspended or revoked?
YES _____ NO ___✓___

If "Yes", attach a detailed explanation to this application, and be sure to provide the date, County or City, and circumstances of the suspension or revocation.

Approved _____ Rejected _____ This _____ day of _____, 20___.

Bulloch County Board of Commissioners

By: _____
J. Garrett Nevil, Chairman

Attest: _____
Christy A. Strickland, Clerk

OFFICE OF THE SHERIFF
PUTNAM COUNTY, GEORGIA

P. O. BOX 3637
EATONTON, GEORGIA 31024
NLETS/GA1170000 TERM/PUTN
PHONE: (706)485-8557
FAX (706) 485-4084

HOWARD R. SILLS, SHERIFF

CRIMINAL HISTORY REPORT

Robert Lee Lupton

(NAME OF APPLICANT)

IDENTIFIABLE RECORDS WERE LOCATED IN:

- ☐ LOCAL CRIMINAL FILES
- ☒ STATE OF GEORGIA CRIMINAL FILES
- ☐ FEDERAL CRIMINAL FILES

NO IDENTIFIABLE RECORDS WERE LOCATED IN:

- ☐ LOCAL CRIMINAL FILES
- ☐ STATE OF GEORGIA CRIMINAL FILES
- ☐ FEDERAL CRIMINAL FILES

ADDITIONAL NOTES:

Carey Collins

SIGNATURE OF PERSON PERFORMING THE CHECK

Communications Officer 10-06-12

TITLE DATE

Print

PUT1-00385400 GA-CCH 20121006 11:33:30 20121006 11:33:30 2A6E0359EA

Georgia Crime Information Center
3121 Panthersville Road
Decatur, GA 30037
(404) 244-2639

********** CRIMINAL HISTORY RECORD
****

Produced on 2012-10-06

********** Introduction
****

This rap sheet was produced in response to the following request:

FBI Number	963409FA6
State Id Number	GA1227110X (GA)
ARN	ALCOHOL LICENSE
Purpose Code	E
Attention	LUPTON/COLLIS

The information in this rap sheet is subject to the following caveats:

**THIS RESPONSE IS BEING PRODUCED FOR YOUR REQUEST SENT: 2012-10-06 (GA; 2007-08-11)

Important! Criminal history record information is obtained one of two ways: 1) by conducting an inquiry using personal identifiers such as name and date of birth (name search), or 2) by submitting fingerprint cards to the Georgia Crime Information Center (GCIC). When conducting a
name search for criminal history record information, there is a possibility that the information returned belongs to a different person
with the same, or similar, identifiers. In this case, a positive match
of the person whose criminal history record is sought requires submission of fingerprint cards to GCIC. When conducting a fingerprint
search for criminal history record information, the information returned does, in fact, belong to the individual. In this case, conducting a name search using the individual's personal identifiers would be the same information. (GA; 2007-08-11)

When the information contained in a criminal history report causes an adverse employment or licensing decision the individual, business or

agency making the decision must inform the applicant of all information
pertinent to the decision. The disclosure must include information that
a criminal history record check was conducted, the specific contents of
the record and the effect the record had upon the decision. Failure to
provide all such information to the person subject to the adverse
decision is a misdemeanor offense under Georgia law. Additionally, any
unauthorized dissemination of this record or information herein also
violates Georgia law. The plea of nolo contendere may be considered a
conviction for some purposes: however, except as otherwise provided by
law, it shall not be used against the defendant in any other court as a
conviction or admission of guilt or for the purpose of effecting any
civil disqualification of the defendant to hold public office, to vote,
to serve upon any jury, or any other civil disqualification imposed
upon a person convicted of any offense under the laws of this state.
(GA; 2007-08-11)

In the event that identifiers are not clearly associated to a specific
cycle, the information is most likely non-fingerprint based information
received from the Department of Corrections at the time of release from
incarceration. (GA; 2007-08-11)

********** IDENTIFICATION
****

Subject Name(s)

LUPTON, ROBERT LEE (2007-08-08)
BOBBY, (AKA) (2007-08-08)

Subject Description

FBI Number	State Id Number
963409FA6	GA1227110X

Social Security Number
[redacted] (2007-08-08)

Sex
Male (1991-02-20)

Race
White (1991-02-20)

Height
6'02" (1991-02-20)

Weight
215 (1991-02-20)

Date of Birth
[redacted] (2007-08-08)

Hair Color
Brown (1991-02-20)

Eye Color
Blue (1991-02-20)

Place of Birth
FLORIDA (1991-02-20)

III Record SSO

********** CRIMINAL HISTORY **********

========== OTN 00016356955 (Cycle 1 of 2) ==========

Offender Tracking Number (OTN)	00016356955
Earliest Event Date	1987-03-06
Offense Date	1987-03-06
Arrest SRF	30541447
Judicial SRF	30841036

Arrest (Cycle 1)

Arrest Date	1987-03-06
Case Number	79510543
Arresting Agency	GAGSP4500 STATESBORO GEORGIA STATE PATROL
Subject's Name	LUPTON, ROBERT LEE
Arrest Type	Adult
Comment(s)	BULLOCH CO SO

Charge

Charge Tracking Number	00016356955-1
Charge Literal	DUI - DRIVING UNDER THE INFLUENCE OF ALCOHOL
Charge Description	TOT BULLOCH CO SO
Statute	40-6-391(A)(1); GA
State Offense Code	5404
Severity	Misdemeanor

Court Disposition (Cycle 1)

Case Number	
Court Agency	GA016033J
Subject's Name	LUPTON, ROBERT LEE

Charge
Charge Tracking Number 00016356955-2
Charge Literal TRAFFIC/MOTOR VEHICLE OFFENSE
Charge Description RECKLESS DRIV C/F DUI
Statute NOT FOUND; GA
State Offense Code 5499
Severity Unknown
Disposition GUILTY (CONVICTED / ADJUDICATED) (1987-04-20; Convicted)

Sentencing (Cycle 1)
Case Number
Sentence Date 1987-04-20
Sentencing Agency GA016033J BULLOCH COUNTY STATE COURT

Charge
Charge Tracking Number 00016356955-2
Sentence FEES
OTHER SENTENCE TYPE
--OTHER SENTENCE CONDITION ASEC
FINE $385
PROBATION 6 MONTHS

========== OTN 00034735024 (Cycle 2 of 2) ==========

Offender Tracking Number (OTN) 00034735024
Earliest Event Date 1991-02-18
Offense Date 1991-02-18
Arrest SRF 39390417
Judicial SRF 44331365

Arrest (Cycle 2)
Arrest Date 1991-02-20
Case Number
Arresting Agency GA0160000 BULLOCH COUNTY SHERIFFS OFFICE
Subject's Name LUPTON, ROBERT LEE
Arrest Type Adult

Charge
Charge Tracking Number 00034735024-1
Charge Literal CRIMINAL TRESPASS
Statute 16-7-21; GA
State Offense Code 5710
Severity Misdemeanor

Court Disposition (Cycle 2)
Case Number
Court Agency GA016015J
Subject's Name LUPTON, ROBERT LEE

Charge
Charge Tracking Number 00034735024-1
Charge Literal CRIMINAL TRESPASS
Statute 16-7-21; GA
State Offense Code 5710
Severity Misdemeanor
Disposition DISMISSED (1991-07-15; Dismissed)

********** INDEX OF AGENCIES **********

Agency BULLOCH COUNTY SHERIFFS OFFICE; GA0160000; SHERIFF
Address
17257 HIGHWAY 301 NORTH
STATESBORO, GA 304588421

Agency BULLOCH COUNTY SUPERIOR COURT; GA016015J; JUDGE
Address
20 SIEBALD STREET
STATESBORO, GA 304588421

Agency BULLOCH COUNTY STATE COURT; GA016033J; JUDGE
Address
PO BOX 1866
STATESBORO, GA 304590000

Agency STATESBORO GEORGIA STATE PATROL; GAGSP4500; COMMANDING OFFICER
Address
10723 US HWY 301 SOUTH
STATESBORO, GA 304580000

* * * END OF RECORD * * *

DESCRIPTION	TEXT
Type Of Transaction	RAP
Transaction Control Number	1852013682
Date Of Transaction	10/06/2012

Type of Response

Rapsheet
TYPE:RAP
LSTCN:1852013682
GBITCN:2279222508999

.....

THIS INTERSTATE IDENTIFICATION INDEX RESPONSE IS THE RESULT
OF YOUR
RECORD REQUEST FOR FBI/963409FA6. THE RECORD MAY BE OBTAINED
FROM
FILES WITHIN YOUR STATE. THE INTERSTATE IDENTIFICATION INDEX
CONTAINS
NO ADDITIONAL DATA.
END
========== RAP SHEET SEPARATOR ==========
Georgia Crime Information Center
3121 Panthersville Road
Decatur, GA 30037
(404) 244-2639
..... CRIMINAL HISTORY RECORD .....
Produced on 2012-10-05
..... Introduction .....
This rap sheet was produced in response to the following request:
FBI Number 963409FA6
State Id Number GA1227110X (GA)
Purpose Code E
Attention 22792225089990
The information in this rap sheet is subject to the following
caveats:
**THIS RESPONSE IS BEING PRODUCED FOR YOUR REQUEST SENT: 2012-10-05

(GA: 2007-08-11)
Important! Criminal history record information is obtained one
of two
ways: 1) by conducting an inquiry using personal identifiers
such as
name and date of birth (name search), or 2) by submitting fingerprint

cards to the Georgia Crime Information Center (GCIC). When conducting

name search for criminal history record information, there is
a
possibility that the information returned belongs to a different
perso
with the same, or similar, identifiers. In this case, a positive
match
of the person whose criminal history record is sought requires

submission of fingerprint cards to GCIC. When conducting a fingerprint
search for criminal history record information, the information

returned does, in fact, belong to the individual. In this case,

conducting a name search using the individual's personal identifiers

would be the same information. (GA: 2007-08-11)
When the information contained in a criminal history report
causes an
adverse employment or licensing decision the individual, business

DESCRIPTION	TEXT

or
agency making the decision must inform the applicant of all
informatio
pertinent to the decision. The disclosure must include information
tha
a criminal history record check was conducted, the specific
contents o
the record and the effect the record had upon the decision.
Failure to
provide all such information to the person subject to the adverse

decision is a misdemeanor offense under Georgia law. Additionally,
any
unauthorized dissemination of this record or information hereon
also
violates Georgia law. The plea of nolo contendere may be considered
a
conviction for some purposes; however, except as otherwise provided
by
law, it shall not be used against the defendant in any other
court as
conviction or admission of guilt or for the purpose of effecting
any
civil disqualification of the defendant to hold public office,
to vote
to serve upon any jury, or any other civil disqualification
imposed
upon a person convicted of any offense under the laws of this
state.
(GA; 2007-08-11)
In the event that identifiers are not clearly associated to
a specific
cycle, the information is most likely non-fingerprint based
informatio
received from the Department of Corrections at the time of release
fro
incarceration. (GA; 2007-08-11)
********** IDENTIFICATION **********
Subject Name(s)
LUPTON, ROBERT LEE (2007-08-08)
BOBBY, (AKA) (2007-08-08)
Subject Description
FBI Number State Id Number
963409FA6 GA1227110X
Social Security Number
[redacted] (2007-08-08)
Sex Race
Male (1991-02-20) White (1991-02-20)
Height Weight Date of Birth
6'02" (1991-02-20) 215 (1991-02-20) [redacted] 2007-08-08
Hair Color Eye Color

Brown (1991-02-20) Blue (1991-02-20)
Place of Birth
FLORIDA (1991-02-20)
III Record SSO
********** CRIMINAL HISTORY **********
========== OTN 00016356955 (Cycle 001 of 002) ==========
Offender Tracking Number (OTN) 00016356955
Earliest Event Date 1987-03-06
Offense Date 1987-03-06
Arrest SRF 30541447
Judicial SRF 30041036

Arrest (Cycle 001)

DESCRIPTION	TEXT

Arrest Date 1987-03-06
Case Number 79510543
Arresting Agency GAGSP4500 STATESBORO GEORGIA STATE PATROL
Subject's Name LUPTON, ROBERT LEE
Arrest Type Adult
Comment(s) BULLOCH CO SO
Charge
Charge Tracking Number 00016356955-001
Charge Literal DUI - DRIVING UNDER THE INFLUENCE OF ALCOHOL
Charge Description TOT BULLOCH CO SO
Statute 40-6-391(A)(1); GA
State Offense Code 5404
Severity Misdemeanor

Court Disposition (Cycle 001)
Case Number
Court Agency GA016033J
Subject's Name LUPTON, ROBERT LEE
Charge
Charge Tracking Number 00016356955-002
Charge Literal TRAFFIC/MOTOR VEHICLE OFFENSE
Charge Description RECKLESS DRIV C/F DUI
Statute NOT FOUND; GA
State Offense Code 5499
Severity Unknown
Disposition GUILTY (CONVICTED / ADJUDICATED) (1987-04-20; Convicted)

Sentencing (Cycle 001)
Case Number
Sentence Date 1987-04-20
Sentencing Agency GA016033J BULLOCH COUNTY STATE COURT
Charge
Charge Tracking Number 00016356955-002
Sentence FEES
OTHER SENTENCE TYPE
--OTHER SENTENCE CONDITION ASEC
FINE 5385
PROBATION 6 MONTHS

========== OTN 00034735024 (Cycle 002 of 002) ==========

Offender Tracking Number (OTN) 00034735024
Earliest Event Date 1991-02-18
Offense Date 1991-02-18
Arrest SRF 39390417
Judicial SRF 44331365

