Tuesday, May 6, 2014
MACON-BIBB COUNTY PRE-COMMISSION MEETING

5:00 P.M.
Government Center
Large Conference Room

1. CALL TO ORDER

Subject  A. Mayor Robert A. B. Reichert
Meeting  May 6, 2014 - MACON-BIBB COUNTY PRE-COMMISSION MEETING
Category 1. CALL TO ORDER
Access  Public
Type  Procedural

2. NEW BUSINESS

Subject  A. A Resolution to amend projects to be funded from proceeds of the Series 2013 A and B and to authorize the execution and delivery of an amendment to the Intergovernmental Contract between MBCUDA and Bibb County dated July 30, 2013 relating to the issuance of bonds
Meeting  May 6, 2014 - MACON-BIBB COUNTY PRE-COMMISSION MEETING
Category 2. NEW BUSINESS
Access  Public
Type  Action
Recommended  Approval of the Committee of the Whole
Action

3. REVIEW AGENDA FOR TONIGHT'S COMMISSION MEETING

4. EXECUTIVE SESSION

Subject  A. Pending Litigation
Meeting  May 6, 2014 - MACON-BIBB COUNTY PRE-COMMISSION MEETING
Category 4. EXECUTIVE SESSION
Access  Public
Type

5. ADJOURNMENT
Tuesday, May 6, 2014
MACON-BIBB COUNTY COMMISSION REGULAR MEETING

6:00 P.M.
Government Center
Commission Chamber

1. CALL TO ORDER

Subject  A. Mayor Robert A. B. Reichert
Meeting  May 6, 2014 - MACON-BIBB COUNTY COMMISSION REGULAR MEETING
Category 1. CALL TO ORDER
Access  Public
Type  Procedural

2. PRAYER

3. PLEDGE OF ALLEGIANCE

4. APPROVAL OF MINUTES

Subject  A. Pre-Commission Minutes of April 16, 2014
Meeting  May 6, 2014 - MACON-BIBB COUNTY COMMISSION REGULAR MEETING
Category 4. APPROVAL OF MINUTES
Access  Public
Type  Minutes

File Attachments
4-16-2014 Pre-Commission Meeting.pdf (133 KB)

Subject  B. Regular Commission Minutes of April 16, 2014
Meeting  May 6, 2014 - MACON-BIBB COUNTY COMMISSION REGULAR MEETING
Category 4. APPROVAL OF MINUTES
Access  Public
Type  Minutes

File Attachments
4-16-2014 Regular Commission Meeting.pdf (282 KB)

5. INVITED GUESTS
A. Georgia Municipal Association (GMA) and State Representative Allen Peake
Meeting: May 6, 2014 - MACON-BIBB COUNTY COMMISSION REGULAR MEETING
Category: 5. INVITED GUESTS
Access: Public
Type: Presentation

B. Recognition of Bibb County’s Star Student
Meeting: May 6, 2014 - MACON-BIBB COUNTY COMMISSION REGULAR MEETING
Category: 5. INVITED GUESTS
Access: Public
Type: Recognition

C. Declaring May as "Foster Parents" Month
Meeting: May 6, 2014 - MACON-BIBB COUNTY COMMISSION REGULAR MEETING
Category: 5. INVITED GUESTS
Access: Public
Type: Recognition

D. Bibb County Retirees
Meeting: May 6, 2014 - MACON-BIBB COUNTY COMMISSION REGULAR MEETING
Category: 5. INVITED GUESTS
Access: Public
Type: Presentation

6. PUBLIC COMMENTS ON AGENDA ITEMS
7. REPORTS FROM COMMITTEES AND DEPARTMENTS

A. Operations and Finance Committee
Meeting: May 6, 2014 - MACON-BIBB COUNTY COMMISSION REGULAR MEETING
Category: 7. REPORTS FROM COMMITTEES AND DEPARTMENTS
Access: Public
Type: Report

