Bulloch County Board of Commissioners Regular Meeting

4.17.2012
Estimated Time: 1 Hour
North Main Annex Community Room
Statesboro, Georgia
8:30 AM

Meeting Function:	**Board of Commissioners**	Type of Meeting:	**Regular Meeting**
Meeting Chair:	**Chairman, Garret Nevil (Presiding)**	Recorder:	**Clerk of the Board, Maggie Fitzgerald**
Parliamentarian:	**Chief Legal Counsel, Jeff Akins**	Ex-Officio:	**Tom Couch, County Manager; Harry Starling, Chief Financial Officer; Andy Welch, Development Services Director; Kirk Tatum, County Engineer; and Christy Strickland, Deputy Clerk.**

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 Anthony Simmons	8:32 AM	
Roll Call	Clerk of the Board	8:33 AM	
Approval of General Agenda	Chairman Nevil	8:35 AM	
Public Comments	Audience	8:37 AM	
Presentations	Chairman Nevil	8:43 AM	
T-SPLOST Funding & GDOT Requirements	Chuck Perry – EMC Engineering		
Consent Agenda	Chairman Nevil	9:00 AM	
Approval of Minutes – Regular Meeting held on April 4, 2012	Clerk of the Board		Tab A
Approval to Submit Applications for Possible Appointments to the Hospital Authority	Deputy Clerk		Tab B
New Business	Chairman Nevil		
Discussion/Action: Bid for Roof Systems	Public Facilities/SPLOST	9:05 AM	Tab C
Discussion/Action: Bond Underwriting Agreement	County Manager/SPLOST/Finance	9:10 AM	Tab D
Commission and Staff Comments	Chairman Nevil, et al.	9:15 AM	
Adjourn	Chairman	9:30 AM	

Additional Information

Background information in Board packets

April 4, 2012
Statesboro, GA

Regular Meeting

The Board of Commissioners met at 5:30 p.m. in the Community Room of the North Main Annex. Chairman Nevil welcomed guests and called the meeting to order. County Manager Thomas Couch gave the invocation and the pledge of allegiance.

Ms. Maggie Fitzgerald, present as Clerk of the Board, performed the roll call of the commissioners and staff. The following commissioners were present: Chairman Nevil, Commissioner Mosley, Commissioner Simmons, Commissioner Rushing, Commissioner Thompson, and Commissioner Gibson. The following staff were present: County Manager Thomas Couch, Clerk of the Board Maggie Fitzgerald, Deputy Clerk Christy Strickland, Public Safety Director Ted Wynn, Statesboro Bulloch County Parks and Recreation Director Mike Rollins, 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 Simmons offered a motion to approve the Zoning and Land Use Agenda as presented. Commissioner Mosley seconded the motion, and it carried unanimously. Chairman Nevil asked Zoning Administrator Randy Newman to present the one item of business.

Zoning Administrator Randy Newman presented Item #1 which was an application submitted by Yolanda Gonzalez requesting a rezone from R-2 (Multi-family) to R-40 (Residential 40,000 square feet) in order to place a manufactured home on the property, and that Mr. Walter Johnson rezoned the property to R-2 for the purpose of building duplexes, which were never constructed. Mr. Newman stated that the property consists of 1.23 acres and is located on Hodges Lane, tax map #MS18 000012 000. The Staff recommended and the Planning and Zoning Commission voted to approve the rezone request. Mr. Newman stated that no one signed up to speak for or against the request. Without discussion, Commissioner Thompson offered a motion to approve the rezone request with no conditions submitted by Yolanda Gonzalez. Commissioner Simmons seconded the motion, and it carried unanimously.

Sign-in sheets for Zoning Matters are shown in Exhibit #2012-40.

Chairman Nevil closed the Public Hearings regarding Zoning and Land Use matters, and asked for amendments or modifications of the General Agenda. Hearing no amendments or modifications, Commissioner Simmons offered a motion to approve the General Agenda as presented. Commissioner Gibson seconded the motion, and it carried unanimously.

Chairman Nevil stated that the Board was petitioned to hear three presentations, and that the first presentation would be given by Mr. Tony Deal with regard to concerns about the Bulloch County Fire Department. Mr. Deal presented a power point slide show, and discussed the slides which consisted of the past to present of the Fire Department, the positives, budget issues, bang for the buck, roller coaster, goals, and moving forward. Mr. Deal also discussed how the department would like to continue to lower the ISO rating for the County and how to gain better response times. After further discussion, Chairman Nevil thanked the County Fire Department, and stated that the department has come a long way and that progress will continue.

