



Bulloch County Board of Commissioners Regular Meeting

April 2, 2013
Estimated Time: 1 Hour 30 Minutes
North Main Annex Community Room
Statesboro, Georgia
5:30 PM

Meeting Function:	Board of Commissioners	Type of Meeting:	Regular Meeting
Meeting Chair:	Chairman, Garrett Nevil (Presiding)	Recorder:	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; Ted Wynn, Public Safety Director; Dink Butler, Transportation Director; Kirk Tatum, County Engineer; and Randy Newman, Zoning Administrator

General Agenda

ITEM	RESOURCE PERSON/FACILITATOR	TIME	REFER
Call to Order; Welcome Media and Visitors	Chairman Nevil	5:30 PM	
Invocation and Pledge of Allegiance	Vice-Chairman Gibson	5:32 PM	
Roll Call	Clerk of the Board	5:33 PM	
Zoning Agenda and Public Hearings	Zoning Administrator	5:34 PM	P/Z Pkg.
Approval of General Agenda	Chairman Nevil	5:45 PM	
Presentations			
Noise Ordinance	Danielle Blanchard	5:47 PM	Tab A
Paving Assessment	Transportation/Blair Barnhardt	6:00 PM	Tab B
Public Comments	Audience	6:30 PM	
Consent Agenda	Chairman Nevil	6:40 PM	
Approval of Minutes – Regular Meeting held on March 19, 2013	Clerk of the Board		Tab C
Approval of Proxies for Technical Review Committee	County Manager/Legal		Tab D
Approval of a Resolution Authorizing the Execution of a First Amendment to Installment Sale Agreement	Legal		Tab E
Approval to accept the lowest bid for two Ambulances	Public Safety		Tab F
New Business			
Discussion/Action: For approval of a contract for the widening of AJ Riggs Road	Roads & Bridges/Engineering	6:42 PM	Tab G
Commission and Staff Comments	Chairman Nevil, et al.	6:50 PM	
Adjourn	Chairman	7:00 PM	

Additional Information

Background information in Board packets



Bulloch County Departmental Review

Agenda Item:	1	Meeting Date:	April 02, 2013
Application #:	CU2013-007	Application Type:	Conditional Use
Request:	Terry Patray submitted an application requesting a conditional use to allow for a Family Personal Care Home. The property is located at 307 Longwood Drive and will be operated by Wendy Sherriff. Wendy Sherriff will be acting as agent.		
P&Z Recommendation	To approve the request with conditions.		

Applicant:	Terry Patray	Acres in Request:	0.46
Location:	307 Longwood Drive	Existing Lots:	1
Map #:	MS93 000098 000	Current Zoning:	R-25
Future Land Use:	Suburban-Neighborhood		
Directions to Property:	Take Hwy 80 East to Grovelakes. Turn right onto Pretoria Rushing road and Turn right onto Slough Creek Road. Turn left onto Longwood Drive and residence will be on the right.		

Conditional Use Standards	Yes	No	Comment
(1) Is the type of street providing access to the use adequate to serve the proposed conditional use?	X		
(2) Is access into and out of the property adequate to provide for traffic and pedestrian safety, the anticipated volume of traffic flow, and access by emergency vehicles?			
(3) Are public facilities such as schools, EMS, sheriff and fire protection adequate to serve the conditional use?	X		
(4) Are refuse, service, parking and loading areas on the property located or screened to protect other properties in the area from such adverse effects as noise, light, glare or odor?	X		
(5) Will the hours and manner of operation of the conditional use have no adverse effects on other properties in the area?	X		
(6) Will the height, size, or location of the buildings or other structures on the property be compatible with the height, size or location of buildings or other structures on neighboring properties?	X		Using existing residence.
(7) Is the proposed conditional use consistent with the purpose and intent of the zoning ordinance?	X		

LAND USE PLANNING IMPACT

Future Land Use Map: The Bulloch County Joint Comprehensive Plan indicates that the property would be appropriate for suburban-neighborhood.



Bulloch County Departmental Review

Existing Land Use Pattern: There are primarily residential and agricultural uses at adjacent and nearby properties.

Zoning Patterns and Consistency: The proposed change appears to be consistent with the zoning patterns in the nearby area.

Neighborhood Character: There is evidence that the proposed change in use may injure or detract from existing neighborhoods.

Property Values: for adjacent properties may be enhanced by the proposed development provided aesthetics restrictions are placed in private deed covenants, and, if enforcement of County land use and property maintenance regulations is applied. However, failure to enforce any property standards is likely result in stagnant or lower property values.

WATER / SEWER IMPACT

All properties are subject to on-site septic tank installation and a community water system approval as required by the County Health Department. Soil types and proposed lot sizes are compatible and adequate for septic tank installation.

SOLID WASTE IMPACT

None expected.

ENVIRONMENTAL IMPACT

No impact is expected.

FIRE SERVICE

Fire service is available within 3.8 miles (response time 5 minutes) from the Statesboro Fire Department. No additional resources are required.

TRAFFIC IMPACT

The capacity and general condition of the roads accessing the proposed development is good. Longwood Drive is a county maintained paved road.

SCHOOL IMPACT

Minimal impact is expected on existing schools.

PARKING, ROAD AND DRAINAGE IMPACT

The proposed use should not create a significant traffic impact. Currently, all drainage is natural with no known man-made improvements to the existing development other than roadside drainage ditches and culverts. The accessways/driveways to the site should have proper roadside drainage measures.

E-911 AND EMERGENCY MANAGEMENT IMPACT

Street addresses can be easily assigned. The County Emergency Management Director should be contacted prior to construction.

LAW ENFORCEMENT IMPACT



Bulloch County Departmental Review

Response time from Bulloch County Sheriff's Department is approximately 6 minutes. However, depending on patrolling patterns and the location of deputies at a given time, this response may be greater or lesser.

FINAL STAFF RECOMMENDATION

The subject property appears suitable for the proposed development.

The staff recommends approval of the conditional use request.