B. Economic and Community Development Committee
Meeting: May 6, 2014 - MACON-BIBB COUNTY COMMISSION REGULAR MEETING
Category: 7. REPORTS FROM COMMITTEES AND DEPARTMENTS
Access: Public
Type: Report

C. Public Safety Committee
Meeting: May 6, 2014 - MACON-BIBB COUNTY COMMISSION REGULAR MEETING
8. CONSENT AGENDA

Subject: A. Resolution recognizing Bibb County Retirees
Meeting: May 6, 2014 - MACON-BIBB COUNTY COMMISSION REGULAR MEETING
Category: 8. CONSENT AGENDA
Access: Public
Type: Action (Consent)
Recommended Action: Commission Approval

File Attachments
Bibb County Retirees.pdf (516 KB)

9. OLD BUSINESS

Subject: A. A Resolution to adopt the Economic and Community Development CDBG and Home proposed budget for FY 2015
Meeting: May 6, 2014 - MACON-BIBB COUNTY COMMISSION REGULAR MEETING
Category: 9. OLD BUSINESS
Access: Public
Type: Action
Recommended Action: Operations and Finance Committee recommends approval

File Attachments
ECD Budget Amend, $300,000.pdf (128 KB)
B. A Resolution to authorize and approve the selection of the Financial Consultant for OPEB and the Master Statement of Investment Policy for OPEB Trust

Meeting: May 6, 2014 - MACON-BIBB COUNTY COMMISSION REGULAR MEETING
Category: 9. OLD BUSINESS
Access: Public
Type: Action
Recommended Action: Operations and Finance Committee recommends approval

File Attachments:
- Independent Portfolio Consultants.pdf (7,655 KB)

C. A Resolution authorizing the continuation and acceptance of the Juvenile Justice Incentive Grant not to exceed $500,000

Meeting: May 6, 2014 - MACON-BIBB COUNTY COMMISSION REGULAR MEETING
Category: 9. OLD BUSINESS
Access: Public
Type: Action
Recommended Action: Operations and Finance Committee recommends approval

File Attachments:
- Juvenile Justice Grant $500,000.pdf (142 KB)

D. A Resolution appointing Commissioner Scotty Shepherd and Commissioner Larry Schlesinger to the General Employees Pension Board

Meeting: May 6, 2014 - MACON-BIBB COUNTY COMMISSION REGULAR MEETING
Category: 9. OLD BUSINESS
Access: Public
Type: Action
Recommended Action: Operations and Finance Committee recommends approval

File Attachments:
- 2014 Reichert Appointing Shepherd and Schlesinger to Macon Gen Employees Pension Committee.pdf (132 KB)

E. A Resolution authorizing the acceptance of an Immigration Compliance Policy

Meeting: May 6, 2014 - MACON-BIBB COUNTY COMMISSION REGULAR MEETING
Category: 9. OLD BUSINESS
Access: Public
Subject: F. Normal Retirement of Grant Faulkner
Meeting: May 6, 2014 - MACON-BIBB COUNTY COMMISSION REGULAR MEETING
Category: 9. OLD BUSINESS
Access: Public
Type: Action
Recommended Action: Operations and Finance Committee recommends approval

Subject: G. Normal Retirement of Cliff Howard
Meeting: May 6, 2014 - MACON-BIBB COUNTY COMMISSION REGULAR MEETING
Category: 9. OLD BUSINESS
Access: Public
Type: Action
Recommended Action: Operations and Finance Committee recommends approval

Subject: H. Use of Commissary Funds at Sheriff's Office
Meeting: May 6, 2014 - MACON-BIBB COUNTY COMMISSION REGULAR MEETING
Category: 9. OLD BUSINESS
Access: Public
Type: Action
Recommended Action: Operations and Finance Committee recommends approval

Subject: I. An Ordinance amending the Macon-Bibb County Code to add provisions applicable to the sale of Growlers
Meeting: May 6, 2014 - MACON-BIBB COUNTY COMMISSION REGULAR MEETING
Category: 9. OLD BUSINESS
Access: Public
Type: Action
Recommended Action: Economic and Community Development Committee recommends approval