Arrest (Cycle 002)
Arrest Date 1991-02-20
Case Number
Arresting Agency GA0160000 BULLOCH COUNTY SHERIFFS OFFICE
Subject's Name LUPTON, ROBERT LEE
Arrest Type Adult
Charge
Charge Tracking Number 00034735024-001
Charge Literal CRIMINAL TRESPASS
Statute 16-7-21; GA
State Offense Code 5710
Severity Misdemeanor

Court Disposition (Cycle 002)
Case Number
Court Agency GA016015J
Subject's Name LUPTON, ROBERT LEE

DESCRIPTION	TEXT

Charge

Charge Tracking Number 00034735024-001

Charge Literal CRIMINAL TRESPASS

Statute 16-7-21; GA

State Offense Code 5710

Severity Misdemeanor

Disposition DISMISSED (1991-07-15; Dismissed)

********** INDEX OF AGENCIES **********

Agency BULLOCH COUNTY SHERIFFS OFFICE; GA0160000; SHERIFF

Address

17257 HIGHWAY 301 NORTH

STATESBORO, GA 304588421

Agency BULLOCH COUNTY SUPERIOR COURT; GA016015J; JUDGE

Address

20 SIEBALD STREET

STATESBORO, GA 304588421

Agency BULLOCH COUNTY STATE COURT; GA016033J; JUDGE

Address

PO BOX 1866

STATESBORO, GA 304590000

Agency STATESBORO GEORGIA STATE PATROL; GAGSP4500; COMMANDING OFFICER

Address

10723 US HWY 301 SOUTH

STATESBORO, GA 304580000

* * * END OF RECORD * * *

TYPE: mfi - FBI Identification Response
LS TCN: 1652046244
GBI TCN: 22820788089998
DATE/TIME: 2012-10-08 11: 57: 50
OCA:
FBI NUMBER:
SID:
NAME: LUPTON,ROBERT LEE
FBI IDENT: N
FBI RAPSHEET RESPONSE BELOW:

CIVIL APPLICANT RESPONSE

ICN E2012282000000040944 CIDN OCA
LUPTON,ROBERT LEE W 511 [redacted]
MNU SOC SEX M
FPC
HENRY CLASS API

GA0160000 SHERIFF'S OFFICE DATE FP
STATESBORO GA 2012/10/08
A SEARCH OF THE FINGERPRINTS ON THE ABOVE
INDIVIDUAL HAS REVEALED NO PRIOR ARREST
DATA. CJIS DIVISION
2012/10/08 FEDERAL BUREAU OF INVESTIGATION

TYPE: mid
LSTCN: 1652046244
GBITCN: 22820788089998
DATE/TIME: 2012-/10-08 11: 51: 39
NAME: LUPTON, ROBERT LEE
SID: NoRecord
OTN:
OCA:
IDENT: NO GEORGIA CRIMINAL HISTORY IS AVAILABLE FOR THIS REQUEST

Response Key: .BUSX-

0658177 GA-CCH 20121010 15:21:53 20121010 15:21:52 201503EA8C

Georgia Crime Information Center
3121 Panthersville Road
Decatur, GA 30037
(404) 244-2639

********** CRIMINAL HISTORY RECORD **********

Produced on 2012-10-10

********** Introduction **********

This rap sheet was produced in response to the following request:

FBI Number	963409FA6
State Id Number	GA1227110X (GA)
ARN	ALR ON THE GO FOOD M
Purpose Code	E
Attention	NEVILS/KCM

The information in this rap sheet is subject to the following caveats:

**THIS RESPONSE IS BEING PRODUCED FOR YOUR REQUEST SENT: 2012-10-10 (GA; 2007-08-11)

Important! Criminal history record information is obtained one of two ways: 1) by conducting an inquiry using personal identifiers such as name and date of birth (name search), or 2) by submitting fingerprint cards to the Georgia Crime Information Center (GCIC). When conducting a name search for criminal history record information, there is a possibility that the information returned belongs to a different person with the same, or similar, identifiers. In this case, a positive match of the person whose criminal history record is sought requires submission of fingerprint cards to GCIC. When conducting a fingerprint search for criminal history record information, the information returned does, in fact, belong to the individual. In this case, conducting a name search using the individual's personal identifiers would be the same information. (GA; 2007-08-11)

When the information contained in a criminal history report causes an adverse employment or licensing decision the individual, business or agency making the decision must inform the applicant of all information pertinent to the decision. The disclosure must include information that a criminal history record check was conducted, the specific contents of the record and the effect the record had upon the decision. Failure to provide all such information to the person subject to the adverse decision is a misdemeanor offense under Georgia law. Additionally, any unauthorized dissemination of this record or information herein also violates Georgia law. The plea of nolo contendere may be considered a conviction for some purposes: however, except as otherwise provided by law, it shall not be used against the defendant in any other court as a conviction or admission of guilt or for the purpose of effecting any civil disqualification of the defendant to hold public office, to vote, to serve upon any jury, or any other civil disqualification imposed upon a person convicted of any offense under the laws of this state. (GA; 2007-08-11)

In the event that identifiers are not clearly associated to a specific

GCIC Record on File
Bulloch County Sheriff's Office
10/10/12
Communications Officer Date

cycle, the information is most likely non-fingerprint based information received from the Department of Corrections at the time of release from incarceration. (GA; 2007-08-11)

********** IDENTIFICATION **********

Subject Name(s)

LUPTON, ROBERT LEE (2007-08-08)
BOBBY, (AKA) (2007-08-08)

Subject Description

FBI Number	State Id Number
963409FA6	GA1227110X

Social Security Number
[redacted] (2007-08-08)

Sex	Race	
Male (1991-02-20)	White (1991-02-20)	
Height	Weight	Date of Birth
6'02" (1991-02-20)	215 (1991-02-20)	[redacted] (2007-08-08)
Hair Color	Eye Color	
Brown (1991-02-20)	Blue (1991-02-20)	

Place of Birth
FLORIDA (1991-02-20)

III Record SSO

********** CRIMINAL HISTORY **********

========== OTN 00016356955 (Cycle 1 of 2) ==========

Offender Tracking Number (OTN)	00016356955
Earliest Event Date	1987-03-06
Offense Date	1987-03-06
Arrest SRF	30541447
Judicial SRF	30841036

Arrest	(Cycle 1)
Arrest Date	1987-03-06
Case Number	79510543
Arresting Agency	GAGSP4500 STATESBORO GEORGIA STATE PATROL
Subject's Name	LUPTON, ROBERT LEE
Arrest Type	Adult
Comment(s)	BULLOCH CO SO

Charge

Charge Tracking Number	00016356955-1
Charge Literal	DUI - DRIVING UNDER THE INFLUENCE OF ALCOHOL
Charge Description	TOT BULLOCH CO SO
Statute	40-6-391(A)(1); GA
State Offense Code	5404
Severity	Misdemeanor

Court Disposition (Cycle 1)
Case Number
Court Agency GA016033J
Subject's Name LUPTON, ROBERT LEE

Charge
Charge Tracking Number 00016356955-2
Charge Literal TRAFFIC/MOTOR VEHICLE OFFENSE
Charge Description RECKLESS DRIV C/F DUI
Statute NOT FOUND; GA
State Offense Code 5499
Severity Unknown
Disposition GUILTY (CONVICTED / ADJUDICATED) (1987-04-20; Convicted)

Sentencing (Cycle 1)
Case Number
Sentence Date 1987-04-20
Sentencing Agency GA016033J BULLOCH COUNTY STATE COURT

Charge
Charge Tracking Number 00016356955-2
Sentence FEES
OTHER SENTENCE TYPE
--OTHER SENTENCE CONDITION ASEC
FINE $385
PROBATION 6 MONTHS

========== OTN 00034735024 (Cycle 2 of 2) ==========

Offender Tracking Number (OTN) 00034735024
Earliest Event Date 1991-02-18
Offense Date 1991-02-18
Arrest SRF 39390417
Judicial SRF 44331365

Arrest (Cycle 2)
Arrest Date 1991-02-20
Case Number
Arresting Agency GA0160000 BULLOCH COUNTY SHERIFFS OFFICE
Subject's Name LUPTON, ROBERT LEE
Arrest Type Adult

Charge
Charge Tracking Number 00034735024-1
Charge Literal CRIMINAL TRESPASS
Statute 16-7-21; GA
State Offense Code 5710
Severity Misdemeanor

Court Disposition (Cycle 2)
Case Number
Court Agency GA016015J
Subject's Name LUPTON, ROBERT LEE

Charge
Charge Tracking Number 00034735024-1
Charge Literal CRIMINAL TRESPASS

Statute	16-7-21; GA
State Offense Code	5710
Severity	Misdemeanor
Disposition	DISMISSED (1991-07-15; Dismissed)

********** INDEX OF AGENCIES **********

Agency	BULLOCH COUNTY SHERIFFS OFFICE; GA0160000; SHERIFF
Address	17257 HIGHWAY 301 NORTH STATESBORO, GA 304588421

Agency	BULLOCH COUNTY SUPERIOR COURT; GA016015J; JUDGE
Address	20 SIEBALD STREET STATESBORO, GA 304588421

Agency	BULLOCH COUNTY STATE COURT; GA016033J; JUDGE
Address	PO BOX 1866 STATESBORO, GA 304590000

Agency	STATESBORO GEORGIA STATE PATROL; GAGSP4500; COMMANDING OFFICER
Address	10723 US HWY 301 SOUTH STATESBORO, GA 304580000

* * * END OF RECORD * * * U[a]

BULLOCH COUNTY, GEORGIA
APPLICATION FOR ALCOHOLIC BEVERAGE LICENSE

****YOU MUST COMPLETE APPLICATION IN ITS ENTIRETY****

DATE OF APPLICATION 10/8/12 NEW ✓ Transfer RENEWAL _____

Type of Business to be operated:

_____	Retail beer and wine packaged only	$1,500.00
_____	Retail beer and wine by the drink (pouring license)	$1,500.00
_____	Retail liquor by the drink (pouring license)	$3,000.00
_____	Pouring license (beer, wine, and liquor)	$4,500.00
_____	Wholesale license	$1,200.00
_____	Farm Winery	$2,250.00
_____	Catering License (off premise)	$ 500.00
_____	Application Fee (***due upon returning application***)	$ 250.00
_____	Event Permit	$ 50.00
✓	License Transfers	$ 250.00
_____	Temporary Permit (all forms)	$ 250.00

Total license fee (include the application fee) $ _____

***Late Penalty ***
All renewal applications received after November 1 and before January 1 - 25% of license fee

All renewal applications received after January 1 - 50% of license fee

Applicant's full name Randall Lee Lupton
Name of business On the Go Food Mart, LLC
Location of business 7643 Hwy 67 Brooklet GA 30415
Type of business organization (Corporation, limited liability company, partnership, etc.)
Limited Liability Company
Business mailing address P.O. Box 4752 Eatonton GA 31042 Phone 912-485-0385
Applicant's home address [redacted] Phone [redacted]
Applicant's age 37 Date of birth [redacted] Social Security # [redacted]

Are you a resident U.S. Citizen?
YES ✓ NO ____

Are you a resident of Bulloch County?

YES ____ NO ✓

If "No", then you must designate a resident of Bulloch County who shall be responsible for any matter relating to the license (ie., a "designee"). If you are appointing a designee, provide the following information:

Designee's Name & Home Address Latrelle T. Bragg [redacted] Statesboro GA 30458

Designee's Home Phone [redacted] Designee's Age 56

Designee's Date of Birth [redacted] Designee's SS# [redacted]

Are you the owner of the business?

YES ✓ NO ____

If "Yes", attach documentation demonstrating your ownership of the business, such as an Operating Agreement, Partnership Agreement, or Shareholder's Agreement.

If "No", what is your title or interest in the business? ____

List all partners, shareholders, members, or managers of the business below:

Lisa Lupton Bowen	Managing Member
Robert Lee Lupton	Member
William Jason Lupton	Member
Randall Lee Lupton	Member

Attach a copy of your business's Certificate of Existence from the Secretary of State's office.

BE ADVISED THAT ANY PARTNER, SHAREHOLDER, MEMBER OR MANAGER LISTED ABOVE MUST COMPLETE A SEPARATE APPLICATION AND CONSENT FORM FOR A BACKGROUND CHECK AND IT IS YOUR RESPONSIBILITY TO ENSURE THIS IS DONE.

Has the applicant or designee been convicted of any crime(s) in the past 5 years?

YES ____ NO ✓

If "Yes", attach a detailed explanation to this application, and be sure to provide the date, jurisdiction, offense, and circumstances of the arrest/conviction.

Has the applicant or designee EVER been denied an alcoholic beverage license?

YES ____ NO ✓

If "Yes", attach a detailed explanation to this application, and be sure to provide the date, County or City, and circumstances of the denial.

Has the applicant or designee EVER had an alcoholic beverage license suspended or revoked?
YES _____ NO ✓

If "Yes", attach a detailed explanation to this application, and be sure to provide the date, County or City, and circumstances of the suspension or revocation.

Approved _____ Rejected _____ This _____ day of _____, 20___.