Participants

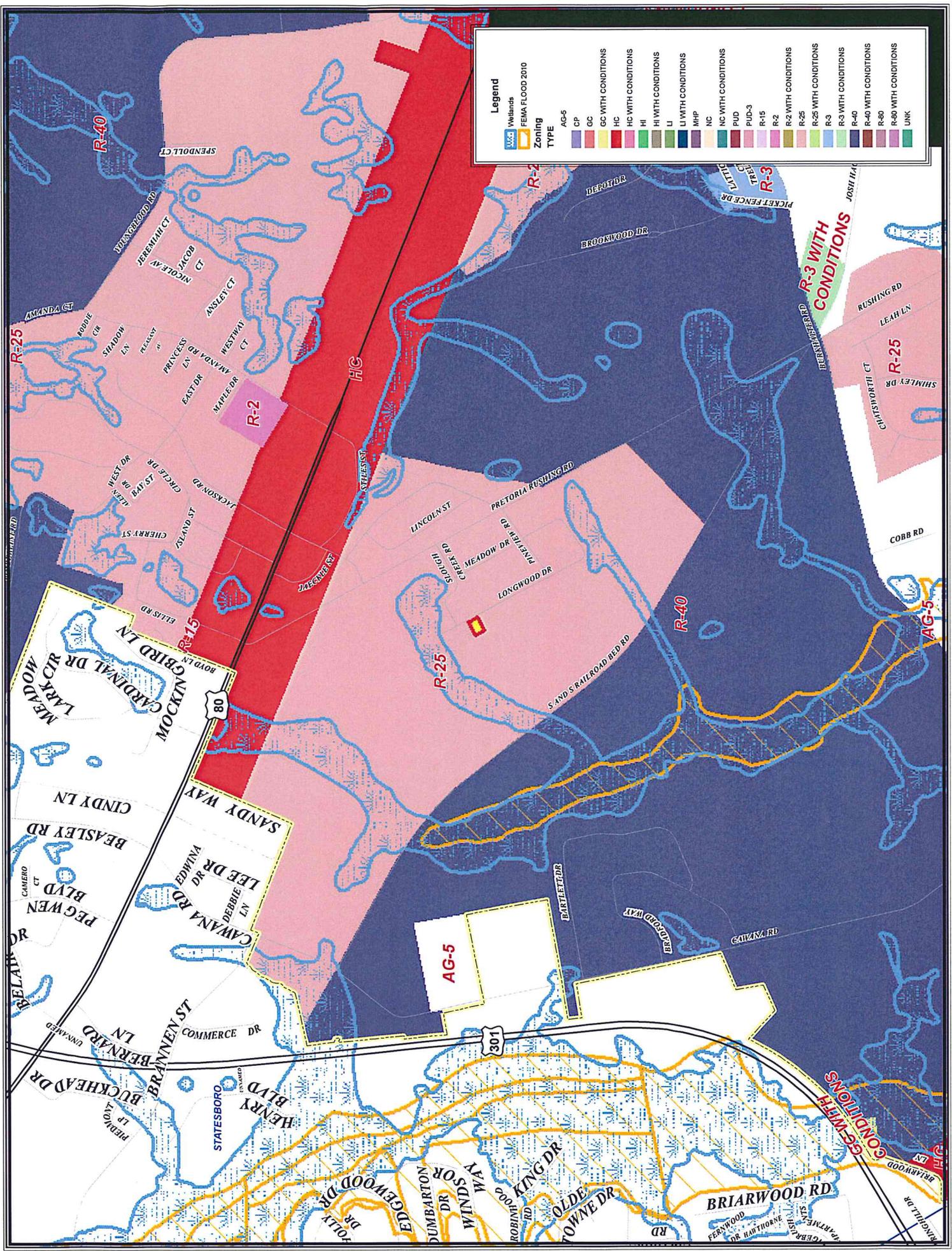
Tom Couch, County Manager; Andy Welch, County Planner; and Kirk Tatum, County Engineer; Randy Newman, Zoning Administrator.

Legend

Wetlands
 FEMA FLOOD 2010

Zoning
 TYPE

AG-5	CP	GC	GC WITH CONDITIONS	HC	HC WITH CONDITIONS	HI	HI WITH CONDITIONS	LI	LI WITH CONDITIONS	MHP	NC	NC WITH CONDITIONS	PUD	PUD-3	R-15	R-2	R-2 WITH CONDITIONS	R-25	R-25 WITH CONDITIONS	R-3	R-3 WITH CONDITIONS	R-40	R-40 WITH CONDITIONS	R-80	R-80 WITH CONDITIONS	UNK
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STATE OF GEORGIA
COUNTY OF BULLOCH

AMENDMENT TO THE CODE OF ORDINANCES OF
BULLOCH COUNTY, GEORGIA

BE IT ORDAINED by the Bulloch County Board of Commissioners that Chapter 10 of the Code of Ordinances of Bulloch County, Georgia is hereby amended by adding a new Article VI to read as follows:

ARTICLE VI. NOISE ORDINANCE

Sec. 10-135. Policy and purpose; applicability.

(a) It is declared to be the public policy and purpose of the county board of commissioners to utilize its police powers to protect and promote the health, safety, and general welfare of the people of this county. The board of commissioners recognizes that its citizens derive numerous economic and personal benefits from the use of devices that emit noises. There are, nonetheless, measurable damages and injuries to the environment and to the public health which may be directly attributable to loud, unnecessary, or unusually disturbing sound or noise which has a detrimental effect on the health and welfare of the citizenry and an individual's right to peaceful and quiet enjoyment. Accordingly, the board of commissioners finds that this ordinance is necessary for the immediate preservation of the peace, health, safety, welfare, and prosperity of the citizens of Bulloch County. However, nothing in this ordinance is intended to deter individuals from lawfully exercising the individual right to freedom of speech or any other freedom guaranteed under the Constitutions of the United States of America or of the State of Georgia.

(b) The provisions of this article shall apply in the unincorporated areas of Bulloch County, Georgia.

Sec. 10-136. Prohibited noises.

(a) It shall be unlawful for any person to make, continue or cause to be made or continued any loud, unnecessary or unusual sound or noise which either disturbs, injures or endangers the comfort, repose, health, peace or safety of a reasonable person, and which is audible to such person from a distance of 100 feet or more from the point of origin of the sound or noise. A reasonable person is defined as a person of ordinary sensibilities with normal hearing ability.

Sec. 10-137. Specific prohibitions.

(a) In addition to the general prohibitions set out above, the following specific acts are declared to be loud, disturbing, and unnecessary noises in violation of this article; provided, however, these enumerations shall not be deemed exclusive:

(1) *Horns, signaling devices.* The sounding of any horn or signaling device on any automobile, motorcycle, or other vehicle on any street or public place except as a danger warning.