Chairman Nevil stated that the Board received a second petition for a presentation by Ogeechee Area Hospice. Mrs. Jean Bartels, President of the Board of Directors, thanked the Board for deeding the Hospital Authority two pieces of land for Hospice, and requested a third parcel of 1.36 acres. Mr. Richard Mellett, Vice President of the Board of Directors, stated that the parcel would be landscaped, and would possibly include a walking trail, a picnic pavilion, and an area to expand the parking lot. Mrs. Trish Tootle, Secretary of the Board of Directors, thanked the Board for their support. After further discussion, Chairman Nevil thanked the Hospice members for their presentation.

Chairman Nevil stated that the Board received a third petition for a presentation by Mr. William Fouche regarding a noise complaint. Mr. Fouche, who lives near Eldora Farms, stated that he recently spoke to Captain Nesmith with the Bulloch County Sheriff's Department regarding the constant noise and speeding of dirt bikes and four wheelers on paved and unpaved road. Mr. Fouche stated that Captain Nesmith stated that the Sheriff's Office would increase patrols in that area. Mr. Fouche asked the Board to consider amending the Noise Ordinance in order to make it stricter. After further

discussion, County Manager Thomas Couch thanked Mr. Fouche for his presentation, and stated that the Staff would review the ordinance with the Sheriff's Department.

Next, Chairman Nevil asked for public comments from the audience at large or in writing. County Manager Thomas Couch and Clerk of the Board Maggie Fitzgerald both stated that there were no formal requests or petitions received in writing. Commissioner Roy Thompson asked to address the Board and the Firefighters in the room, and discussed rumors regarding the Bulloch County Fire Department. Commissioner Thompson further stated that he is committed to doing a good job for the County, and if anyone wants to know what he thinks, they should just ask him. Hearing no further 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 March 20, 2012; (2) to grant an alcoholic beverage license for the sale of retail package beer and wine to Nitaben Patel of Yogiji Inc., doing business as Quick Stop, which is located 17216 Highway 67 in Unincorporated Bulloch County; (3) to authorize the appointments of Bubba Hunt (Seat H), Steven Sanders (Seat I), Todd Hall (Seat A), Craig Tremble (Seat B), Matthew Wise (Seat C), Tony Natson (Seat D), and Beth Sands (Seat E) to the Recreation Advisory Board; and (4) to enter into an agreement with the State of Georgia with regard to statewide mutual aid and assistance in the event of emergencies, disasters, and homeland security matters (See Exhibit #2012-41).

Without any items of Old or Unfinished Business, Chairman Nevil stated that the only item of New Business was the discussion and/or action to consider the recommendation of the review committee to enter into negotiations for bond underwriting services with R.W. Baird. Chairman Nevil called on County Manager Thomas Couch to initiate the discussion regarding the matter, and Mr. Couch stated that the unanimous recommendation from the review committee was to enter into negations with R.W. Baird based on the best written proposal, favorable fees, and interview performance. Without further discussion, Commissioner Simmons offered a motion to allow the Staff to enter into negotiations for bond underwriting services with R.W. Baird. Commissioner Mosley seconded the motion, and it carried unanimously.

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 Simmons, Commissioner Mosley, Commissioner Rushing, Commissioner Thompson, Commissioner Gibson, all thanked the students and the Firefighters for attending the meeting. Chairman Nevil discussed the economy, and stated that the County is financially strong because we do not spend money we do not have in the bank.

After further discussion, Chairman Nevil asked for comments from the Staff, and County Manager Thomas Couch thanked the Firefighters for all of their hard work and dedication to Bulloch County. Clerk of the Board Maggie Fitzgerald informed the Firefighters that Holli Deal Bragg was unable to attend the meeting to cover the presentation due to a family emergency. City of Statesboro's Public Safety Director, Wendell Turner, apologized to the Firefighters for a letter from the Statesboro Fire Department that was published in the Statesboro Herald last summer. Mr. Turner stated that the City does appreciate everything they do and all of their help.

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 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 Personnel Matters. 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 Chief Corporate Counsel, Jeff Akins, for the purposes of deliberating on Personnel Matters. Without further discussion, Commissioner Rushing offered a motion to enter into Executive Session to discuss Personnel Matters (See Exhibit #2012-42). Commissioner Gibson seconded the motion, and it carried unanimously. Commissioner Simmons, Commissioner Mosley, Commissioner Rushing, Commissioner Thompson, and Commissioner Gibson voted in favor of the motion.