Bulloch County Board of Commissioners

By: _____
J. Garrett Nevil, Chairman

Attest: _____
Christy A. Strickland, Clerk

TYPE: mid
LSTCN: 1652046258
GBITCN: 22840472089997
DATE/TIME: 2012-/10-10 09: 27: 04
NAME: LUPTON, RANDALL LEE
SID: NoRecord
OTN:
OCA:
IDENT: NO GEORGIA CRIMINAL HISTORY IS AVAILABLE FOR THIS REQUEST

TYPE: mfi - FBI Identification Response
LS TCN: 1652046258
GBI TCN: 22840472089997
DATE/TIME: 2012-10-10 09: 30: 11
OCA:
FBI NUMBER:
SID:
NAME: LUPTON,RANDALL LEE
FBI IDENT: N
FBI RAPSHEET RESPONSE BELOW:

CIVIL APPLICANT RESPONSE

ICN E2012284000000048772 CIDN OCA
LUPTON,RANDALL LEE W 511 [redacted]
MNU SOC [redacted] SEX M
FPC
HENRY CLASS API

GA0160000 SHERIFF'S OFFICE DATE FP
STATESBORO GA 2012/10/09
A SEARCH OF THE FINGERPRINTS ON THE ABOVE
INDIVIDUAL HAS REVEALED NO PRIOR ARREST
DATA. CJIS DIVISION
2012/10/10 FEDERAL BUREAU OF INVESTIGATION

GA0160000
BULLOCH COUNTY
SHERIFF'S OFFICE
17257 HWY 301 N
STATESBORO,GA 30458

Response Key: .BUSX-

0658184 GA-CCH 20121010 15:24:17 20121010 15:24:16 201503EA90
IR.GASIR0000.GA0160001.

GEORGIA CRIMINAL HISTORY NAME AND IDENTIFIER SEARCH

REQUESTED BY:
DATE: 20121010 PUR: E ATTN: NEVILS/KCM
ARN: ALR ON THE GO FOOD M
RESPONSE DATE: 20121010

QUERY REQUESTED ON:
NAM/LUPTON, RANDALL LEE
DOB/[redacted]
SEX/M
RAC/W
SOC/[redacted]

NO RECORD FOUND

END OF RECORD

U"

No GCIC Record on File
Bulloch County Sheriff's Office
10/10/12
Communications Officer Date

BULLOCH COUNTY, GEORGIA
APPLICATION FOR ALCOHOLIC BEVERAGE LICENSE

****YOU MUST COMPLETE APPLICATION IN ITS ENTIRETY****

DATE OF APPLICATION 10-3-12 NEW ✓ (Transfer) RENEWAL _____

Type of Business to be operated:

_____	Retail beer and wine packaged only	$1,500.00
_____	Retail beer and wine by the drink (pouring license)	$1,500.00
_____	Retail liquor by the drink (pouring license)	$3,000.00
_____	Pouring license (beer, wine, and liquor)	$4,500.00
_____	Wholesale license	$1,200.00
_____	Farm Winery	$2,250.00
_____	Catering License (off premise)	$ 500.00
_____	Application Fee (***due upon returning application***)	$ 250.00
_____	Event Permit	$ 50.00
✓	License Transfers	$ 250.00
_____	Temporary Permit (all forms)	$ 250.00

Total license fee (include the application fee) $ _____

***Late Penalty ***
All renewal applications received after November 1 and before January 1 - 25% of license fee

All renewal applications received after January 1 - 50% of license fee

Applicant's full name William Jason Lupton
Name of business On The Go FoodMART LLC
Location of business 7643 Hwy 67 Brooklet Ga 30415
Type of business organization (Corporation, limited liability company, partnership, etc.)
Limited liability Company
Business mailing address PO Box 4792 Eatonton Ga 31024 Phone 706-485-0385
Applicant's home address [redacted] Eatonton Ga Phone [redacted]
Applicant's age 31 Date of birth [redacted] Social Security # [redacted]

Are you a resident U.S. Citizen?
YES ✓ NO ____

Are you a resident of Bulloch County?

YES ____ NO ✓

If "No", then you must designate a resident of Bulloch County who shall be responsible for any matter relating to the license (ie., a "designee"). If you are appointing a designee, provide the following information:

Designee's Name & Home Address Linda T Bragg [redacted] Statesboro 30458

Designee's Home Phone [redacted] Designee's Age 56

Designee's Date of Birth [redacted] Designee's SS# [redacted]

Are you the owner of the business?

YES ✓ NO ____

If "Yes", attach documentation demonstrating your ownership of the business, such as an Operating Agreement, Partnership Agreement, or Shareholder's Agreement.

If "No", what is your title or interest in the business? ____

List all partners, shareholders, members, or managers of the business below:

Lisa Lupton Bowen

Robert Lee Lupton

William Jason Lupton

Randall Lee Lupton

Attach a copy of your business's Certificate of Existence from the Secretary of State's office.

BE ADVISED THAT ANY PARTNER, SHAREHOLDER, MEMBER OR MANAGER LISTED ABOVE MUST COMPLETE A SEPARATE APPLICATION AND CONSENT FORM FOR A BACKGROUND CHECK AND IT IS YOUR RESPONSIBILITY TO ENSURE THIS IS DONE.

Has the applicant or designee been convicted of any crime(s) in the past 5 years?

YES ____ NO ✓

If "Yes", attach a detailed explanation to this application, and be sure to provide the date, jurisdiction, offense, and circumstances of the arrest/conviction.

Has the applicant or designee EVER been denied an alcoholic beverage license?

YES ____ NO ✓

If "Yes", attach a detailed explanation to this application, and be sure to provide the date, County or City, and circumstances of the denial.

Has the applicant or designee EVER had an alcoholic beverage license suspended or revoked?
YES _____ NO ✓

If "Yes", attach a detailed explanation to this application, and be sure to provide the date, County or City, and circumstances of the suspension or revocation.

Approved _____ Rejected _____ This _____ day of _____, 20___.

Bulloch County Board of Commissioners

By: _____
J. Garrett Nevil, Chairman

Attest: _____
Christy A. Strickland, Clerk

Response Key: .BUSX-

0658180 NCIC1 20121010 15:23:10 20121010 15:23:09 201503EA8E
1L01201503EA8E2QWA
GA0160001

NO NCIC WANT SOC/[redacted]
NO NCIC WANT NAM/LUPTON, WILLIAM JASON DOB/19810120 RAC/W SEX/M
***MESSAGE KEY QWA SEARCHES ALL NCIC PERSONS FILES WITHOUT LIMITATIONS.
U[a]

No GCIC Record on File
Bulloch County Sheriff's Office
Communications Officer 10/10/12
Date

TYPE: mid
LSTCN: 1652046242
GBITCN: 22820755089997
DATE/TIME: 2012-/10-08 11: 50: 19
NAME: LUPTON, WILLIAM JASON
SID: NoRecord
OTN:
OCA:
IDENT: NO GEORGIA CRIMINAL HISTORY IS AVAILABLE FOR THIS REQUEST

TYPE: mfi - FBI Identification Response
LS TCN: 1652046242
GBI TCN: 22820755089997
DATE/TIME: 2012-10-08 11: 51: 59
OCA:
FBI NUMBER:
SID:
NAME: LUPTON,WILLIAM JASON
FBI IDENT: N
FBI RAPSHEET RESPONSE BELOW:

CIVIL APPLICANT RESPONSE

ICN E2012282000000040764 CIDN OCA
LUPTON,WILLIAM JASON W 509 [redacted]
MNU SOC SEX M
FPC
HENRY CLASS API

GA0160000 SHERIFF'S OFFICE DATE FP
STATESBORO GA 2012/10/08
A SEARCH OF THE FINGERPRINTS ON THE ABOVE
INDIVIDUAL HAS REVEALED NO PRIOR ARREST
DATA. CJIS DIVISION
2012/10/08 FEDERAL BUREAU OF INVESTIGATION

GA0160000
BULLOCH COUNTY
SHERIFF'S OFFICE
17257 HWY 301 N
STATESBORO,GA 30458

BULLOCH COUNTY, GEORGIA
APPLICATION FOR ALCOHOLIC BEVERAGE LICENSE

****YOU MUST COMPLETE APPLICATION IN ITS ENTIRETY****

DATE OF APPLICATION 10/3/12 NEW ✓ (Transfer) RENEWAL _____

Type of Business to be operated:

_____	Retail beer and wine packaged only	$1,500.00
_____	Retail beer and wine by the drink (pouring license)	$1,500.00
_____	Retail liquor by the drink (pouring license)	$3,000.00
_____	Pouring license (beer, wine, and liquor)	$4,500.00
_____	Wholesale license	$1,200.00
_____	Farm Winery	$2,250.00
_____	Catering License (off premise)	$ 500.00
_____	Application Fee (***due upon returning application***)	$ 250.00
_____	Event Permit	$ 50.00
✓	License Transfers	$ 250.00
_____	Temporary Permit (all forms)	$ 250.00

Total license fee (include the application fee) $ _____

***Late Penalty ***
All renewal applications received after November 1 and before January 1 - 25% of license fee

All renewal applications received after January 1 - 50% of license fee

Applicant's full name Lisa Lupton Bowen
Name of business On The Go Food Mart, LLC
Location of business 7643 Hwy 67 Brooklet, GA 30415
Type of business organization (Corporation, limited liability company, partnership, etc.)
Limited Liability Company
Business mailing address PO Box 4792 Eatonton, GA 31024 Phone (706) 485-0385
Applicant's home address [redacted] Phone [redacted]
Applicant's age 51 Date of birth [redacted] Social Security [redacted]

Are you a resident U.S. Citizen?
YES ✓ NO ____

Are you a resident of Bulloch County?
YES ____ NO ✓

If "No", then you must designate a resident of Bulloch County who shall be responsible for any matter relating to the license (ie., a "designee"). If you are appointing a designee, provide the following information:

Designee's Name & Home Address LaTrelle T Bragg [redacted] Statesboro, GA 30458
Designee's Home Phon[redacted] Designee's Age 56
Designee's Date of Birt[redacted] Designee's SS# [redacted]

Are you the owner of the business?
YES ✓ NO ____

If "Yes", attach documentation demonstrating your ownership of the business, such as an Operating Agreement, Partnership Agreement, or Shareholder's Agreement.
If "No", what is your title or interest in the business? ____

List all partners, shareholders, members, or managers of the business below:

Lisa Lupton Bolwen	Managing Member
Robert Lee Lupton	Member
William Jason Lupton	Member
Randall Lee Lupton	Member

Attach a copy of your business's Certificate of Existence from the Secretary of State's office.

BE ADVISED THAT ANY PARTNER, SHAREHOLDER, MEMBER OR MANAGER LISTED ABOVE MUST COMPLETE A SEPARATE APPLICATION AND CONSENT FORM FOR A BACKGROUND CHECK AND IT IS YOUR RESPONSIBILITY TO ENSURE THIS IS DONE.

Has the applicant or designee been convicted of any crime(s) in the past 5 years?
YES ____ NO ✓

If "Yes", attach a detailed explanation to this application, and be sure to provide the date, jurisdiction, offense, and circumstances of the arrest/conviction.

Has the applicant or designee EVER been denied an alcoholic beverage license?
YES ____ NO ✓

If "Yes", attach a detailed explanation to this application, and be sure to provide the date, County or City, and circumstances of the denial.

Has the applicant or designee EVER had an alcoholic beverage license suspended or revoked?
YES _____ NO ✓_____

If "Yes", attach a detailed explanation to this application, and be sure to provide the date, County or City, and circumstances of the suspension or revocation.

Approved _____ Rejected _____ This _____ day of _____, 20___.

Bulloch County Board of Commissioners

By: _____
J. Garrett Nevil, Chairman

Attest: _____
Christy A. Strickland, Clerk

OFFICE OF THE SHERIFF
PUTNAM COUNTY, GEORGIA

P. O. BOX 3637
EATONTON, GEORGIA 31024
NLETS/GA1170000 TERM/PUTN
PHONE: (706)485-8557
FAX (706) 485-4084

HOWARD R. SILLS, SHERIFF

CRIMINAL HISTORY REPORT

Lisa Lupton Bowen

(NAME OF APPLICANT)

IDENTIFIABLE RECORDS WERE LOCATED IN:

- ☐ LOCAL CRIMINAL FILES
- ☐ STATE OF GEORGIA CRIMINAL FILES
- ☐ FEDERAL CRIMINAL FILES

NO IDENTIFIABLE RECORDS WERE LOCATED IN:

- ☐ LOCAL CRIMINAL FILES
- ☐ STATE OF GEORGIA CRIMINAL FILES
- ☐ FEDERAL CRIMINAL FILES

ADDITIONAL NOTES:

Casey Collins

SIGNATURE OF PERSON PERFORMING THE CHECK

Communications Officer 10-06-12

TITLE DATE

Print

PUT1-00385395 NCIC1 20121006 11:31:47 20121006 11:31:47 2A6E0359E6
1L012A6E0359E62QWA
GA1170001

NO NCIC WANT SOC/[redacted]
NO NCIC WANT NAM/BOWEN,LISA LUPTON DOB/19601023 RAC/W SEX/F
***MESSAGE KEY QWA SEARCHES ALL NCIC PERSONS FILES WITHOUT
LIMITATIONS.

REPORT

DESCRIPTION	TEXT
Type Of Transaction	MFI
Transaction Control Number	1852013603
Date Of Transaction	10/06/2012

Type of Response

FBI
TYPE:mfi - FBI Identification Response
LS TCN:1852013603
GBI TCN:22792275089999
DATE/TIME:2012-10-05 16:50:12
OCA:
FBI NUMBER:
SID:
NAME:BOWEN,LISA LUPTON
FBI IDENT:N
FBI RAPSHEET RESPONSE BELOW:

CIVIL APPLICANT RESPONSE

ICN E201227900000152499 CIDN OCA
BOWEN,LISA LUPTON W 504[redacted]
MNU SOC[redacted] SEX F
FPC
HENRY CLASS API

GA1170000 SHERIFF'S OFFICE DATE FP
EATONTON GA 2012/10/05
A SEARCH OF THE FINGERPRINTS ON THE ABOVE
INDIVIDUAL HAS REVEALED NO PRIOR ARREST
DATA. CJIS DIVISION
2012/10/05 FEDERAL BUREAU OF INVESTIGATION

DESCRIPTION	TEXT

GA1170000
PUTNAM COUNTY
SHERIFF'S OFFICE
111 RIDLEY DRIVE SW
PO BOX 3637
EATONTON,GA 31024-7855

REPORT

DESCRIPTION	TEXT
Type Of Transaction	MFI
Transaction Control Number	1852013603
Date Of Transaction	10/06/2012

Type of Response

FBI
TYPE:mfi - FBI Identification Response
LS TCN:1852013603
GBI TCN:22792275089999
DATE/TIME:2012-10-05 16:50:12
OCA:
FBI NUMBER:
SID:
NAME:BOWEN,LISA LUPTON
FBI IDENT:N
FBI RAPSHEET RESPONSE BELOW.