(2) *Radios, phonographs and similar devices.* The using, operating, or permitting to be played, used, or operated any radio receiving set, musical instrument, phonograph, tape recorder, compact disc player, or other machine or device for the producing or reproducing of sound in a manner as to disturb the peace, quiet, and comfort of a reasonable person, or at any time with a volume louder than necessary for the convenient hearing of a reasonable person who is in the room, vehicle, chamber, or immediate vicinity in which the machine or device is operated and who is a voluntary listener thereto. The operation of any set, instrument, phonograph, recorder, compact disc player, or other machine or device any day between the hours of 8:00 p.m. and 7:00 a.m. in a manner as to be plainly audible at a distance of 100 feet or more from the building, structure, vehicle, chamber, or immediate vicinity in which it is located shall be prima facie evidence of a violation of this section.

(3) *Yelling, shouting, hooting, whistling, or singing.* Yelling, shouting, hooting, whistling, or singing on the public streets, particularly any day between the hours of 11:00 p.m. and 7:00 a.m. or at any time or place so as to annoy or disturb the quiet, comfort or repose of a reasonable person in any office, dwelling, hotel, or other type of residence or of any reasonable person in the vicinity.

(4) *Steam whistles.* The blowing of any steam whistle attached to any stationary boiler except to give notice of the time to begin or stop work or as a warning of fire or danger upon request of proper county authorities.

(5) *Exhausts.* The discharge into the open air of the exhaust of any steam engine, internal combustion engine or motor boat except through a muffler or other device which will effectively prevent loud or explosive noises therefrom. The use of special or modified standard equipment exhaust devices on automotive vehicles to increase or modify the sound emitted by the exhaust is prohibited.

(6) *Defect in vehicle or load.* The use of any automobile, motorcycle, or vehicle so out of repair, so loaded, or in a manner as to create loud and unnecessary grating, grinding, rattling, or other noise.

(7) *Loading, unloading and opening boxes.* The creation of a loud and excessive noise in connection with loading or unloading any vehicle or the opening and destruction of bales, boxes, crates, and containers.

(8) *Schools, courts, places of worship and hospitals.* The creation of any excessive noise on any street adjacent to any school, institution of learning, place of worship, or court, while in use, or adjacent to any hospital which unreasonably interferes

with the normal operation of that institution, or which disturbs or unduly annoys patients in the hospital.

(9) *Hawkers, peddlers and vendors.* The shouting and crying of peddlers, hawkers, and vendors which disturb the peace and quiet of any reasonable person in the neighborhood.

(10) *Noises to attract attention.* The use of any drum or other instrument or device for the purpose of attracting attention to any performance, show or sale by creation of noise.

(11) *Loudspeakers and amplifiers.* The use of mechanical loudspeakers or amplifiers when used at such an unreasonably loud volume so as to unreasonably disturb a reasonable person in his or her residence, offices, schools, hospitals, churches, or courts. The use of mechanical loudspeakers or amplifiers between the hours of 10:00 p.m. and 7:00 a.m. in a manner as to be plainly audible at a distance of 100 feet or more shall be prima facie evidence of a violation of this section.

(12) *Aircraft.* Noises associated with the takeoffs and landings of aircraft unless such takeoffs and landings take place on an authorized airport or other landing field, heliport or helipad located within a properly zoned district and in accordance with other applicable provisions of the Code of Ordinances of Bulloch County, Georgia.

Sec. 10-138. Exceptions.

(a) Loud, disturbing, and unnecessary noises do not include noise or sound generated by the following:

(1) Cries for emergency assistance and warning calls.

(2) Radios, sirens, horns and bells on any emergency response vehicle.

(3) Activities on or in county and school athletic facilities and on or in publicly owned property and facilities, provided that such activities have been authorized by the owner of such property or facilities or its agent.

(4) Fire alarms and burglar alarms, prior to the giving of notice and a reasonable opportunity for the owner or tenant in possession of the premises served by any such alarm to turn off the alarm.

(5) Religious worship activities, including but not limited to bells and organs, as long as such noise, because of its volume level, duration and character does not annoy, disturb, injure or endanger the comfort, health, peace or safety of a reasonable person of ordinary sensibilities.

(6) Locomotives and other railroad equipment.

(7) Aircraft-related noises associated with aircraft while in flight and while under the jurisdiction of the Federal Aviation Administration or the Department of Defense. Also, aircraft-related noises associated with the takeoffs and landings of aircraft with technical difficulties, in any kind of distress, under emergency orders of air traffic control, or being operated in accordance with a declaration of an emergency under federal air regulations.

(8) The operation of lawn mowers, edgers, trimmers, blowers, power-driven hedge shears, and other domestic power-operated equipment when operated with a properly functioning muffler meeting manufacturer's standards, and when such operation is between the hours of 6:00 a.m. and 10:00 p.m.

(9) Operation of water craft upon any watercourse, lake, river, or swamp when operated in accordance with Georgia laws.

(10) Noise created during the ordinary course of operating lawfully permitted industrial businesses in industrial zoning classifications, or during the ordinary course of operating industrial businesses that have a vested right to continue operating in any other zoning classification. Noise that is not directly related to the industrial component of the business's operation and that otherwise violates this article shall be considered a violation of this article.

(11) Noise created during the ordinary course of operating agricultural operations or facilities that are lawfully permitted in agricultural zoning classifications, or during the ordinary course of operating agricultural operations or facilities that have a vested right to continue operating in any other zoning classification. Noise that is not directly related to the agricultural component of the agricultural operation or facility and that otherwise violates this article shall be considered a violation of this article.

(12) The operation of tow trucks while assisting motorists or towing disabled vehicles.

(13) Noises resulting from activities of a temporary duration (such as but not limited to parades, fireworks displays, and other special events) for which a special permit has been granted pursuant to this article, and which conform to the conditions and limitations stated thereon.

Sec. 10-139. Special permits.