The meeting was reconvened, and Chairman Nevil asked if there were any further comments from the Commission or Staff. County Manager Thomas Couch asked to address the Board, and stated that, in the next few months, he would be using SPLOST funds to pay for the rewiring of the North Main Annex in order to move EMS Billing from the EMS building to the Annex. Mr. Couch also stated that EMS Billing would then be transferred to the Finance Department. 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.

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J. Garrett Nevil, Chairman

_____

Attest: Maggie Fitzgerald, Clerk of the Board

BULLOCH COUNTY BOARD OF COMMISSIONERS
AGENDA ITEM SUMMARY

DEPARTMENT MAKING REQUEST:	MEETING DATE: 04.17.12		
Administration: Deputy Clerk	RESOLUTION ATTACHED?	YES	
		NO	x

REQUESTED MOTION OR ITEM TITLE:

Consent Agenda- To submit three (3) applications for appointment to Seat 3-A: Mike Anderson, Kim Brannen & Dr. Steve Chester and three (3) applications for Seat 3-B: John Lane, Dr. Lisa Rogers & Ryan McNeal to the Hospital Authority of Bulloch County for consideration for the one (2) Board Members whose term are expiring on September 30, 2012.

SUMMARY/BACKGROUND ATTACH DETAILED SUMMARY, IF NEEDED:

Mrs. Anna Swicord (Seat 3-A) & Mr. Buddy Rabitsch (Seat 3-B) terms are expiring from the Hospital Authority on September 30, 2012. Mrs. Swicord & Mr. Rabitsch are not eligible to serve another term. According to the Bylaws of the Hospital Authority the Board of Commissioners will need to submit three (3) names for each appointment to the Authority by May 15, 2012. The term is for 4 years.

AGENDA CATEGORY (CHECK ONE)		FINANCIAL IMPACT STATEMENT					
PRESENTATION		BUDGETED ITEM?	YES	N	AMENDMENT REQURED?	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	MY	INITIAL		INITIAL	
DATE		DATE		DATE		DATE	4/11/12	DATE		DATE	

COMMISSION ACTION AND REFERRAL (Box 9)

APPROVED		DATE TO BE RETURNED TO AGENDA
DENIED		
DEFERRED		NOTES
OTHER		

BULLOCH COUNTY BOARD OF COMMISSIONERS
AGENDA ITEM SUMMARY

DEPARTMENT MAKING REQUEST:	MEETING DATE: 04.17.2012		
Public Facilities/SPLOST	RESOLUTION ATTACHED?	YES	
		NO	X

REQUESTED MOTION OR ITEM TITLE:

To award a bid to the apparent low bid for a public works contract to replace roof systems.

SUMMARY/BACKGROUND ATTACH DETAILED SUMMARY:

Although subject to final review by Bob Hook to ensure specifications compliance, the apparent low bid is by Chandler Roofing Company for $71,700 for roof replacement at the North Main Annex and the Probation Office.

AGENDA CATEGORY		FINANCIAL IMPACT STATEMENT				
(CHECK ONE)		BUDGETED ITEM?	YES		AMENDMENT OR TRANSFER REQURED?	YES	
			NO			NO	
PRESENTATION		ATTACH DETAILED ANALYSIS, IF NEEDED:				
PUBLIC HEARING		See attached bid report. Proceeds would come from SPLOST 2007 funds Buildings/Facilities Pool.				
CONSENT						
NEW BUSINESS	X					
UNFINISHED BUSINESS						
OTHER						

AGENDA ITEM REVIEW AND APPROVAL

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 4.11.12		DATE		DATE 4/17/12	

COMMISSION ACTION AND REFERRAL

APPROVED		DATE TO BE RETURNED TO AGENDA:
DENIED		NOTES:
DEFERRED		

Revised: 01.01.07, MAC

MEMORANDUM

Date: **April 9, 2012**

To: **Mr. Tom Couch**

From: **Kenneth Trapnell** _____Kenneth Trapnell_____

Subject: **North Main Annex & Probation Office Roof Bid Report**

Sealed bids were opened at the Bulloch County Annex, 115 North Main Street, Statesboro, Georgia 30458 on April 9, 2012 at 3:00 P. M. for roof jobs at the North Main Annex Building & Probation Office Building.

Three (3) IFB's were sent on March 7, 2012 and bids were received from six (6) vendors.

The bid solicitation was advertised in the Statesboro Herald on March 9, 2012 & March 23, 2012.