CIVIL APPLICANT RESPONSE

ICN E201227000000152499 CIDN OCA
BOWEN,LISA LUPTON W 504[redacted]
MNU SOC[redacted] SEX F
FPC
HENRY CLASS API

GA1170000 SHERIFF'S OFFICE DATE FP
EATONTON GA 2012/10/05
A SEARCH OF THE FINGERPRINTS ON THE ABOVE
INDIVIDUAL HAS REVEALED NO PRIOR ARREST
DATA. CJIS DIVISION
2012/10/05 FEDERAL BUREAU OF INVESTIGATION

DESCRIPTION	TEXT

GA1170000
PUTNAM COUNTY
SHERIFF'S OFFICE
111 RIDLEY DRIVE SW
PO BOX 3637
EATONTON,GA 31024-7855

Response Key: .BUSX-

0658179 GA-CCH 20121010 15:22:23 20121010 15:22:23 201503EA8D
IR.GASIR0000.GA0160001.

GEORGIA CRIMINAL HISTORY NAME AND IDENTIFIER SEARCH

REQUESTED BY:
DATE: 20121010 PUR: E ATTN: NEVILS/KCM
ARN: ALR ON THE GO FOOD M
RESPONSE DATE: 20121010

QUERY REQUESTED ON:
NAM/BOWEN, LISA LUPTON
DOB/[redacted]
SEX/F
RAC/W
SOC/[redacted]

NO RECORD FOUND

END OF RECORD

U[a]

No GCIC Record on File
Bulloch County Sheriff's Office
10/10/12
Communications Officer Date

BULLOCH COUNTY BOARD OF COMMISSIONERS
AGENDA ITEM SUMMARY

DEPARTMENT MAKING REQUEST (Box 1)	MEETING DATE (Box 2) October 16, 2012		
Legal	RESOLUTION ATTACHED? (Box 3)	YES	
		NO	X

REQUESTED MOTION OR ITEM TITLE (Box 4)

Intergovernmental Agreement for Application for CDBG-EIP Funds for Rail Spur

SUMMARY/BACKGROUND ATTACH DETAILED SUMMARY, IF NEEDED (Box 5)

The attached intergovernmental agreement between Bulloch County and the Development Authority concerns the ownership and use of the rail spur constructed for use by GAF at the Gateway Industrial Park. This agreement is necessary to complete the documentation needed to obtain the CDBG-EIP grant funds that are paying for this project. Approval is recommended.

AGENDA CATEGORY (CHECK ONE) (Box 6)		FINANCIAL IMPACT STATEMENT (Box 7)				
PRESENTATION (6a)		BUDGETED ITEM? (7a)	YES		AMENDMENT REQUIRED? (7b)	YES
			NO			NO
PUBLIC HEARING (6b)		ATTACH DETAILED ANALYSIS, IF NEEDED (7c)				
CONSENT (6c)	X					
NEW BUSINESS (6d)						
OLD BUSINESS (6e)						
OTHER (6f)						

APPROVED FOR AGENDA (Box 8)

DEPARTMENT DIRECTOR	PURCHASING OFFICER	OTHER	COUNTY CLERK	COUNTY STAFF ATTORNEY	COUNTY MANAGER
YES	YES	YES	YES	YES ✓	YES
NO	NO	NO	NO	NO	NO
INITIAL	INITIAL	INITIAL	INITIAL	INITIAL JG	INITIAL
DATE	DATE	DATE	DATE	DATE 10/11/12	DATE

COMMISSION ACTION AND REFERRAL (Box 9)

APPROVED		DATE TO BE RETURNED TO AGENDA
DENIED		
DEFERRED		NOTES
OTHER		

STATE OF GEORGIA
COUNTY OF BULLOCH

INTERGOVERNMENTAL AGREEMENT
FOR APPLICATION FOR CDBG-EIP FUNDS FOR RAIL SPUR

THIS AGREEMENT made and entered into as of _____ _____, 2012, between **BOARD OF COMMISSIONERS OF BULLOCH COUNTY, GEORGIA,** hereinafter referred to as "the County", party of the first part, and **DEVELOPMENT AUTHORITY OF BULLOCH COUNTY**, hereinafter referred to as the "Authority", party of the second part;

WITNESSETH THAT:

WHEREAS, the parties hereto have applied for a CDBG-EIP Grant through the County for the purpose of construction of a connecting rail spur between Norfolk Southern Corporation Rail Lines and Building Materials Manufacturing Corporation in the Gateway Regional Industrial Park, ("the rail spur") for the purpose of job creation within the community; and

WHEREAS, the parties desire to reduce to writing their agreement as to the use of the funds, as to which party shall be the implementing agency, as to providing financial support for the project, as to ownership of the rail spur and as to maintenance and operation of the rail spur upon completion;

THEREFORE, for and in consideration of the premises and the mutual undertaking hereinafter set forth, the parties, intending to be legally bound, DO HEREBY AGREE as follows:

1.

The County shall apply for a CDBG-EIP Grant with the funds to be used for the construction of the connecting rail spur located on lands owned by Authority and licensed to Norfolk Southern

Corporation ("Norfolk Southern") for the purpose of providing rail access for Building Materials Manufacturing Corporation ("BMMC").

2.

The parties agree that the County shall be the implementing agency for the CDBG funding of the grant, and shall administer the grant funds, if or upon the awarding of the grant.

3.

The County shall accept said CDBG/EIP grant and use the same to construct a public rail spur to be owned by the Authority and provided for use by BMMC and other businesses in the Gateway Regional Industrial Park.

4.

The parties agree that financial support for the rail spur project will be as provided in the CDBG-EIP Grant application.

5.

The parties agree that the rail spur shall be located on right-of-way owned by the Authority, the right of way shall be licensed to Norfolk Southern or its licensee, Great Southern Railway ("GSR") the rail spur track shall be owned by the Authority, and the construction of the rail spur shall be partially financed with CDBG-EIP funds.

6.

The parties hereto acknowledge that the rail spur shall be constructed on the right of way licensed by the Authority to GSR as evidenced by a separate "Industry Track Agreement" dated May 21, 2102, between GSR and the Authority, attached as Exhibit "A" hereof.

7.

The parties acknowledge that the Authority is obligated to maintain the rail spur in accordance with the terms and conditions set out in the Industry Track Agreement between the Authority and GSR, and that the rail spur shall be operated by GSR. County acknowledges that BMMC is obligated, by virtue of an Agreement between BMMC and the Authority, to perform all of the Authority's duties as to such maintenance, to which County hereby consents, which Agreement authorizes the Authority to terminate the Industry Track Agreement upon BMMC's failure to so do.

8.

The County agrees that should said public rail spur, for whatever cause, cease to be owned by Bulloch County or the Authority or cease to be utilized by BMMC or other authorized user under the CDBG/EIP grant regulations and conditions, within twenty (20) years from the awarding of said grant, Bulloch County, pursuant to the conditions of said grant, may repay all of the grant amount during the first five (5) years or a portion of the grant amount to Georgia Department of Community Affairs (DCA).

9.

Repayment, if any, under Paragraph 8 hereof shall be computed by utilizing the ratio of the number of years for eligible uses divided by the useful life of the public rail spur (20 years), which shall be the percentage of the useful life that the public rail spur was used for eligible uses; then subtract from 100%; multiply the result times the total grant receipts, which will equal the repayment amount.

10.

The parties do agree that the useful life of the public rail spur shall be and is hereby agreed to be twenty (20) years. In order to determine the amount of any recapture, the following methodology will be used; (i.e. assuming an eligible use continues for a period of ten (10) years and a grant receipt of $500,000, the computation would be as follows: 10/20=50%. 100% minus 50% = 50%. $500,000 times 50% equals $250,000 repayment due.

11.

The parties agree that the foregoing shall control between the parties, their successors or assigns with regard to any repayment due by Bulloch County and/or the Authority to Georgia DCA as a result of the cessation of eligible uses.

12.

Notwithstanding the provisions hereof, the parties covenant to Georgia Department of Community Affairs that they will comply with all requirements imposed by any governmental agency, state or federal, with respect to use of CDBG-EIP funds in construction of the rail spur.

13.

This contract shall be considered subject to and governed by the laws of the State of Georgia.

14.

This contract constitutes the sole entire agreement between the parties hereto and no modification of this contract shall be binding unless attached hereto and signed by all parties to this agreement.

IN WITNESS WHEREOF the parties have caused this instrument to be executed under seal in duplicate by their respective authorized officers, the date and year above written.

BOARD OF COMMISSIONERS OF BULLOCH COUNTY, GEORGIA
Party of the First Part

BY:_____
Chairman

ATTEST:_____
Clerk

[County Seal]

Signed, sealed and delivered in the presence of:

_____
Witness

_____
Notary Public

DEVELOPMENT AUTHORITY OF BULLOCH COUNTY

BY:_____
Chairman

ATTEST:_____
Clerk

[Authority Seal]

Signed, sealed and delivered in the presence of:

_____
Witness

_____
Notary Public

INDUSTRY TRACK AGREEMENT

THIS AGREEMENT is made and entered into as of the 2nd day of May, 2012, by and between GEORGIA SOUTHERN RAILWAY CO., an Iowa corporation, authorized to transact business in Georgia, whose address is 1318 S. Johanson Road, Peoria, Illinois 61607 (hereinalso "Railroad") and BUILDING MATERIALS MANUFACTURING CORPORATION, a Delaware corporation, as Lessee (hereinalso the "Company"); and DEVELOPMENT AUTHORITY OF BULLOCH COUNTY, a public body corporate and politic created by an activating Resolution dated July 13, 1983, adopted pursuant to O.C.G.A. Section 36-62-1, et. seq., (hereinalso "DABC");

IT IS MUTUALLY AGREED BY AND BETWEEN THE PARTIES HERETO AS FOLLOWS:

1. PURPOSE. The purpose of this Agreement is to provide for the maintenance and operation of a certain industry track located +/- at Mile Post 72.5, at/near Statesboro, Georgia. Said track consists of rail, ties, spikes, tie plates, joint bars, bolts, other track materials, ballast, grading, drainage, and other appurtenances (herein the "Track"), the route of which is shown on the attached drawing dated March 13, 2012 prepared by Maxwell-Reddick and Associates, Inc. and labeled "Exhibit A".

2. OWNERSHIP AND CONSTRUCTION. The Track is being constructed on Railroad right of way ("Right of Way") and on land titled in the name of DABC and leased to the Company under that certain Lease Agreement dated on or about November 1, 2011. Railroad owns that portion of the Track commencing at the point of frog ("Point of Frog") which connects the Railroad's mainline track +/- at Milepost 72.5 to Railroad's Right of Way line, extending across the Right of Way to the boundary line of the DABC's land an approximate distance of 402.25 track feet (herein "Railroad's Segment"). DABC owns and has leased to Company that portion of the Track extending from Railroad's Right of Way line to the end of Track (bumping post), a distance of approximately 380.47 track feet (herein the "Company's Segment").

3. REQUIREMENTS. Company agrees, at its sole expense, to comply with all applicable laws and regulations and to obtain all necessary governmental permits, authorizations, orders and approvals ("Governmental Requirements") necessary for the construction, maintenance and use of the Track. Company agrees to assume the cost of Railroad's defense and to otherwise indemnify and hold Railroad harmless from Company's failure to comply with or to obtain such Governmental Requirements. This Agreement is made subject to all applicable federal, state, and local laws, statutes, ordinances, rules, regulations, orders and other mandates affecting the Track and Premises. Company acknowledges that Railroad and its Right of Way is under the jurisdiction of the Federal Railroad Administration (FRA), and Company will abide by all FRA rules, regulations and orders applicable to the Track.

4. USE OF TRACK. In consideration of the covenants and agreements herein contained to be by the parties kept, observed and performed, Company and DABC hereby grant to Railroad for the term

hereof, the right to use the Company's Segment of the Track for the purpose of delivering, picking-up, storing, loading, unloading and trans-loading railcars. Railroad agrees, pursuant to the provisions of this Agreement, and all applicable tariffs, transportation contracts, rules, operating practices, laws, regulations, orders, and mandates of regulatory and other governmental authorities, to operate over the Track and provide common carrier rail service to Company at such times as Railroad normally operates, provided, however, that Railroad shall not be required to operate if it is prevented from doing so by natural disasters and extreme weather conditions, such as hurricanes, floods, tornadoes, earthquakes, wildfires, blizzards, ice storms, and similar occurrences; strikes and labor disputes; war; terrorism; criminal acts of third parties; acts of governmental or military authorities; acts or omissions of other rail carriers; and other conditions beyond the reasonable control of Railroad (collectively, "Force Majeure"). In addition, Railroad shall not be obligated to operate over the Track if, in its reasonable judgment, the Track is unsafe to operate over. Railroad may temporarily suspend operations over the Track at any time if, in its reasonable judgment, the Track is unsafe or if such operations would interfere with its common carrier obligations. Railroad shall provide Company and DABC with written notice of such suspension and the reason(s) therefore, within a reasonable time after such suspension takes effect. Railroad shall use commercially reasonably efforts to restore such operations as soon as possible.