(a) The developmental services division is authorized to issue permits authorizing the conduct of activities otherwise prohibited by this article as follows:

(1) To persons who have applied in writing for such permits, on forms provided for this purpose, at least 21 days prior to the date for which such authorization is requested, and who have paid an administrative fee in accordance with the county's

schedule of fees and charges at the time of submitting their applications. All permits issued shall state all conditions which, in the judgment of the developmental services division, are necessary to minimize the adverse impact of noise activities on residential or other noise-sensitive areas, including but not limited to naming an effective date, time of day, location and use of equipment permitted. In the case of construction activities, no such permit shall be valid for more than 45 consecutive days, provided that the developmental services division is further authorized to renew such permits upon subsequent applications accompanied by a showing that the grounds for issuance still exist. The developmental services division is authorized to issue such permits if the applicant has satisfactorily demonstrated the following:

(A) The activity, operation or noise source will be of a temporary duration, and cannot be conducted in compliance with the provisions of this article and no reasonable alternative is available;

(B) The applicant requires additional time to alter or modify the activity to comply with the provisions of this article, and no reasonable alternative is available; or

(C) The activity is being conducted for a public purpose by, or at the direction of, a governmental entity.

(2) To persons conducting activities in response to an emergency, when the circumstances constituting such emergency have been shown to the reasonable satisfaction of the developmental services division, for a period of time which, in the judgment of the developmental services division, is sufficient to remedy the emergency conditions. Such permits may be issued with an effective date retroactive to the initiation of the activity, and the administrative fee otherwise required may be waived.

Sec. 10-140. Violations.

(a) Any violation of this article shall be punishable in accordance with section 1-11 of this Code.

Adopted at a meeting of the Bulloch County Board of Commissioners held in compliance with Georgia's Open Meetings Act on the 6th day of November, 2007, at which meeting a quorum was present.

BOARD OF COMMISSIONERS OF
BULLOCH COUNTY, GEORGIA

By: J. Garrett Nevil
J. Garrett Nevil, Chairman

Attest: Evelyn H. Wilson
Evelyn H. Wilson, Clerk



BULLOCH COUNTY BOARD OF COMMISSIONERS AGENDA ITEM SUMMARY

DEPARTMENT MAKING REQUEST:	MEETING DATE: 04.02.2013		
Transportation	RESOLUTION ATTACHED?	YES	<input type="checkbox"/>
		NO	<input checked="" type="checkbox"/>

REQUESTED MOTION OR ITEM TITLE:

A presentation will be given by Mr. Blair Barnhardt of The Barnhardt Group to discuss the paving assessment his firm was procured to perform.

SUMMARY/BACKGROUND ATTACH DETAILED SUMMARY:

Mr. Barnhardt will give an oral and video presentation on his results with back up documentation to be issued to Commission and staff at the meeting. He will be recommending alternative paving techniques similar to those presented in a meeting in Portal, but will give more detail and we will allow time for more dialogue.

AGENDA CATEGORY		FINANCIAL IMPACT STATEMENT					
(CHECK ONE)		BUDGETED ITEM?	YES	<input type="checkbox"/>	AMENDMENT OR TRANSFER REQUIRED?	YES	<input type="checkbox"/>
			NO	<input type="checkbox"/>		NO	<input type="checkbox"/>
PRESENTATION	<input checked="" type="checkbox"/>	ATTACH DETAILED ANALYSIS, IF NEEDED:					
PUBLIC HEARING	<input type="checkbox"/>						
CONSENT	<input type="checkbox"/>						
NEW BUSINESS	<input type="checkbox"/>						
UNFINISHED BUSINESS	<input type="checkbox"/>						
OTHER	<input type="checkbox"/>						

AGENDA ITEM REVIEW AND APPROVAL											
DEPARTMENT DIRECTOR		PURCHASING OFFICER		OTHER		COUNTY CLERK		COUNTY STAFF ATTORNEY		COUNTY MANAGER	
YES	<input type="checkbox"/>	YES	<input type="checkbox"/>	YES	<input type="checkbox"/>	YES	<input type="checkbox"/>	YES	<input type="checkbox"/>	YES	<input checked="" type="checkbox"/>
NO	<input type="checkbox"/>	NO	<input type="checkbox"/>	NO	<input type="checkbox"/>	NO	<input type="checkbox"/>	NO	<input type="checkbox"/>	NO	<input type="checkbox"/>
INITIAL		INITIAL		INITIAL		INITIAL		INITIAL		INITIAL <i>MB</i>	
DATE		DATE		DATE		DATE		DATE		DATE <i>3.26.13</i>	

COMMISSION ACTION AND REFERRAL	
APPROVED	DATE TO BE RETURNED TO AGENDA:
DENIED	NOTES:
DEFERRED	



Bulloch County Pavement Evaluation 2013



Bulloch County Pavement Evaluation 2013
The Barnhardt Group, 1017 Ector Dr. NW, Kennesaw, GA, 30152
404-316-9792 www.thebarnhardtgroup.com
blair@thebarnhardtgroup.com

March 19, 2013
Statesboro, GA

Regular Meeting

The Board of Commissioners met at 8:30 a.m. in the Community Room of the North Main Annex. Chairman Nevil welcomed guests and called the meeting to order. Commissioner Thompson gave the invocation and the pledge of allegiance.

Ms. Christy Strickland, Clerk of the Board, performed the roll call of the commissioners and staff. The following commissioners were present: Chairman Nevil, Commissioner Mosley, Commissioner Ethridge, Commissioners Rushing, Commissioner Thompson and Vice-Chairman Gibson. The following staff were present: County Manager Thomas Couch, County Attorney Jeff Akins, Chief Financial Officer Harry Starling, Transportation Director Dink Butler, Human Resources Director Maggie Fitzgerald, Public Safety Director Ted Wynn, and 911 Addressing Coordinator Shannon Mixon.

After Roll Call, Chairman Nevil asked for amendments or modifications of the General Agenda. Hearing none, Commissioner Ethridge offered a motion to approve the General Agenda as presented. Commissioner Rushing seconded the motion, and it carried unanimously with Commissioner Gibson, Commissioner Thompson, Commissioner Rushing, Commissioner Mosley, and Commissioner Ethridge voting in favor of the motion.

Next, Chairman Nevil called on Public Safety Director Ted Wynn for a presentation concerning 911 addressing in Bulloch County. Mr. Wynn gave a PowerPoint presentation on issues and concerns about structures not being properly marked and the inconsistency with road names throughout the county. He stated this can be the difference between life and death. Mr. Wynn stated there is not a quick resolution to the problem but would like to adopt an ordinance so that if a structure is not properly marked where it can be seen by Public Safety Vehicles then they would be cited and taken to Magistrate Court. He asked if it was agreed on by the Commissioners he would like to meet with County Attorney Jeff Akins and County Manager Tom Couch and bring back a proposal with the changes to the ordinance. County Manager Tom Couch thanked the Public Safety Department for a well put together presentation. The

Commissioners stated they would like to see an Ordinance brought back for them to review.