The solicitation was also advertised on the GLGA market place listing beginning on March 7, 2012.

There was one addendum sent by e-mail on March 29, 2012.

Bids received are as follows:

VENDOR	TOTAL BID PRICE
Chandler Roofing	$71,700.00
Roofing Professionals, Inc.	$79,500.00
Coastal Roofing Company, Inc.	$82,360.00
Southeast Roofing Solutions	$91,600.00
Better Homes Bureau LLC	$108,786.12
Ideal Building Solutions	$116,815.00

All vendors submitted the Bid Bond, Non-Collusion Affidavit and Vendor Declaration forms with their bids.

All vendors that submitted a bid acknowledged the addendum.

The following people attended the bid opening: Chandler Roofing, Coastal Roofing Company, Southeast Roofing Solutions, Roofing Professionals, Inc., Ruby Hunter, Harry Starling and myself.

Bob Hook is to evaluate the bids and do the agenda item summary for the BOC meeting.

If you need more please let me know. Thanks.

BULLOCH COUNTY BOARD OF COMMISSIONERS
AGENDA ITEM SUMMARY

DEPARTMENT MAKING REQUEST:	MEETING DATE: 04.17.2012		
Administration: SPLOST/Finance	RESOLUTION ATTACHED?	YES	
		NO	X

REQUESTED MOTION OR ITEM TITLE:

Discussion and or action to authorize an agreement for Bond Underwriting Services with RW Baird.

SUMMARY/BACKGROUND ATTACH DETAILED SUMMARY:

At the previous meeting, the Board authorized the staff to negotiate a professional services agreement with RWB for bond underwriting services to perform a negotiated sale for up to $12.0 M for 2013 SPLOST-GO bonds for the I-16/301 economic development project. The attached document represents the language negotiated with RWB up to 04.10.12. There may or may not be additional changes. If so, they would be minor and presented at the meeting.

AGENDA CATEGORY		FINANCIAL IMPACT STATEMENT					
(CHECK ONE)		BUDGETED ITEM?	YES	N	AMENDMENT OR TRANSFER REQURED?	YES	
			NO	N		NO	N
PRESENTATION		ATTACH DETAILED ANALYSIS, IF NEEDED:					
PUBLIC HEARING		The cost for underwriting services would be deducted from the amount of bonds sold at a rate that approximates $2.90 per $1,000 coupon. This does not include fees for bond counsel or other customary closing costs associated with the bond sale.					
CONSENT							
NEW BUSINESS	X						
UNFINISHED BUSINESS							
OTHER							

AGENDA ITEM REVIEW AND APPROVAL

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	[illegible]	INITIAL		INITIAL	[illegible]
DATE		DATE		DATE		DATE	4.11.12	DATE		DATE	4.17.12

COMMISSION ACTION AND REFERRAL

APPROVED		DATE TO BE RETURNED TO AGENDA:
DENIED		NOTES:
DEFERRED		

Revised: 01.01.07, MAC

BAIRD

April 517, 2012

Board of Commissioners of Bulloch County
115 North Main Street
Statesboro, Georgia 30459

Re. Underwriting Engagement Letter – General Obligation Sales Tax Bonds, Series 2012

Ladies and Gentlemen:

On behalf of Robert W. Baird & Co. Incorporated ("we" or "Baird"), we wish to thank you for the opportunity to serve as managing underwriter for the Board of Commissioners of Bulloch County ("you" or the "Issuer") on your proposed offering, as described below (the "Offering"):

$12,000,000 General Obligation Sales Tax Bonds, Series 2012

This letter will confirm the terms of our engagement; however, it is anticipated that this letter will be replaced and superseded by a bond purchase agreement to be entered into by the parties (the "Purchase Agreement") if and when the securities are priced following the successful completion of the Offering process.

1. Services to be Provided by Baird. The Issuer hereby engages Baird to serve as managing underwriter of the Offering, and in such capacity Baird agrees to provide the following services:

- Review and evaluate the proposed terms of the Offering and the securities
- Develop a marketing plan for the Offering, including identification of potential investors
- Assist in the preparation of the official statement and other Offering documents
- Contact potential investors, provide them with Offering-related information, respond to their inquiries and, if requested, coordinate their due diligence sessions
- Assist in preparing materials to be provided to securities ratings agencies and in developing strategies for meetings or calls with the ratings agencies
- Consult with counsel and other service providers about the Offering and the terms of the securities
- Inform the Issuer of the marketing and Offering process, including:
    1. Conducting periodic meetings as necessary with the Issuer to develop goals and assess the performance of the Offering.
    2. Preparing a pricing book that includes the supply and expected demand for the bonds; the release of key economic indicators and other factors that may affect capital markets; the interest rates and current market yields of recently priced and outstanding bonds with similar characteristics; and the historic benchmark index data for the bond issue being sold and for other bond issues being sold.
    3. Reviewing with the Issuer the orders received during the order period and any proposed pricing or structuring changes based on the investor demand and market conditions.
    4. Preparing for the Issuer a post-sale summary and analysis that documents the pricing of the bonds relative to other similar transactions priced at or near the time of the Issuer's sale.