Railroad shall be deemed to have delivered any railcar consigned to or ordered by Company when such railcar has been placed on Company's Segment of the Track, so as to allow access by Company, and Railroad's locomotive has uncoupled from the railcar. At that time, Railroad shall be relieved of all liability as a common carrier, or as a bailee, and possession of the railcar and its contents shall be transferred to Company. Similarly, any obligation of Railroad as a common carrier or as bailee shall not begin until it has coupled its locomotive to a loaded railcar and departed the Track.

Company is responsible for all railcars and their contents while in Company's possession and Company assumes all responsibility for payment of all demurrage and all damage to any railcar and/or its contents that may occur during that time, even if caused by third parties, but excluding damage caused by the gross negligence or intentional misconduct of Railroad or its employees and agents after delivery.

If Railroad is unable to deliver a railcar on the Track for loading or unloading due to the acts of Company or any third party, then such railcar will be considered as constructively placed for demurrage purposes at the time of attempted delivery.

The payment of any charge due Railroad pursuant to this Agreement more than thirty (30) days after its due date will result in the assessment of Railroad's then standard late fee and interest charges at the lesser of the rate of 18% per annum or the maximum lawful rate, until payment in full is received. Company agrees to reimburse Railroad for all reasonable costs (including reasonable attorney fees) incurred by Railroad in collecting any amount due under this Agreement.

5. MAINTENANCE.

(A) Railroad shall maintain Railroad's Segment, in a reasonably safe condition, consistent with operating practices, circumstances, and amount of use, and shall bill Company for such work, based upon the cost of labor and material used, provided however that Railroad shall be responsible at its cost for all maintenance, repairs and replacement of the switch located at the Point of Frog. Except when repairs are necessary on an emergency basis, Railroad shall, prior to performing such maintenance, provide Company with a summary of the work to be performed, and a good faith estimate of the cost thereof.

(B) Company shall maintain Company's Segment, in a reasonably safe condition, consistent with operating practices, circumstances, and amount of use, at its cost and expense. Company shall be

responsible for the removal of snow, ice, downed trees, or other vegetation or substances from the Company's Segment, and maintain drainage and grading, so that the track structure will not be impaired. Company shall maintain, at its sole expense, all appurtenances to the Company's Segment, including, without limitation, gates, fences, bridges, under-track loading pits, loading or unloading devices and warning signs above, below, or beside the Track. Company shall not do any act which would render the Track, or any part thereof, unsafe to operate over, and shall not suffer any act by any third party which would render the Company's Segment of Track unsafe to operate over, and shall be responsible for all repairs if an unsafe condition results from any such act; and if, in the judgment of Railroad, any portion is unsafe for railroad operations, Railroad shall not be obligated to operate over the Track. In particular, and without limiting the generality of the foregoing, Company shall not obstruct any portion of the Track and shall not allow any obstruction of the Company's Segment of Track by any third party, such as parked vehicles. Railroad shall have the right, but not the duty, to inspect Company's Segment. Neither Company, nor DABC, shall construct, or allow the construction of any road, gate, tunnel, bridge, culvert, pit, pipeline, wireline, fiber optic line, or similar facility on, over, under or along the Track, or on the real estate extending 25 feet on either side of the center of the Track ("Premises"), without the prior written consent of Railroad, which consent shall not be unreasonably denied for any such improvements and other facilities to be used in connection with Company's normal business. A separate agreement in connection with such consent may be necessary in substantially the same form Railroad normally uses for such encroachments. Under no circumstances shall DABC or Company permit the establishment or use of any public crossing over the Company's Segment of Track.

6. SAFETY. Company acknowledges that railroad operations are dangerous and that the provisions of this Section are of extreme importance, as they relate to safety. Company shall strictly comply with the following safety standards:

(A) Standard Clearances/Impairments. Company shall not permit, erect, place, pile, store, stack, park, or maintain any building, platform, fence, gate, vehicle, or other structure, obstruction or material of any kind, closer to the Company Segment of Track than the Standard Clearances of the Railroad defined in this Section 6(A) without the prior written consent of the Railroad. The standard clearances (collectively, "Standard Clearances") of the Railroad are: (a) horizontally - eight feet, six inches (8' 6") from the centerline of the track, and (b) vertically - twenty-three feet (23') above the top of the rails of the Track. For any portion of track that is curved, the horizontal Standard Clearance shall be increased one and one-half inches (1- 1/2") for each degree of curvature. All doors, windows and gates shall be of the sliding type or open away from the Track, if opening them toward the Track would impair clearances. Any moveable appliance, including, but not limited to, dock plates and loading or unloading spouts or equipment, that only when in use impairs the Standard Clearances, shall be securely stored or fastened by the Company when not in use so that such equipment shall not impair such clearances. If greater clearances are required by the National Electrical Safety Code or by statute, regulation or other competent public authority, the Company shall comply therewith and shall obtain any necessary public authority and the consent of Railroad to impair clearances before creating such an impairment. Any structure, material or other obstruction (whether in use or not) which is closer to the Company's Segment of Track(s) than the Railroad's Standard Clearances or the standard clearances of any applicable public authority having jurisdiction over Company's Segment of the Track, whichever distance is greater, shall be considered an impairment, whether or not consented to or permitted by the Railroad or such public authority.

(B) Facilities. Company shall not construct, locate, maintain or permit the construction, location, maintenance or erection of any pits, loadout facilities, buildings, structures, private crossings, beams,

pipes, wires, or other obstructions or installations of any kind or character upon, over or under the Track, without the prior written consent of Railroad.

(C) Intraplant Switching. Company shall not perform, permit, or cause any Intraplant Switching, without the prior written consent of Railroad. "Intraplant Switching" means the movement of Railcars on the Track by any method and includes the attempted movement of Railcars, and any activities associated therewith.

(D) Standards. In its use of the Company's Segment of Track, including but not limited to the effect that such use may have on Railroad property, Company shall comply with all applicable laws, ordinances, regulations, statutes, rules, decisions and orders, including, but not limited to, health, safety, zoning, air and water quality, noise, hazardous substances and hazardous wastes (hereinafter "Standard") issued by any federal, state or local governmental body or agency having jurisdiction over the Company's Segment of Track (hereinafter "Authority"). If the Company is not in full compliance with any Standard issued by any competent Authority, the Railroad, after notifying Company in writing of its non-compliance and the Company's failure within thirty (30) days of such notice to correct such non-compliance, may elect to take whatever action is necessary to bring the Track and/or any other Railroad property affected, into compliance with such Standard. Company shall reimburse Railroad for all actual costs and expenses thereof (including, but not limited to, consulting, engineering, labor, clean-up, disposal, court costs and expenses, reasonable attorney fees, fines, penalties, and assessments), incurred by the Railroad in complying with, attempting to comply with, abating a violation of, or defending any claim of violation of such Standard. A waiver by the Railroad of the breach by Company of any covenant or condition of this Agreement shall not impair the right of Railroad to avail itself of any subsequent breach thereof.

(E) Railcars Containing Hazardous Materials. If Company uses the Track for the purpose of shipping, receiving or storing railcars containing hazardous materials, as defined by the United States Department of Transportation, the Company will comply with and abide by DOT regulations as set out in 49 CFR, Parts, 100-199, inclusive, as amended from time to time, and provisions contained in applicable circular(s) of the Bureau of Explosives, Association of American Railroads, including any and all amendments and supplements thereto, as well as any other applicable Standard, as defined in subsection 6(D), above.

(F) Storage of Hazardous Materials. Company shall notify Railroad, in advance, of any intention to store, place, pile, stack, park or maintain any hazardous, combustible or flammable substances or hazardous wastes (hereinafter "Hazardous Materials") other than materials being transported by railcar, upon, under, or over the Company's Segment of Track or on the Premises, including the nature and quantity of such Hazardous Materials. Railroad may, if in its judgment such Materials would create an undue burden upon or render Railroad operations unsafe, limit, prohibit, or place reasonable conditions upon such operations, provided, however, that neither the acceptance of such Hazardous Materials, nor the placing of any limitation, prohibition, or condition upon such operations shall in any way relieve Company of its responsibility for said Hazardous Materials or the diminish Railroad's indemnification rights under this Agreement. Notwithstanding anything to the contrary contained herein, the Company shall have the right to load, unload and transfer Hazardous Materials transported by railcar (including, without limitation, Methylene Diphenyl Diisocyanate – STCC 28-1515-27; Plasticizers, Paint, Lacquer, varnish, resin or adhesive – STCC 28-189-67; Petroleum Isopentane – STCC 29-121-25; Polyester Polyol; modified Phthalic Acid Ester; other chemicals used or required now or in the future in connection with Company's production of polyisocyanurate insulation material) over the Company's Segment of

Track and over the Premises, within the Standard Clearances for the Company's Segment of Track. In the event of a Hazardous Materials leak, spill or release on, under or over the Company Segment of Track, Company shall comply with all federal, state and local laws, statutes, ordinances, rules, regulations, orders and other mandates applicable to the Track, including, if applicable, immediately notifying the appropriate Governmental Response Center and Railroad's Operations Center and, at its sole expense, take all appropriate steps to remediate, investigate, clean, neutralize and/or remove the spill. Company's compliance with this paragraph is not and shall not be deemed an admission of liability, and shall not diminish its ability to pursue any responsible or liable parties for damages arising from such leak, spill or release.

(G) Use of the Premises. While on or near the Track, all employees, agents, representatives, customers, invitees, contractors and sub-contractors of Company (hereinafter "Persons") shall be suitably dressed and adequately trained to perform their duties. Such Persons shall wear sturdy and protective footwear, protective head gear (it is suggested that hardhats that meet American National Standard Z89-1, latest revision, be worn), and eye protection that meets American National Standard for occupational and educational eye and face protection, Z87-1, latest revision. Company shall not allow any of its employees or agents on any portion of the Track, and shall not allow any employee, agent, or any other person (including third parties) on the Company's Segment of the Track or within the Standard Clearances for the Company's Segment, who is under the influence of, or has in their possession, any alcoholic beverage, firearm, or any illegally obtained drug, narcotic or other substance. Before beginning the loading or unloading of any Railcar, Company shall chock all the wheels and confirm that the handbrakes are set on said Railcar.

(H) Switching by Railroad. Company shall erect and maintain a gate over the Track at a location on the Company Segment to be selected by the Company within twenty-five (25) feet of the boundary line between the Company Segment and the Railroad Segment , which Company shall open promptly upon request of Railroad to Company's plant manager (currently Ray Darmer, email address rdarmer@gaf.com, telephone number 912-601-7973) or rail manager (currently Eddie Horne, email address ehorne@gaf.com, telephone number 912-658-0852) or other Company representative to be designated by Company for such purpose from time to time, when switching or other services are to be performed on Company's Segment. Company shall provide to Railroad (and update as necessary) contact information necessary for requesting opening of the gate, but Company shall not give Railroad personnel a key to said gate. Prior to Railroad's entry upon Company's Segment, all Company personnel shall remove any property or debris (except Railcars) from the Company's Segment of Track and move such property beyond the Standard Clearances surrounding the said Track, and shall vacate the Company's Segment of Track and move beyond the Standard Clearances surrounding the Company's Segment of Track, for the duration of such switching or other services.

If Company desires that Railroad move a Railcar after its delivery to the Company's Segment of Track, then prior to Company releasing such Railcar to Railroad and prior to Railroad coupling into or moving any Railcar located on the Company's Segment, Company shall first (1) disconnect all hoses, conveyors, wires, or other unloading devices or appurtenances, and move them beyond the Standard Clearances surrounding the Track, and close and secure all gates, valves, chutes, hatches, covers, and other openings which are part of the Railcar, and (2) provide Railroad with written request for movement of such Railcar, specifying (i) where the Railcar is to be moved, and (ii) whether the Railcar is loaded, partially loaded or empty. Company warrants that any Railcar released to Railroad as an empty will contain only de minimus residue.

Promptly after Railroad's locomotive and/or other rail equipment leaves the Company Segment, Company shall close and securely lock the aforementioned gate.

7. TERM. (A) This Agreement shall take effect on May 1, 2012, and shall continue in full force and effect until terminated as herein provided.

(B) Company agrees to receive no less than twenty five (25) inbound loaded Railcars per year, in each of the first four service years of this Agreement (the first service year shall be May 1, 2012 – April 30, 2013). In the event Company ships less than 25 in any service year, it shall pay Railroad a service fee equal to $500.00 for each Railcar less than 25 so shipped, within thirty days of the end of such service year. If Company exercises its right under Section 15 to terminate this Agreement prior to the end of the fourth service year, all deficiencies shall be accelerated, and shall be paid at or before the termination date.

8. HAZARDOUS STORAGE TARIFF.

The Track shall not be considered "Railroad Premises" for hazardous storage tariff purposes, but the Company shall abide by the terms of this Agreement, including, without limitation, the provisions set forth in Sections 6(D), 6(E), and 6(F) and any and all applicable tariffs, provisions of rail transportation contracts, or other rules or regulations pertaining to demurrage or car storage.

9. ALTERATION/MODIFICATION OF TRACK.

All references in this Agreement to the Track, or the Premises, shall apply to such Track, or the Premises, as constructed, or situated even if such differs or varies from its depiction on Exhibit A. References in this Agreement to the Track, or the Premises, shall also apply to any alterations, rearrangements, reconstructions, extensions, additions, modifications, or other changes to such Track, or Premises.

10. USE OF TRACKAGE BY RAILROAD.

Railroad shall have the exclusive right to use the Track for railroad purposes, subject to the terms of this Agreement, from the Bumping Post to the Point of Frog where the Track crosses onto the Railroad's mainline track, including the right to use the Railroad Segment of Track for its own business so long as such use does not interfere with Company's use of the Track (but excluding the right to use the Company Segment of Track for purposes unrelated to this Agreement), provided that if any such use of the Railroad Segment for Railroad's own business (including, without limitation, for servicing other customers) damages or causes undue wear and tear on the Railroad Segment, then Railroad shall be responsible for repair or restoration of the Railroad Segment.