Next, Chairman Nevil called on Coastal Regional Commission Director Allen Burns for a presentation concerning Aging Programs. Mr. Burns stated they are in the midst of sequestration which they would like to speak about. He also stated the federal funds would be running out at the end of the month, and he is hoping for a compromise, but there are still two (2) weeks left in the month. Mr. Burns stated the majority of their funding is from local dues which consists of ten (10) counties and is approximately \$640,000, which is matched by federal fund for an annual budget of approximately \$16 million. He believes there are going to be some issues at the federal level and sequestration is a good indication on what is to come. Mr. Burns stated they are broken into four (4) area: Planning, Transit, Economic and Aging Services in which the only area that is going to have a tremendous impact is the Aging Services. He called on Director of Area Agency on Aging (AAA) Ms. Dion Lovett to explain more about the situation. She gave a background on AAA and stated they contract out with different services for meals, benefit counseling, grooming, etc. Ms. Dion stated one of the big services they offer is "Money Follows"; this is a program transitioning a person from an Institution to a home. She stated the person is allowed up to \$30,000 for a year which is used to help them with a variety of different services. Ms. Dion stated Bulloch County has an AAA Advisory Board which helps keeps up with the needs and issues going on within the Community; the Board consists of three (3) member: Pearl Brown, Margie Peavey-Shuman, and Dr. Roger Branch. She stated that across the region they are going to lose \$463,000 in funds for population and in Sequestration they are losing and additional \$210,000. Ms. Dion stated they are working diligently to make sure they can maintain as many services as possible. She stated Bulloch County's budget is currently \$106,000 most of which goes to Concerted Services and Nightingale Services which provide services to the seniors. She stated next year it will reduce to \$94,000 which will reduce many services. Ms. Dion stated she is not present to ask for money, but she just wanted to give an update on what is going on and thank everyone for their support.

Next, Chairman Nevil asked for public comments from the audience at large or in writing. There was no one present for public comments and nothing had been submitted in writing.

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 Workshop held on February 28, 2013 and Regular Meeting held on March 5, 2013; (2) To approve an amendment to the Personnel Policy Employee Handbook (See Exhibit # 2013-025); (3) To approve the appointment of Laura Hendley to the Statesboro Library Regional Board. Commissioner Mosley offered a motion to approve the Consent Agenda as presented. Commissioner Ethridge seconded the motion, and it carried unanimously with Commissioner Gibson, Commissioner Thompson, Commissioner Rushing, Commissioner Mosley, and Commissioner Ethridge voting in favor of the motion.

Without any items of Old Business Chairman Nevil stated the first item under New Business was for Discussion/Action to approve a county contract with the Department of Transportation (DOT) for the widening of AJ Riggs Road. Chairman Nevil called on County Manager Tom Couch to initiate discussion. Mr. Couch stated the road work began two (2) years ago with a commitment from the DOT for \$1.4 million dollars for road work in Gateway Industrial Park, and there is a balance of \$700,000 which DOT has given the County an opportunity to use. He also stated that there is a \$1.3 million grant from the Economic Development Administration (EDA) that is to be used for this AJ Riggs Project. Mr. Couch stated they would like to execute the contract and use the DOT money for the widening of A.J. Riggs Road. He stated that there are still some issues that need to be worked through, but he requested to be able to go forward with the contract. After hearing no further discussion, Commissioner Thompson made a motion to approve the contract with the DOT for widening of AJ Riggs Road in the amount of \$700,000 (See Exhibit # 2013-026) Commissioner Gibson seconded the motion and it carried unanimously with Commissioner Gibson, Commissioner Thompson, Commissioner Rushing, Commissioner Mosley, and Commissioner Ethridge voting in favor of the motion.

Next, Chairman Nevil asked for any general comments or statements from the Commissioners. Commissioner Ethridge, Commissioner Mosley, Commissioner

Rushing, Commissioner Thompson and Commissioner Gibson thanked the Public Safety Department for a wonderful presentation and for all their hard work. Chairman Nevil suggested it would be a great fundraiser for someone to sell address signs.

Next, Chairman Nevil asked for comments from the Staff. County Manager Tom Couch stated at 2:00 P.M. the first Sewer/Water Technical Committee meeting would be held. He also said he hoped to have a workshop soon to update the Board on what had been found by Mr. Barnhart concerning the road paving.

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 Mosley offered a motion to adjourn the meeting. Commissioner Gibson seconded the motion, and it carried unanimously with Commissioner Gibson, Commissioner Thompson, Commissioner Rushing, Commissioner Mosley, and Commissioner Ethridge 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 (Box 2) April 2, 2013							
County Manager/Legal				RESOLUTION ATTACHED? (Box 3)		YES					
				NO	X						
REQUESTED MOTION OR ITEM TITLE (Box 4)											
Approval of Technical Review Committee's Decision Concerning Proxies											
SUMMARY/BACKGROUND ATTACH DETAILED SUMMARY, IF NEEDED (Box 5)											
As you know, the I-16/Highway 301 water and sewer agreement between the City of Statesboro and the County establishes a Technical Review Committee whose members occupy certain positions with the City and County. At its first meeting on March 19, 2013, the Committee voted to allow the County Manager and City Manager to appoint voting proxies for absent members at future meetings, subject to the approval of the respective governing authorities. Approval of this decision 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		INITIAL	
DATE		DATE		DATE		DATE		DATE		DATE	
COMMISSION ACTION AND REFERRAL (Box 9)											
APPROVED		DATE TO BE RETURNED TO AGENDA									
DENIED											
DEFERRED		NOTES									
OTHER											

RESOLUTION OF BULLOCH COUNTY BOARD OF COMMISSIONERS AUTHORIZING
THE EXECUTION OF A FIRST AMENDMENT TO INTALLMENT SALE AGREEMENT

WHEREAS, Bulloch County, Georgia (the "County") and Association County Commissioners of Georgia (the "Seller") entered into that certain Installment Sale Agreement dated December 1, 2008, and recorded in Deed Book 01896, Pages 0015-0053, Bulloch County Records (hereinafter the "Agreement"); and