- Negotiate the pricing, including the interest rate, and other terms of the securities
- Obtain CUSIP number(s) for the securities and arrange for their DTC book-entry eligibility
- Plan and arrange for the closing and settlement of the issuance and the delivery of the securities
- Such other usual and customary underwriting services as may be requested by the Issuer

In addition, at the Issuer's request, Baird may provide incidental financial advisory services, including advice as to the structure, timing, terms and other matters concerning each Offering. Please note that Baird would be providing such advisory services in its capacity as underwriter and not as a financial advisor to the Issuer. As underwriter, Baird's primary role is to purchase, or arrange for the placement of, the securities in an arm's length commercial transaction between the Issuer and Baird. Baird has financial and other interests that differ from those of the Issuer.

As underwriter for each Offering, Baird will not be required to purchase the securities proposed to be sold except pursuant to the terms of the Purchase Agreement, which will not be signed until successful completion of the pre-sale Offering period. This letter does not obligate Baird to purchase any of the securities proposed to be sold in any Offering.

2. Fees and Expenses. The Issuer and managing underwriter shall, prior to the execution of the Purchase Agreement, negotiate the final spread and expenses. Such spread and expenses shall be properly documented along with the procedures for disbursement at closing. All such spread and commonly accepted underwriter expenses, shall follow the best practice for *Expenses Charged by Underwriters in Negotiated Sales (1996, 2010 and 2012),* as promulgated by the Government Finance Officers Association. The Purchase Agreement for each the Offering will set forth, among other matters, the fees/underwriting spread to be paid to Baird. The underwriting fee/spread will represent the difference between the price that Baird pays for the securities being sold in the Offering and the public offering price stated on the cover of the final official statement. In accordance with information previously submitted to the Issuer, we anticipate the underwriting spread to be $2.90 per $1,000. The Issuer shall be responsible for paying for all other costs of issuance for each the Offering, including without limitation, bond counsel, underwriter's counsel and rating agency fees and expenses, and all other expenses incident to the performance of the Issuer's obligations under the Offering.

3. Term and Termination. The term of this engagement shall extend from the date of this letter to the closing of the final Offering. Notwithstanding the forgoing, either party may terminate Baird's engagement at any time without liability of penalty upon at least 30 days' prior written notice to the other party. If Baird's engagement is terminated by the Issuer, the Issuer agrees to reimburse Baird for its out-of-pocket expenses incurred until the date of termination.

4. Indemnification; Limitation of Liability. The Issuer agrees that neither Baird nor its employees, officers, agents or affiliates shall have any liability to the Issuer for the services provided hereunder except to the extent it is judicially determined that Baird engaged in gross negligence or willful misconduct. In addition, to the extent permitted by applicable law, the Issuer shall indemnify, defend and hold Baird and its employees, officers, agents and affiliates harmless from and against any losses claims, damages and liabilities that arise from or otherwise relate to this Agreement, actions taken or omitted in connection herewith, or the transactions and other matters contemplated hereby, except to the extent such losses, claims, damages or liabilities are judicially determined to be the result of Baird's gross negligence or willful misconduct.

5. Miscellaneous. This letter shall be governed and construed in accordance with the laws of the State of Georgia. This Agreement may not be amended or modified except by means of a written instrument executed by both parties hereto. This Agreement may not be assigned by either party without the prior written consent of the other party.

If there is any aspect of this Agreement that you believe requires further clarification, please do not hesitate to contact us. If the foregoing is consistent with your understanding of our engagement, please sign and return the original letter to me and keep a copy for your records.

Again, we thank you for the opportunity to assist you with your proposed financing and the confidence you have placed in us.

Very truly yours,

ROBERT W. BAIRD & CO. INCORPORATED

By:_____

Managing Director

Accepted this ___ day of April, 2012.

BOARD OF COMMISSIONERS OF BULLOCH COUNTY

By:_____

Title:_____