11. RIGHTS RESERVED; CONDITIONS AND COVENANTS.

(A) Company shall not use the Track, and shall not permit the use of the Company Segment of Track by any third party, for any purpose other than those described in this Agreement. No third party shall be admitted by the Company to use or occupy any part of the Company's Segment without the Railroad's written consent, which consent shall not be unreasonably withheld. All rights

granted under this Agreement are subject to all existing encumbrances and rights, recorded or not, and also to any renewals or extensions thereof. Company shall not damage, destroy or interfere with the Track.

(B) Railroad shall have the sole and exclusive right and obligation to operate the Track and to maintain Railroad's Segment (all in accordance with the terms of this Agreement), subject to any applicable tariffs or rail transportation contracts and the terms of this Agreement, but Railroad shall not be obligated to operate the Track or maintain Railroad's Segment (and Company shall not have any claim against the Railroad) if Railroad is prevented or hindered from doing so by Company's breach of this Agreement or by Force Majeure.

12. ASSUMPTION OF RISK / NATURE OF RAILROAD OPERATIONS.

(A) It is understood and acknowledged by Company that the movement of railroad locomotives, cars and equipment involves risk of fire, accident, derailment, collision and injury. Company agrees to assume that risk, and, in consideration of the rights herein granted, fully and forever waives any right or claim (including, but not limited to, any subrogation rights) it may have against Railroad arising out of or resulting from such fire, accident, derailment, collision, or injury, except to the extent caused by the gross negligence or intentional acts of Railroad.

(B) Company further acknowledges that railroad operations require activities, which create noise, odor, and other by-products, which may be irritating or objectionable. Company knowingly and forever waives any claim it may have relating to such by-products, including any claim based upon nuisance, quiet enjoyment, or any other legal or equitable theory or statute Notwithstanding the foregoing, Company does not waive any claim it may have with respect to the release, spill, or discharge of Hazardous Materials to the extent caused by the negligence or intentional misconduct of Railroad or its employees or agents during switching operations, provided, however, that Railroad shall be entitled to rely upon the Company to comply with Company's obligations under this Agreement, including, but not limited to, those in Section 6, and Railroad shall not be considered negligent for assuming that the Company has done so.

13. LIABILITY AND INDEMNIFICATION.

(A) For purposes of this Section 13, the following definitions shall apply:

1. "Railroad": includes the Railroad, its officers, directors, agents, employees, attorneys, insurers, partners, servants, principals, administrators, stockholders, parents, subsidiaries, affiliates, related companies, successors and assigns, DABC, its directors, officers, attorneys and employees, Central of Georgia Railroad Company, any other railroad lawfully using the Railroad's property or facilities.

2. "Company": includes the Company and its employees, agents, contractors, attorneys, insurers, partners, heirs, executors, administrators, personal representatives, trustees, affiliates, related or controlled entities, successors and assigns.

3. "Loss": includes loss, damage, claims, demands, actions, causes of action, liabilities,

penalties, fines, judgments, costs and expenses of whatsoever nature, including court costs and expenses, reasonable attorney's fees and pre-judgment and post-judgment interest.

(B) Company agrees to indemnify and hold Railroad harmless from and against any and all Loss arising from or growing out of any act, omission, fault, and/or negligence of Company which results in: (a) injury to or death of any persons whomsoever at, on or about the Track, (b) damage to or loss or destruction of any property whatsoever in connection with this Agreement, or (c) the violation of any law, statute, regulation, ordinance, order, decree, or other public mandate applicable to the Track.

(C) Company shall not cause any mechanic's or materialman's lien of any kind or nature to be enforced against the Track; and shall not cause or permit any such lien to be enforced against the Company's Segment of Track. Notwithstanding the foregoing, Railroad shall be responsible for any such lien which is placed on the Company's Segment as a result of the acts or omissions of Railroad or its employees or agents.

(D) In addition to the other indemnity provisions of this Agreement, Company shall indemnify and hold Railroad harmless from and against any and all Loss arising from, growing out of, or in any way caused by impairment of Standard Clearances or any Intraplant Switching as defined in Section 6(C) hereof.

14. INSURANCE.

(A) Company, at its sole cost and expense, shall procure and maintain in effect during the term of this Agreement, a policy of Commercial General Liability Insurance, without any "railroad exclusion," naming Railroad, Central of Georgia Railroad Company and DABC as additional insureds, and waiving subrogation as to Railroad, Central of Georgia Railroad Company and DABC, and their respective parents, subsidiaries, affiliated entities, and their respective officers, directors, employees, agents, successors and assigns. Such insurance shall cover liability assumed by Company under this Agreement. A coverage limit of not less than Three Million Dollars (US$3,000,000.00) combined single limit per occurrence for bodily injury liability and property damage liability is required to protect Company's assumed obligations. Evidence of insurance coverage shall be provided to Railroad and endorsed to provide thirty days notice to Railroad prior to cancellation or modification of any policy. Certificates shall be mailed to Railroad at the address for Notice as provide in Section 19 hereof.

(B) If the policy(ies) provided for above do(es) not automatically cover Company's contractual liability during periods of survey, installation, maintenance, and continued occupation, a specific endorsement adding such coverage shall be purchased by Company. If any policy(ies) are written on a "claims made" basis instead of a "per occurrence" basis, Company shall arrange for adequate time for reporting losses. Failure to do so shall be at Company's sole risk.

(C) Securing insurance shall not limit Company's liability under this Agreement, but shall be security therefor.

(D) Specifically to cover construction or demolition operations within fifty feet of any railroad track, or affecting any railroad bridge, trestle, tunnel, roadbed, or other facility, Company shall notify Railroad and require its contractor(s) to procure and maintain during the period of such construction or demolition, at no cost to Railroad, a policy of General Liability Insurance with the provisions (including waiver of any railroad exclusion) described in Section 14(A) above, or, if such contractor's insurance carrier will not waive any railroad exclusion, such contractor shall provide Railroad Protective Liability Insurance, naming Railroad and Central of Georgia Railroad Company as insureds, with limits of at least

Three Million Dollars (US$3,000,000.00).

15. TERMINATION.

(A) If Company continues in default in the performance of any provision herein contained for a period of ten (10) days after written notice from Railroad to Company specifying such default, Railroad may, at its option, forthwith terminate this Agreement; PROVIDED, however, that if a default by Company is deemed by the Railroad to be unusually dangerous or hazardous, the Railroad may suspend its performance under this Agreement during the ten (10) day cure period. Railroad may terminate this Agreement at the end of such period if there is no cure.

(B) Notwithstanding Subparagraph (A), above, this Agreement may be terminated by any party on six (6) months written notice to the other parties.

(C) This Agreement will terminate, without notice, upon the effective date of any discontinuance or abandonment order by the United States Surface Transportation Board (or any successor regulatory agency) affecting Railroad's connecting mainline track.

(D) Termination of this Agreement for any reason shall not affect any of the rights or obligations of the parties hereto which may have accrued, or liabilities, accrued or otherwise, which may have arisen prior thereto. In addition, the rights and obligations of Section 16 shall survive the termination of this Agreement.

(E) Company may terminate this Agreement at any time upon thirty (30) days written notice to the other parties hereto.

16. REMOVAL OF TRACK UPON TERMINATION.

Upon termination of this Agreement howsoever, Railroad may remove the switch connecting the Track to the mainline, and/or otherwise disconnect the Company's Segment of the Track from Railroad's Segment of the Track. Company and/or DABC shall take no action to prevent or hinder such removal and/or disconnection, provided, however, that Railroad shall not remove the Track on the Company Segment, or any portion thereof, it being acknowledged that the Track on the Company Segment is and shall remain the property of the owner of the land on which the Company Segment is located. Company and DABC shall give Railroad reasonable access to the Company Segment, and to any land owned by the Company and/or DABC within ten (10) feet to each side of the Company Segment, for the purposes of removing any Railroad property left on Company's Segment, and Company and/or DABC shall make no claim for damage to the Company Segment or such land resulting from such removal, unless such damage is caused by the negligence or willful misconduct of Railroad or its employees or agents.

17. REMEDIES FOR DEFAULT.

If either party shall fail, refuse or neglect to perform or abide by the terms of this Agreement, in addition to the right to terminate under Section 15, the aggrieved party shall have any other rights and remedies at law or in equity to which it may be entitled, and the termination of this Agreement, or exercise of any other such right or remedy, shall not preclude the exercise of other such rights or remedies, provided that no suit shall be filed if there is a bona fide dispute first requiring arbitration

under Section 18.

18. CHOICE OF LAW/ARBITRATION.

This Agreement shall be governed, construed, and enforced in accordance with the laws of the State of Georgia. Any bona fide dispute as to the interpretation of this Agreement, or performance thereunder, shall be referred to binding arbitration by an independent arbitrator. If the parties cannot agree on an arbitrator, the Chief Judge of the U.S. District Court for the Southern District of Georgia (or that court's alternative dispute resolution office) shall appoint such arbitrator, who shall conduct the arbitration pursuant to the Federal Arbitration Act.

19. NOTICE.

Any Notice required or permitted to be served under the terms of this Agreement shall be sent by certified mail, return receipt requested, or by a recognized national overnight courier service (such as UPS or FEDEX) to the parties at the following addresses:

To Railroad: Georgia Southern Railway Co.
1318 S. Johanson Road
Peoria, Illinois 61607
Attn: President

To Company: Building Materials Manufacturing Corporation
1361 Alps Road
Wayne, NJ 07470
Attn: Senior Vice President and Treasurer

with copy to: Building Materials Manufacturing Corporation
1361 Alps Road
Wayne, NJ 07470
Attn: Real Estate Counsel

To DABC: Development Authority of Bulloch County
P.O. Box 303
Statesboro, Georgia 30459
Attn: CEO of Economic Development

or at such other address as the parties may from time to time give notice of. Notice shall be effective four (4) business days after mailing, or one (1) business day after dispatch by overnight courier.

20. CONSTRUCTION OF AGREEMENT.

No waiver, modification or amendment of this Agreement shall be of any force or effect unless made in writing, manually (not electronically) signed by all parties hereto, and specifying with particularity the nature and extent of such waiver, modification or amendment. Singular terms used herein shall mean and include the plural form, and vice versa, unless the context otherwise requires. The waiver by a party of the breach of any condition, covenant or agreement to be kept, observed or performed by any other party

shall in no way impair the right of the waiving party to enforce any subsequent breach thereof by such other party. This Agreement was negotiated by the parties, and no inference shall be drawn by the fact that any or all of this Agreement was drafted by one or the other of them. This Agreement is subject and subordinate to the Lease Agreement between Railroad and Central of Georgia Railroad Company dated on or about July 23, 2009, as it may be amended from time to time, provided, however, that Railroad represents that, based on its common carrier authority, it has a right to enter into and perform its obligations under this Agreement.

21. SEVERABILITY.

If any clause or provision of this Agreement shall be finally determined invalid, illegal or unenforceable by a Court of competent jurisdiction, then that clause or provision only shall be held inoperative, as though not herein contained, and the remainder of this Agreement shall remain operative and in full force and effect.

22. ASSIGNMENT; BINDING EFFECT.

This Agreement shall not be assigned by any party hereto without the written consent of all of the other parties hereto. This Agreement shall be binding upon and inure to the benefit of the parties and their respective successors and assigns.

23. NO MODIFICATIONS; ENTIRE AGREEMENT.

This Agreement may not be changed or modified except in a writing executed by the parties to the charges. This Agreement is intended to be the entire agreement among the parties with respect to the subject matter covered herein, and all prior writings or oral agreements pertaining to such subject matter shall not be of any effect, provided, however, that this Agreement is not intended to supersede other agreements between the parties (including the letter agreement dated June 13, 2011 and signed by GAF on or about June 16, 2011, or any transportation contracts, tariffs, or similar agreements) with respect to subject matters which are not covered herein.

24. COUNTERPARTS.

This Agreement may be executed in counterparts, each of which shall be an original and which together shall constitute one and the same instrument.

(Signature page follows.)

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed in duplicate as of the date and year first written above.