WHEREAS, by virtue of that certain Assignment and Transfer Agreement dated December 1, 2008, and recorded in Deed Book 01896, Pages 0054-0058, the Seller assigned and transferred all its right, title and interest in the Agreement to Sea Island Bank (the "Lender") without recourse (except for Seller's right to indemnification and attorney's fees and to receive notices); and

WHEREAS, the Agreement provides for installment payments with an amortization schedule based on an interest rate of 6.0% and an amortization period ending December 1, 2023; and

WHEREAS, the Lender has agreed to modify the interest rate to 3.25% in consideration of the County's agreement to pay the Lender a fee of \$22,500, to prepay certain of the installment payments and to reduce the amortization period from December 1, 2023 to June 1, 2020; and

WHEREAS, the County and the Lender propose entering into a First Amendment to Installment Sale Agreement, dated as of April 1, 2013 (the "Amendment") to amend the Agreement to reflect said changes;

NOW, THEREFORE, BE IT RESOLVED, AND IT IS HEREBY RESOLVED by the Board of Commissioners of Bulloch County as follows:

Section 1. Authorization of Amendment. The form, terms and provisions of the Amendment presented at this meeting are hereby approved, and all of the terms and provisions thereof are hereby incorporated herein by this reference as if the Amendment was set out in this Resolution in its entirety. The Chairman and the Clerk are hereby authorized, empowered and directed to execute, acknowledge and deliver the Amendment. The Amendment shall be in substantially the form now before this meeting and hereby approved, or with such changes therein as may be deemed necessary by the persons executing the same to accomplish the purposes of the transactions contemplated therein and in this Resolution. The execution of the Amendment shall constitute conclusive evidence that the Amendment and any and all changes thereto have been approved by the persons executing the same.

Section 2. General Authority. The Chairman and Clerk of the County are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of the Amendment and as may be necessary to carry out the purposes and intents of this Resolution.

Section 3 Actions Ratified, Approved and Confirmed. All acts and doings of the Board of Commissioners, the County Manager, the County Attorney and the officers, employees and agents of the County in conformity with the purposes and intents of this Resolution are hereby ratified, approved and confirmed.

Section 4. Repealing Clause. All resolutions or parts thereof in conflict with the provisions herein contained are, to the extent of such conflict, hereby superseded and repealed.

Section 5. Effective Date. This Resolution shall take effect immediately upon its adoption.

Adopted this 2nd day of April, 2013.

BULLOCH COUNTY, GEORGIA

(SEAL)

By: _____
Chairman

Attest:

By: _____
Clerk

CLERK'S CERTIFICATE

The undersigned Clerk of the Board of Commissioners of Bulloch County, DOES HEREBY CERTIFY that the foregoing pages of typewritten matter pertaining to a First Amendment to Installment Sale Agreement constitute a true and correct copy of the Resolution adopted on April 2, 2013, by the Board of Commissioners in a regular meeting, which was open to the public, and that the original of said Resolution appears of record in the minute book of the Board of Commissioners which is in my custody and control.

WITNESS my hand and the official seal of Bulloch County, Georgia this 2nd day of April, 2013.

(SEAL)

Clerk

After Recording Return to:

Roger E. Murray
Murray Barnes Finister LLP
Suite 1140
3350 Peachtree Road
Atlanta, GA 30326

**Cross reference to Deed Book 01896, Pages 0015-0053;
and to Deed Book 01896, Pages 0054-0058.**

**FIRST AMENDMENT TO
INSTALLMENT SALE AGREEMENT**

This FIRST AMENDMENT TO INSTALLMENT SALE AGREEMENT is dated as of April 1, 2013, and is entered into by and between BULLOCH COUNTY, GEORGIA (hereinafter the "County") and ASSOCIATION COUNTY COMMISSIONERS OF GEORGIA (hereinafter the "Seller").

WITNESSETH

WHEREAS, the County and Seller entered into that certain Installment Sale Agreement dated December 1, 2008, and recorded in Deed Book 01896, Pages 0015-0053, Bulloch County Records (hereinafter the "Agreement"); and

WHEREAS, by virtue of that certain Assignment and Transfer Agreement dated December 1, 2008, and recorded in Deed Book 01896, Pages 0054-0058, the Seller assigned and transferred all its right, title and interest in the Agreement to Sea Island Bank (the "Lender") without recourse (except for Seller's right to indemnification and attorney's fees and to receive notices); and

WHEREAS, the Agreement provides for installment payments with an amortization schedule based on an interest rate of 6.0% and an amortization period ending December 1, 2023; and

WHEREAS, the Lender has agreed to modify the interest rate to 3.25% in consideration of the County's agreement to pay the Lender a fee of \$22,500, to prepay certain of the installment payments and to reduce the amortization period from December 1, 2023 to June 1, 2020; and

WHEREAS, the County and the Seller desire to amend the Agreement to reflect said changes;

NOW THEREFORE, in consideration of the mutual promises, covenants, and obligations set forth herein, the County and the Lender hereby agree as follows:

1. Section 4.3 of the Agreement is hereby amended to read as follows:

Section 4.3. Term of Installment Sale Agreement

The initial term of this Installment Sale Agreement shall commence as of the Closing Date, and shall expire at midnight on December 31, 2008 (the "Initial Term"). The term of this Installment Sale Agreement shall automatically renew for additional and consecutive one-year renewal terms ending on December 31 of each successive year and a final renewal term commencing January 1, 2020 and ending June 1, 2020 (herein referred to individually as the "Renewal Term" and collectively as the "Renewal Terms"). The terms and conditions of this Installment Sale Agreement during any Renewal Term shall be the same as the terms and conditions during the Initial Term, except that the Installment Payments may be different.

The Term of this Installment Sale Agreement will terminate upon the earliest of any one of the following events:

(i) Purchase Option. Upon the exercise by the County of its option to prepay the Purchase Price of the entire Project as provided in Section 4.5 and to terminate the Installment Sale Agreement pursuant to Section 4.7, and the payment of the Purchase Price and any other amounts owing hereunder.

(ii) Payment in Full. Payment in full of the Installment Payments on June 1, 2020.

(iii) By County's Election to Terminate the Installment Sale Agreement Upon Non-appropriation. The occurrence of an Event of Non-appropriation.

The parties intend that this Section 4.3 operate in conformity with, and not in contravention of, the Act. In the event that any provision of this Section 4.3 is determined to conflict with the Act, this Section 4.3 shall be interpreted and implemented in a manner consistent with said statute.