BUILDING MATERIALS MANUFACTURING CORPORATION

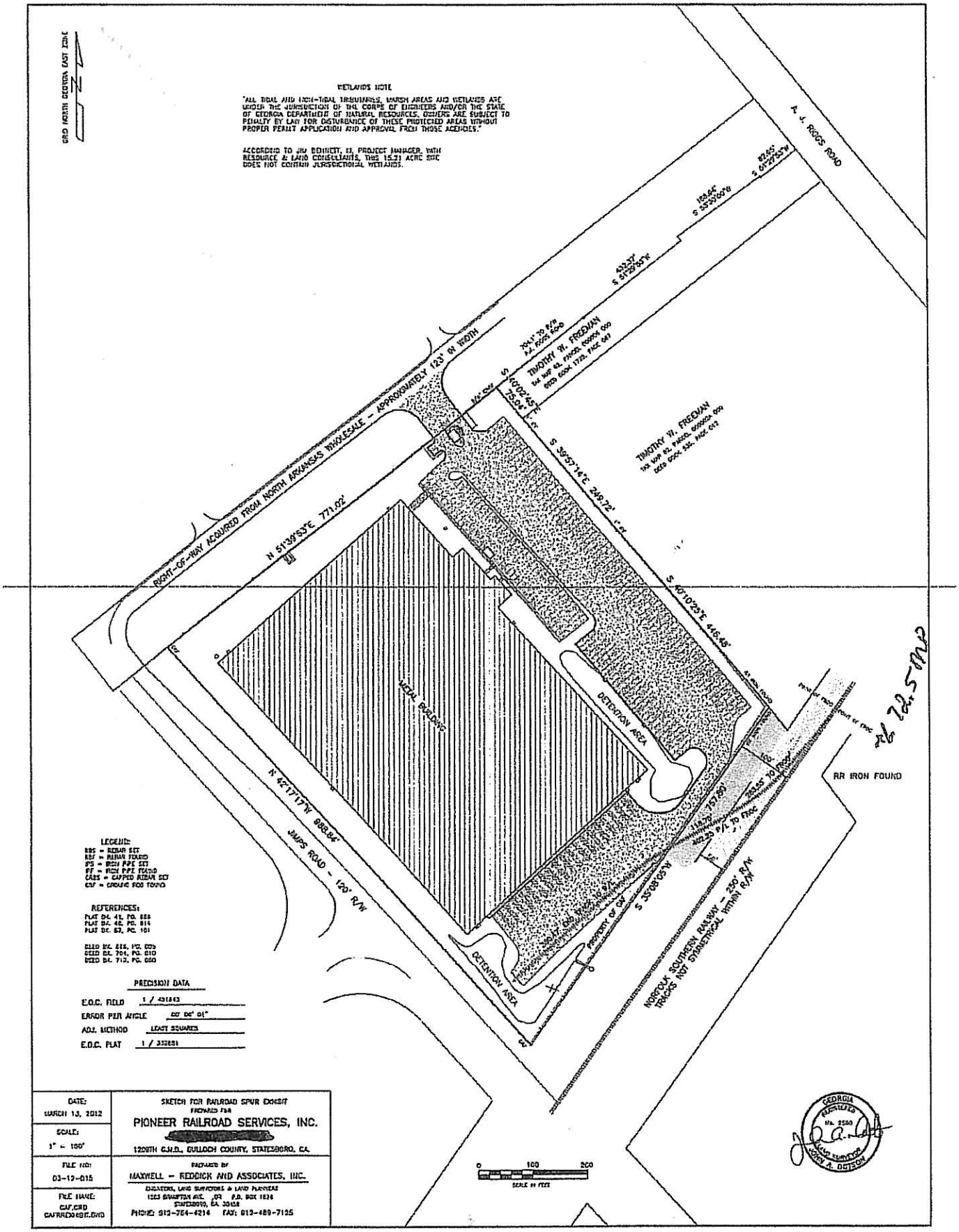
By: _____
Its: Senior Vice President - Treasurer

GEORGIA SOUTHERN RAILWAY CO.

By: _____
Its: President

DEVELOPMENT AUTHORITY OF BULLOCH COUNTY

By: _____
Its: _____


GRID NORTH GEORGIA EAST ZONE
WETLANDS NOTE
"ALL TIDAL AND NON-TIDAL TRIBUTARIES, MARSH AREAS AND WETLANDS ARE UNDER THE JURISDICTION OF THE CORPS OF ENGINEERS AND/OR THE STATE OF GEORGIA DEPARTMENT OF NATURAL RESOURCES. OWNERS ARE SUBJECT TO PENALTY BY LAW FOR DISTURBANCE OF THESE PROTECTED AREAS WITHOUT PROPER PERMIT APPLICATION AND APPROVAL FROM THOSE AGENCIES."
ACCORDING TO JIM BENNETT, III, PROJECT MANAGER, WITH RESOURCE & LAND CONSULTANTS, THIS 15.21 ACRE SITE DOES NOT CONTAIN JURISDICTIONAL WETLANDS.
A. J. RIGGS ROAD
TIMOTHY W. FREEMAN
TIMOTHY W. FREEMAN
RIGHT-OF-WAY ACQUIRED FROM NORTH ARKANSAS WHOLESALE - APPROXIMATELY 123' IN WIDTH
N 51°39'53"E 771.02'
S 39°57'14"E 249.72'
S 40°10'25"E 446.48'
METAL BUILDING
DETENTION AREA
DETENTION AREA
N 42°17'17"W 988.84'
JIMPS ROAD - 120' R/W
S 35°08'05"W
NORFOLK SOUTHERN RAILWAY - 250' R/W
TRACKS NOT SYMMETRICAL WITHIN R/W
RR IRON FOUND
LEGEND:
RBS = REBAR SET
RBF = REBAR FOUND
IPS = IRON PIPE SET
IPF = IRON PIPE FOUND
CRBS = CAPPED REBAR SET
CRF = CROSS FOR FOUND
REFERENCES:
PRECISION DATA
E.O.C. FIELD 1 / 431843
ERROR PER ANGLE 00° 00' 01"
ADJ. METHOD LEAST SQUARES
E.O.C. PLAT 1 / 332851
DATE: MARCH 13, 2012
SCALE: 1" = 100'
FILE NO: 03-12-015
FILE NAME: CAF.GRD CAFRRDXHBIT.DWG
SKETCH FOR RAILROAD SPUR EXHIBIT
PREPARED FOR
PIONEER RAILROAD SERVICES, INC.
1209TH G.M.D., BULLOCH COUNTY, STATESBORO, GA.
PREPARED BY
MAXWELL - REDDICK AND ASSOCIATES, INC.
ENGINEERS, LAND SURVEYORS & LAND PLANNERS
PHONE: 912-764-4214 FAX: 912-489-7125
0 100 200
SCALE IN FEET
GEORGIA REGISTERED No. 2550 LAND SURVEYOR JOHN A. DUTSON

BULLOCH COUNTY BOARD OF COMMISSIONERS
AGENDA ITEM SUMMARY

DEPARTMENT MAKING REQUEST (Box 1)	MEETING DATE (Box 2) October 16, 2012		
Legal	RESOLUTION ATTACHED? (Box 3)	YES	X
		NO	

REQUESTED MOTION OR ITEM TITLE (Box 4)

Resolution Concerning Board of Education's General Obligation Sales Tax Bonds, Series 2012A and 2012B

SUMMARY/BACKGROUND ATTACH DETAILED SUMMARY, IF NEEDED (Box 5)

The Board of Education has asked the Board of Commissioners to adopt the attached resolution to comply with Article IX, Section V, Paragraph VI of the Georgia Constitution, which requires that at or before the time of incurring bonded indebtedness, provision must be made for the assessment and collection of an annual tax in an amount sufficient to pay the principal of and interest on said debt within 30 years. The BOE's bonds do not constitute a debt of and are not underwritten by the full faith and credit of Bulloch County. The bonds are solely a debt of the School District. In accordance with Article VIII, Section VI, Paragraph I of the Georgia Constitution, the Board of Commissioners is required to levy the annual school tax millage rate certified by the BOE. The attached resolution does not expand that obligation but simply states that the Board of Commissioners will levy annual taxes as certified by the BOE sufficient to pay principal and interest on the bonds, and further assures that those funds will be pledged to payment of the bonds.

AGENDA CATEGORY (CHECK ONE) (Box 6)		FINANCIAL IMPACT STATEMENT (Box 7)					
PRESENTATION (6a)		BUDGETED ITEM? (7a)	YES		AMENDMENT REQUIRED? (7b)	YES	
			NO			NO	
PUBLIC HEARING (6b)		ATTACH DETAILED ANALYSIS, IF NEEDED (7c)					
CONSENT (6c)							
NEW BUSINESS (6d)	X						
OLD BUSINESS (6e)							
OTHER (6f)							

APPROVED FOR AGENDA (Box 8)

DEPARTMENT DIRECTOR	PURCHASING OFFICER	OTHER	COUNTY CLERK	COUNTY STAFF ATTORNEY	COUNTY MANAGER
YES	YES	YES	YES	YES ✓	YES
NO	NO	NO	NO	NO	NO
INITIAL	INITIAL	INITIAL	INITIAL	INITIAL JSh	INITIAL
DATE	DATE	DATE	DATE	DATE 10/9/12	DATE

COMMISSION ACTION AND REFERRAL (Box 9)

APPROVED		DATE TO BE RETURNED TO AGENDA
DENIED		
DEFERRED		NOTES
OTHER		

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF BULLOCH COUNTY TO ASSURE COMPLIANCE WITH THE CONSTITUTION OF THE STATE OF GEORGIA BY ASSESSING AND PROVIDING FOR THE COLLECTION OF A DIRECT ANNUAL TAX SUFFICIENT TO PAY THE PRINCIPAL OF AND INTEREST ON GENERAL OBLIGATION SALES TAX BONDS, SERIES 2012A TO BE ISSUED BY THE BULLOCH COUNTY SCHOOL DISTRICT IN THE AGGREGATE PRINCIPAL AMOUNT OF $7,500,000 AND TAXABLE GENERAL OBLIGATION SALES TAX BONDS, SERIES 2012B TO BE ISSUED BY THE BULLOCH COUNTY SCHOOL DISTRICT IN THE AGGREGATE PRINCIPAL AMOUNT OF $950,000, AS AUTHORIZED AT AN ELECTION HELD FOR THAT PURPOSE ON MARCH 17, 2009, PURSUANT TO AND IN CONFORMITY WITH THE CONSTITUTION AND STATUTES OF THE STATE OF GEORGIA, AND FOR OTHER PURPOSES.

WHEREAS, at an election duly called and held on March 17, 2009 (the "**Election**"), in Bulloch County, constituting the Bulloch County School District (the "**School District**"), a political subdivision of the State of Georgia, after notice thereof had been given to the qualified voters of the School District for the time and in the manner required by law, a majority of the qualified voters of the School District voting in the Election voted in favor of the imposition in Bulloch County of a one percent sales and use tax for educational purposes (the "**Educational Sales Tax**") for a period of time not to exceed 20 consecutive calendar quarters and the issuance of general obligation bonds by the School District, as described in a resolution adopted on December 11, 2008, by the Board of Education of Bulloch County (the "**Board of Education**"), as the controlling and managing body of the School District, by the terms of which resolution the Election was held; and

WHEREAS, pursuant to the results of the Election and the provisions of a bond resolution adopted on November 11, 2009, the Board of Education had previously authorized the issuance and delivery of a portion of the general obligation debt of the School District authorized to be issued by the qualified voters of the School District voting in the Election and issued a first series of bonds designated the BULLOCH COUNTY SCHOOL DISTRICT GENERAL OBLIGATION SALES TAX BONDS, SERIES 2009, in the aggregate principal amount of $23,525,000 (the "**Series 2009 Bonds**"), and a second series of bonds designated the BULLOCH COUNTY SCHOOL DISTRICT GENERAL OBLIGATION SALES TAX BONDS (TAXABLE-QUALIFIED SCHOOL CONSTRUCTION BONDS-DIRECT PAYMENT), SERIES 2010, in the aggregate principal amount of $13,705,000 (the "**Series 2010 Bonds**"); and

WHEREAS, pursuant to the results of the Election and the provisions of resolutions adopted concurrently on _____, 2012, the Board of Education has authorized the issuance of additional general obligation debt of the School District authorized to be issued by the qualified voters of the School District voting in the Election by way of a third and fourth series of bonds designated as the BULLOCH COUNTY SCHOOL DISTRICT GENERAL OBLIGATION SALES TAX BONDS, SERIES 2012A, in the aggregate principal amount of $7,500,000 (the "**Series 2012A Bonds**"), and the BULLOCH COUNTY SCHOOL DISTRICT TAXABLE GENERAL OBLIGATION SALES TAX BONDS, SERIES 2012B, in the aggregate principal amount of $950,000 (the "**Series 2012B Taxable Bonds**"); and

WHEREAS, the Board of Education has determined that the Educational Sales Tax received by the School District in each year will be sufficient to pay fully all principal of and interest on the Series 2009 Bonds, the Series 2010 Bonds, the Series 2012A Bonds, and the Series 2012B Taxable Bonds coming due in each year; and

WHEREAS, payment of the principal of and interest on the Series 2009 Bonds, the Series 2010 Bonds, the Series 2012A Bonds, and the Series 2012B Taxable Bonds will be secured by and payable first from the Educational Sales Tax and then, if and to the extent necessary, from *ad valorem* taxes to be levied in the School District; and

WHEREAS, the Series 2012A Bonds and the Series 2012B Taxable Bonds shall constitute debt of the School District within the meaning of Article IX, Section V, Paragraph I of the Constitution of the State of Georgia; and

WHEREAS, Article IX, Section V, Paragraph VI of the Constitution of the State of Georgia provides that, at or before the time of incurring bonded indebtedness, provision must be made for the assessment and collection of an annual tax in an amount sufficient to pay the principal of and interest on said debt within 30 years from incurring such bonded indebtedness; and

WHEREAS, the Series 2009 Bonds, the Series 2010 Bonds, the Series 2012A Bonds, and the Series 2012B Taxable Bonds and the issuance thereof have been confirmed and validated by judgment of the Superior Court of Bulloch County, Georgia, which judgment has ordered and adjudged that the Board of Education was and is authorized and empowered to recommend to the Board of Commissioners of Bulloch County (the "**Board of Commissioners**") the assessment and collection of a continuing direct annual tax to be levied on all the taxable property located within the boundaries of the School District, which constitutes all of Bulloch County, in an amount sufficient to pay the principal of and the interest on the Series 2009 Bonds, the Series 2010 Bonds, the Series 2012A Bonds, and the Series 2012B Taxable Bonds in accordance with the terms thereof, to the extent the proceeds of the Educational Sales Tax are not sufficient for that purpose; and

WHEREAS, in order to provide for the assessment and collection of a continuing direct annual tax to be levied on all the taxable property subject to taxation for bond purposes located within the boundaries of School District in an amount sufficient to pay the principal of and the interest on the Series 2012A Bonds and the Series 2012B Taxable Bonds as the same shall mature and become due, to the extent such principal and interest are not paid from proceeds of the Educational Sales Tax, the Board of Education, by a resolution adopted on _____, 2012, a certified copy of which resolution has been received by the Board of Commissioners, has recommended to the Board of Commissioners that such tax be assessed and collected in the appropriate years, sufficient in amount to produce the sums required to pay the principal of and interest on the Series 2012A Bonds and the Series 2012B Taxable Bonds to the extent the proceeds from the Educational Sales Tax received by the School District are not sufficient to make such payments, and that the funds provided by said tax shall be pledged irrevocably to and appropriated for the payment of the principal of and the interest on the Series 2012A Bonds and the Series 2012B Taxable Bonds.