2. Exhibit A to the Agreement shall be amended to read as the Exhibit A attached hereto.

3. All other terms and conditions of the Agreement shall remain of full force and effect and binding on the parties hereto.

IN WITNESS WHEREOF, the County and the Seller have executed this First Amendment to Installment Sale Agreement the day and year first above written.

BULLOCH COUNTY, GEORGIA

By: _____
J. Garrett Nevil, Chairman

(SEAL)

Attest: _____
Christy A. Strickland, Clerk

Signed, sealed and delivered
in the presence of:

Witness

Notary Public

**ASSOCIATION COUNTY COMMISSIONERS
OF GEORGIA**

By: _____
Ross King, Executive Director

Attest: _____
James Grubiak, Assistant Secretary

Signed, sealed and delivered
in the presence of:

Witness

Notary Public

Consented to by:

SEA ISLAND BANK

By: _____

Attest: _____

Signed, sealed and delivered
in the presence of:

Witness

Notary Public

EXHIBIT A

SCHEDULE 1

BASIC TERMS:

INSTALLMENT SALE AMOUNT: \$4,400,000

INTEREST RATE: 3.25% based upon the actual number of days elapsed in a 360-day year.

In the event that a Default or an Event of Default shall occur, the interest shall accrue on the outstanding principal balance and any other amounts owed hereunder at the "Default Rate." The Default Rate is the rate stated above plus 1% per annum.

The County shall pay all accrued interest representing the Supplemental Payments on each June 1 and December 1, provided, however, if such date is not a banking business day, the payment shall be made on the next banking business day, interest shall continue to accrue on the remaining principal balance of the Installment Sale Amount until such payment is received by the Lender, and such payment shall include such additional interest to (but not including) the date such payment is actually received by the Lender.

03/26/2013

SEA ISLAND BANK DIV
1148 BROADWAY
COLUMBUS, GA 31901

Thank you for giving me the opportunity to answer your loan questions.
The following is the amortization of the loan we discussed:

Loan Amount \$ 3,000,000.00
Interest Rate 3.250000%
Loan Date
Payment Method P&I INSTALLMENT

<u>PAYMENT</u> <u>NUMBER</u>	<u>DATE</u>	<u>PAYMENT</u> <u>AMOUNT</u>	<u>INTEREST</u>	<u>PRINCIPAL</u> <u>REDUCTION</u>	<u>NEW</u> <u>BALANCE</u>	<u>DAYS</u>
Pmt	Date	Payment	Interest	Principal	Balance	Days
1	06/01/2013	224787.64	14625.00	210162.64	2789837.36	54
2	12/01/2013	224787.64	46090.44	178697.20	2611140.16	183
***	2013 TOTAL	*449575.28*	*60715.44*	*388859.84*		*237*
3	06/01/2014	224787.64	42902.48	181885.16	2429255.00	182
4	12/01/2014	224787.64	40133.32	184654.32	2244600.68	183
***	2014 TOTAL	*449575.28*	*83035.80*	*366539.48*		*365*
5	06/01/2015	224787.64	36880.03	187907.61	2056693.07	182
6	12/01/2015	224787.64	33978.29	190809.35	1865883.72	183
***	2015 TOTAL	*449575.28*	*70858.32*	*378716.96*		*365*
7	06/01/2016	224787.64	30825.95	193961.69	1671922.03	183
8	12/01/2016	224787.64	27621.55	197166.09	1474755.94	183
***	2016 TOTAL	*449575.28*	*58447.50*	*391127.78*		*366*
9	06/01/2017	224787.64	24231.06	200556.58	1274199.36	182
10	12/01/2017	224787.64	21050.83	203736.81	1070462.55	183
***	2017 TOTAL	*449575.28*	*45281.89*	*404293.39*		*365*
11	06/01/2018	224787.64	17588.30	207199.34	863263.21	182
12	12/01/2018	224787.64	14261.82	210525.82	652737.39	183
***	2018 TOTAL	*449575.28*	*31850.12*	*417725.16*		*365*
13	06/01/2019	224787.64	10724.84	214062.80	438674.59	182
14	12/01/2019	224787.64	7247.27	217540.37	221134.22	183
***	2019 TOTAL	*449575.28*	*17972.11*	*431603.17*		*365*
15	06/01/2020	224787.54	3653.32	221134.22	0.00	183
***	2020 TOTAL	*224787.54*	*3653.32*	*221134.22*		*183*

If you have any questions regarding this amortization schedule or any other service, please call me.

Sincerely,

Dana Evans
SEA ISLAND BANK DIV
912-489-8661



BULLOCH COUNTY BOARD OF COMMISSIONERS AGENDA ITEM SUMMARY

DEPARTMENT MAKING REQUEST: Public Safety	MEETING DATE: 04.02.2013				
	RESOLUTION ATTACHED?				
	<table border="1" style="float: right; border-collapse: collapse;"> <tr> <td style="width: 50px;">YES</td> <td style="width: 20px; text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>NO</td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> </tr> </table>	YES	<input type="checkbox"/>	NO	<input checked="" type="checkbox"/>
YES	<input type="checkbox"/>				
NO	<input checked="" type="checkbox"/>				

REQUESTED MOTION OR ITEM TITLE:

To accept the lowest and most responsible bid from Custom Works of Woodbury, GA for two (2) Ford F-350 ambulances.

SUMMARY/BACKGROUND ATTACH DETAILED:

The Board was previously advised that EMS would require two (2) ambulance replacements which were subsequently bid. The apparent low bidder did not comply with the RFP, and it was rejected for not meeting specifications. Therefore EMS is recommending that we select Custom Works to assemble two ambulances in the amount of \$242,828. Add alternates to fully equip the ambulances with stair-chairs, ventilators and other related emergency medical equipment were rejected because the cost was higher than could be purchased separately.

AGENDA CATEGORY	FINANCIAL IMPACT STATEMENT					
(CHECK ONE)	BUDGETED ITEM?	YES	X	AMENDMENT OR TRANSFER REQUIRED?	YES	
		NO			NO	X
PRESENTATION				ATTACH DETAILED ANALYSIS, IF NEEDED: It should be noted that we intend to draw funds for these SPLOST purchases from the US Bancorp Master Lease capped at \$615,000 and pay it back over a three year term at 0.94% interest. We have previously committed \$304,166 from road equipment procured in January 2013. This would leave a balance to draw from of \$69,006 to which we would procure the aforementioned equipment rejected add alternates at a cost applied to the Master Lease of about \$40,000.		
PUBLIC HEARING						
CONSENT	X					
NEW BUSINESS						
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	<input checked="" type="checkbox"/>
NO		NO		NO		NO		NO		NO	
INITIAL		INITIAL		INITIAL		INITIAL		INITIAL		INITIAL <i>[Signature]</i>	
DATE		DATE		DATE		DATE		DATE		DATE 3.26.13	

COMMISSION ACTION AND REFERRAL	
APPROVED	DATE TO BE RETURNED TO AGENDA:
DENIED	NOTES:
DEFERRED	

MEMORANDUM

Date: March 15, 2013
To: Mr. Tom Couch
From: Kenneth Trapnell Kenneth Trapnell
Subject: EMS Ambulance Proposal Report

Sealed bids were opened at the North Main Annex on March 15, 2013 at 3:00 P.M. for two (2) ambulances to be used by Bulloch County EMS. The Bulloch County solicitation was an RFP and not an IFB. Bid results are as follows.
Eight (8) Request for Proposals were sent out and bids were received from four (4) bidders on the ambulance.
The bid was posted on GLGA Market Place posting beginning on February 22, 2013.
The bid was also advertised on bullochcounty.net beginning on February 22, 2013.
The following bids received do not include the add alternates.

Bids received are for two (2) ambulances:

VENDOR	DELIVERY DATE	BID PRICE (for 2 ambulances)	COMPLY (w/RFP)
Taylor Made Ambulances Newport, AR. 72112	90 Working Days	\$235,302.00	NO
Custom Truck & Body Works Woodbury, GA.	90-120 Days	\$242,828.00	YES
Peach State Ambulance, Inc. Tyrone, GA.	180 Days	\$261,185.00	YES
Emergency Vehicle Sales Elberton, GA.	120 Days	\$267,112.00	NO

The bids received are being evaluated by Doug Vickers at the present time.
The proposal evaluation score tabulation sheet was given and e-mailed to Doug Vickers.
Please let me know if I need to do more.

Ambulance Purchase

<u>Name</u>		<u>Chassis Delivery</u>	<u>Delivery to EMS</u>
<u>Custom Works</u>	\$ 121,414.00	5/15/2013	9/15/2013
<u>Peach State</u>	\$ 130,929.00	4/15/2013	10/15/2013

<u>Ambulance Bid</u>	<u>Per Unit</u>	<u>Budgeted</u>	<u>Difference</u>	<u>x 2</u>
Custom Works	\$ 121,414.00	\$ 141,000.00	\$ 19,586.00	\$ 39,172.00
Peachstate	\$ 130,929.00	\$ 141,000.00	\$ 10,071.00	\$ 20,142.00
	<u>\$ 9,515.00</u>			

BCEMS Equipment Request

<u>Description</u>	<u>Price Per Unit</u>	<u>Units</u>	<u>Ext. Price</u>
EZ-IO Kit (4)	\$ 2,954.93	1	\$ 2,954.93
Ferno #40 Stairchair	\$ 735.00	4	\$ 2,940.00
KingVision Larygoscope	\$ 1,072.79	8	\$ 8,582.32
Auto Vent 3000	\$ 2,975.00	5	\$ 14,875.00
Panasonic Cf-19 Computer	\$ 3,249.00	2	\$ 6,498.00
Golf Cart Upgrade	\$ 2,500.00	1	\$ 2,500.00
			<u>\$ 38,350.25</u>

12 Lead Cardiac Monitor

	<u>Price Per Unit</u>	<u>Lease Per Unit</u>	<u># Requested</u>	<u>Ext. Lease</u>
LP15 Cardia Monitor	\$ 31,527.48	\$ 525.46	8	\$ 4,203.66
Lucas Chest Compression System	\$ 15,431.00	\$ 257.18	2	\$ 514.37
		\$ 782.64		<u>\$ 4,718.03</u>

**BULLOCH COUNTY BOARD OF COMMISSIONERS
AGENDA ITEM SUMMARY**

DEPARTMENT MAKING REQUEST (Box 1) <i>Roads and Bridges and Engineering</i>	MEETING DATE (Box 2) <i>April 2, 2013</i>		
	RESOLUTION ATTACHED? (Box 3)	YES	NO
			X

REQUESTED MOTION OR ITEM TITLE (Box 4)

Request that the Board approve a contract with Ellis Wood Contracting in the amount of \$1,597,894.35 for widening A.J. Riggs Road. The bid report is attached.

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

The county has several grants to help with the cost of this project.

AGENDA CATEGORY (CHECK ONE) (Box 6)		FINANCIAL IMPACT STATEMENT (Box 7)				
PRESENTATION (6a)		BUDGETED ITEM? (7a)	YES	X	AMENDMENT REQUIRED? (7b)	YES
			NO			NO
PUBLIC HEARING (6b)		ATTACH DETAILED ANALYSIS, IF NEEDED (7c) <i>See attached bid tabulation.</i>				
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	X	YES		YES		YES		YES		YES	
NO		NO		NO		NO		NO		NO	
INITIAL		INITIAL		INITIAL		INITIAL		INITIAL		INITIAL	
DATE 03/25/2013		DATE		DATE		DATE		DATE		DATE	

COMMISSION ACTION AND REFERRAL (Box 9)	
APPROVED	DATE TO BE RETURNED TO AGENDA
DENIED	
DEFERRED	NOTES
OTHER	

BIDDER'S LIST

BID OPENING

WIDENING AND ROAD IMPROVEMENTS A.J. RIGGS ROAD BULLOCH COUNTY, GEORGIA

MARCH 21, 2013
11:00 A.M.

BIDDER	BID BOND	BASE BID
✓ Ellis Wood Contracting, Inc.	10%	\$ 1,597,894 ³⁵
Y-Delta, Inc.		
✓ R.B. Baker Construction	10%	\$ 1,649,358 ³⁷
Everett Dykes Grassing Co., Inc.		
✓ McLendon Enterprises, Inc.	10%	\$ 1,746,536 ⁸⁶
PSC		
✓ Sikes Brothers, Inc.	10%	\$ 1,668,855 ⁵⁰
✓ Mill Creek Construction	10%	\$ 1,648,956 ⁶⁰
✓ McCoy Grading, Inc.	10%	\$ 1,769,893 ⁹⁵
Benjamin Cranford, Inc.		