NOW, THEREFORE, be it resolved by the Board of Commissioners of Bulloch County, in meeting assembled, that:

Section 1. TAX ASSESSMENT FOR PAYMENT OF THE SERIES 2012A BONDS AND THE SERIES 2012B TAXABLE BONDS. For the purpose of providing funds for the payment of the principal of and interest on all of the Series 2012A Bonds and the Series 2012B Taxable Bonds on the dates on which such principal and interest shall become due and be payable, to the extent such principal and interest are not paid from the proceeds of the Educational Sales Tax, there shall be and hereby is assessed and collected and there hereafter shall be collected in the appropriate years a continuing direct annual tax upon all the taxable property within the boundaries of the School District, sufficient in amount to produce the sums required to pay the principal of the Series 2012A Bonds and the Series 2012B Taxable Bonds coming due on May 1 and the interest coming due on the Series 2012A Bonds and the Series 2012B Taxable Bonds on May 1 and November 1 in each of the years set forth on Exhibit A and Exhibit B, respectively, attached hereto and incorporated herein, through May 1, 2019, to the extent the proceeds from the Educational Sales Tax and capitalized interest from the sale of the Series 2012A Bonds and the Series 2012B Taxable Bonds received by or on behalf of the School District are not sufficient to make such payments.

Section 2. FUNDS PLEDGED FOR PAYMENT OF THE SERIES 2012A BONDS AND THE SERIES 2012B TAXABLE BONDS. The funds provided by said tax shall be and hereby are irrevocably pledged to and appropriated for the payment of the principal of and interest on the Series 2012A Bonds and the Series 2012B Taxable Bonds, and provisions to meet the requirements hereof shall be made hereafter in due time and manner in the annual appropriation measure in each year, to the extent such principal and interest are not paid from the proceeds of the Educational Sales Tax or capitalized interest from the sale of the Series 2012A Bonds and the Series 2012B Taxable Bonds, so that all of the Series 2012A Bonds and the Series 2012B Taxable Bonds, as to principal and interest, shall be fully paid as the same shall mature and become due.

Section 3. PUBLICATION OF TAX RATE. The Board of Commissioners, as levying authority, together with the Board of Education, as recommending authority, shall comply with the provisions of O.C.G.A. § 48-5-32, and all other statutory requirements as may exist from time to time relating to the publication of any reports or notices required prior to establishing millage rates each year for educational purposes, and shall take such other actions as may be required for the assessment and collection of taxes to provide funds in the years and amounts set forth in this resolution, to the extent the proceeds of the Educational Sales Tax received by the School District are not sufficient for that purpose. The Board of Commissioners and the Board of Education shall cause a report to be published in a newspaper of general circulation throughout Bulloch County at least two weeks prior to the establishment of the millage rates for *ad valorem* taxes for educational purposes during the current calendar year, in accordance with O.C.G.A. § 48-5-32.

Section 4. COMPLIANCE WITH CONSTITUTION. This resolution is adopted in order to assure compliance with Article IX, Section V, Paragraph VI of the Constitution of the State of Georgia. The Board of Education has determined that the Educational Sales Tax received by the School District in each year will be sufficient to pay fully all principal of and interest on the Series 2009 Bonds, the Series 2010 Bonds, the Series 2012A Bonds, and the

Series 2012B Taxable Bonds coming due in each year. The Board of Commissioners will take no action to establish a millage levy for the payment of any portion of the principal of and interest on the Series 2012A Bonds and the Series 2012B Taxable Bonds from *ad valorem* taxes until the Board of Education certifies to it any millage required for such purposes.

Section 5. CONFLICTING PROVISIONS REPEALED. Any and all resolutions or parts of resolutions, if any, in conflict herewith shall be and the same are repealed by the passage of this resolution.

RESOLUTION APPROVED AND ADOPTED, _____, 2012.

BULLOCH COUNTY, GEORGIA

By: _____
Chairman
Board of Commissioners

Exhibit A

DEBT SERVICE SCHEDULE
SERIES 2012A BONDS

Exhibit B

DEBT SERVICE SCHEDULE
SERIES 2012B TAXABLE BONDS

CLERK'S CERTIFICATE

I, the undersigned County Clerk of Bulloch County, keeper of the records and seal thereof, hereby certify that the foregoing is a true and correct copy of a resolution approved and adopted by a majority vote of the Board of Commissioners of Bulloch County, in public meeting assembled on _____, 2012, the original of which resolution has been entered in the official records of Bulloch County under my supervision and is in my official possession, custody and control.

I further certify that the meeting was held in conformity with the requirements of Title 50, Chapter 14 of the Official Code of Georgia Annotated.

(S E A L)

_____
County Clerk

BULLOCH COUNTY BOARD OF COMMISSIONERS
AGENDA ITEM SUMMARY

DEPARTMENT MAKING REQUEST (Box 1)	MEETING DATE (Box 2) October 16, 2012		
Legal	RESOLUTION ATTACHED? (Box 3)	YES	X
		NO	

REQUESTED MOTION OR ITEM TITLE (Box 4)

Resolution Concerning Board of Education's General Obligation Sales Tax Bonds, Series 2012C

SUMMARY/BACKGROUND ATTACH DETAILED SUMMARY, IF NEEDED (Box 5)

The Board of Education has asked the Board of Commissioners to adopt the attached resolution to comply with Article IX, Section V, Paragraph VI of the Georgia Constitution, which requires that at or before the time of incurring bonded indebtedness, provision must be made for the assessment and collection of an annual tax in an amount sufficient to pay the principal of and interest on said debt within 30 years. The BOE's bonds do not constitute a debt of and are not underwritten by the full faith and credit of Bulloch County. The bonds are solely a debt of the School District. In accordance with Article VIII, Section VI, Paragraph I of the Georgia Constitution, the Board of Commissioners is required to levy the annual school tax millage rate certified by the BOE. The attached resolution does not expand that obligation but simply states that the Board of Commissioners will levy annual taxes as certified by the BOE sufficient to pay principal and interest on the bonds, and further assures that those funds will be pledged to payment of the bonds.

AGENDA CATEGORY (CHECK ONE) (Box 6)		FINANCIAL IMPACT STATEMENT (Box 7)					
PRESENTATION (6a)		BUDGETED ITEM? (7a)	YES		AMENDMENT REQUIRED? (7b)	YES	
			NO			NO	
PUBLIC HEARING (6b)		ATTACH DETAILED ANALYSIS, IF NEEDED (7c)					
CONSENT (6c)							
NEW BUSINESS (6d)	X						
OLD BUSINESS (6e)							
OTHER (6f)							

APPROVED FOR AGENDA (Box 8)

DEPARTMENT DIRECTOR	PURCHASING OFFICER	OTHER	COUNTY CLERK	COUNTY STAFF ATTORNEY	COUNTY MANAGER
YES	YES	YES	YES	YES ✓	YES
NO	NO	NO	NO	NO	NO
INITIAL	INITIAL	INITIAL	INITIAL	INITIAL JG	INITIAL
DATE	DATE	DATE	DATE	DATE 10/9/12	DATE

COMMISSION ACTION AND REFERRAL (Box 9)

APPROVED		DATE TO BE RETURNED TO AGENDA
DENIED		
DEFERRED		NOTES
OTHER		

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF BULLOCH COUNTY TO ASSURE COMPLIANCE WITH THE CONSTITUTION OF THE STATE OF GEORGIA BY ASSESSING AND PROVIDING FOR THE COLLECTION OF A DIRECT ANNUAL TAX SUFFICIENT TO PAY THE PRINCIPAL OF AND INTEREST ON THE $5,600,000 GENERAL OBLIGATION REFUNDING BONDS, SERIES 2012C, TO BE ISSUED BY THE BULLOCH COUNTY SCHOOL DISTRICT, PURSUANT TO AND IN CONFORMITY WITH THE CONSTITUTION AND STATUTES OF THE STATE OF GEORGIA, AND FOR OTHER PURPOSES.

WHEREAS, in accordance with the provisions of a bond resolution adopted on _____, 2012 (the "**Bond Resolution**"), by the Board of Education of Bulloch County (the "**Board of Education**"), as the controlling and managing body of the Bulloch County School District (the "**School District**"), a political subdivision of the State of Georgia, the issuance of $5,600,000 in principal amount of BULLOCH COUNTY SCHOOL DISTRICT GENERAL OBLIGATION REFUNDING BONDS, SERIES 2012C (the "**Series 2012C Bonds**") was authorized and provided for and the form of the Series 2012C Bonds and other details incident to the issuance of the Series 2012C Bonds were prescribed; and

WHEREAS, the Series 2012C Bonds shall constitute debt of the School District within the meaning of Article IX, Section V, Paragraph I of the Constitution of the State of Georgia; and

WHEREAS, Article IX, Section V, Paragraph VI of the Constitution of the State of Georgia provides that, at or before the time of incurring bonded indebtedness, provision must be made for the assessment and collection of an annual tax in an amount sufficient to pay the principal of and interest on said debt within 30 years from incurring such bonded indebtedness; and

WHEREAS, the Series 2012C Bonds and the issuance thereof shall be confirmed and validated, prior to the issuance thereof, by judgment of the Superior Court of Bulloch County, Georgia, which judgment will order and adjudge that the Board of Education was and is authorized and empowered to recommend to the Board of Commissioners of Bulloch County (the "**Board of Commissioners**") the assessment and collection of a continuing direct annual tax to be levied on all the taxable property located within the boundaries of the School District, which constitutes all of Bulloch County, in an amount sufficient to pay the principal of and the interest on the Series 2012C Bonds in accordance with the terms thereof; and

WHEREAS, in order to provide for the assessment and collection of a continuing direct annual tax to be levied on all the taxable property subject to taxation for school bond purposes located within the boundaries of School District in an amount sufficient to pay the principal of and the interest on the Series 2012C Bonds as the same shall mature and become due, the Board of Education, pursuant to the provisions of Section 502 of the Bond Resolution, a certified copy of which resolution has been received by the Board of Commissioners, has recommended to the Board of Commissioners that such tax be assessed and collected in the appropriate years, sufficient in amount to produce the sums required to pay the principal of and interest on the Series 2012C Bonds, and that the funds provided by said tax shall be irrevocably pledged to and appropriated for the payment of the principal of and the interest on the Series 2012C Bonds.

NOW, THEREFORE, be it resolved by the Board of Commissioners of Bulloch County, in meeting assembled, that:

Section 1. TAX ASSESSMENT FOR PAYMENT OF SERIES 2012C BONDS. For the purpose of providing funds for the payment of the principal of and interest on the Series 2012C Bonds on the dates on which such principal and interest shall become due and be payable, there shall be and hereby is assessed and collected and there shall be collected hereafter in the appropriate years, a continuing direct annual tax upon all the taxable property within the boundaries of the School District, sufficient in amount to produce the sums required to pay the principal of the Series 2012C Bonds coming due on February 1 and the interest coming due on the Series 2012C Bonds on February 1 and August 1 in each of the years set forth on the exhibit attached hereto and incorporated herein, through February 1, 2017.

Section 2. FUNDS PLEDGED FOR PAYMENT OF SERIES 2012C BONDS. The funds provided by said tax shall be and hereby are pledged irrevocably to and appropriated for the payment of the principal of and interest on the Series 2012C Bonds, and provisions to meet the requirements hereof shall be made hereafter in due time and manner in the annual appropriation measure in each year, so that all of the Series 2012C Bonds, as to principal and interest, shall be fully paid as the same shall mature and become due.

Section 3. PUBLICATION OF TAX RATE. The Board of Commissioners, as levying authority, together with the Board of Education, as recommending authority, shall comply with the provisions of O.C.G.A. § 48-5-32, and all other statutory requirements as may exist from time to time relating to the publication of any reports or notices required prior to establishing millage rates each year for educational purposes, and shall take such other actions as may be required for the assessment and collection of taxes to provide funds in the years and amounts set forth in this resolution. The Board of Commissioners and the Board of Education shall cause a report to be published in a newspaper of general circulation throughout Bulloch County at least two weeks prior to the establishment of the millage rates for *ad valorem* taxes for educational purposes during the current calendar year, in accordance with O.C.G.A. § 48-5-32.

Section 4. COMPLIANCE WITH CONSTITUTION. This resolution is adopted in order to assure compliance with Article IX, Section V, Paragraph VI of the Constitution of the State of Georgia. The Board of Commissioners will take no action to establish a millage levy for the payment of any portion of the principal of and interest on the Series 2012C Bonds from *ad valorem* taxes until the Board of Education certifies to it any millage required for such purposes.

Section 5. CONFLICTING PROVISIONS REPEALED. Any and all resolutions or parts of resolutions, if any, in conflict herewith shall be and the same are repealed by the passage of this resolution.

RESOLUTION APPROVED AND ADOPTED, _____, 2012.

BULLOCH COUNTY, GEORGIA

By: _____
Chairman
Board of Commissioners

CLERK'S CERTIFICATE

I, the undersigned County Clerk of Bulloch County, keeper of the records and seal thereof, hereby certify that the foregoing is a true and correct copy of a resolution approved and adopted by a majority vote of the Board of Commissioners of Bulloch County, in public meeting assembled on _____, 2012, the original of which resolution has been entered in the official records of Bulloch County under my supervision and is in my official possession, custody and control.

I further certify that the meeting was held in conformity with the requirements of Title 50, Chapter 14 of the Official Code of Georgia Annotated.

(S E A L)

_____
County Clerk