File Attachments
- Immigration Compliance Policy.pdf (814 KB)
- Growlers.pdf (142 KB)
Subject: J. A Resolution approving continued participation in the "Heartbeat Incentive Program" whereby Mixed-Use Developments may be granted reduced or eliminated property taxes
Meeting: May 6, 2014 - MACON-BIBB COUNTY COMMISSION REGULAR MEETING
Category: 9. OLD BUSINESS
Access: Public
Type: Action
Recommended Action: Economic and Community Development Committee recommends approval

File Attachments
- Heartbeat Incentive.pdf (169 KB)

Subject: K. An Ordinance to adopt a policy for citizens for the repair of roadways not established as public roads and to establish procedures for creation of Special Tax Districts
Meeting: May 6, 2014 - MACON-BIBB COUNTY COMMISSION REGULAR MEETING
Category: 9. OLD BUSINESS
Access: Public
Type: Action
Recommended Action: Facilities and Engineering Committee recommends approval

File Attachments
- Citizen Repair and Registration of Paved Roadways.pdf (430 KB)

Subject: L. A Resolution to amend projects to be funded from proceeds of the Series 2013 A and B and to authorize the execution and delivery of an amendment to the intergovernmental contract between MBCUDA and Bibb County dated July 30, 2013 relating to the issuance of bonds
Meeting: May 6, 2014 - MACON-BIBB COUNTY COMMISSION REGULAR MEETING
Category: 9. OLD BUSINESS
Access: Public
Type: Action
Recommended Action: Committee of the Whole recommends approval

File Attachments
- 2014 Res to Amend 2013 UDA Bond Projects (v2) 05-01-14 JTD.pdf (165 KB)

10. NEW BUSINESS

Subject: A. A Resolution to sell a portion of New Street Lane consisting of 2,086 Sq. Ft. for $29,204 to adjoining property owner
Subject: B. A Resolution to sell and close alley-Cliett Dr consisting of 18,534 Sq. Ft. to adjoining owner for $18,534

Meeting: May 6, 2014 - MACON-BIBB COUNTY COMMISSION REGULAR MEETING
Category: 10. NEW BUSINESS
Access: Public
Type: Action
Recommended Action: Refer to Operations and Finance Committee

File Attachments
2014 New Street Lane to Macon-Bibb County Hospital Authority.pdf (14 KB)

Subject: C. A Resolution to support Hunt School Partners, L.P. in its application for Low Income Housing Tax Credits to acquire and redevelop the former Henry A. Hunt School Property

Meeting: May 6, 2014 - MACON-BIBB COUNTY COMMISSION REGULAR MEETING
Category: 10. NEW BUSINESS
Access: Public
Type: Action
Recommended Action: Refer to the Economic and Community Development Committee

File Attachments
2014 Hunt School Village Senior Housing Project.pdf (81 KB)

Subject: D. An Ordinance granting a Franchise to Southern Rivers Energy

Meeting: May 6, 2014 - MACON-BIBB COUNTY COMMISSION REGULAR MEETING
Category: 10. NEW BUSINESS
Access: Public
Type: Action
Recommended Action: Refer to the Operations and Finance Committee
Subject: E. A Resolution to authorize and approve a professional consulting agreement with T. Y. Lin International, Inc. for $4,950 for Mid-City Square Conceptual Design Project

Meeting: May 6, 2014 - MACON-BIBB COUNTY COMMISSION REGULAR MEETING

Category: 10. NEW BUSINESS

Access: Public

Type: Action

Recommended Action: Refer to Operations and Finance Committee

File Attachments:
- 2014 Reichert Franchise Ordinance with Southern Rivers Energy.pdf (136 KB)

Subject: F. A Resolution to accept the dedication of the streets and drainage systems located within the streets in Oak Creek Subdivision

Meeting: May 6, 2014 - MACON-BIBB COUNTY COMMISSION REGULAR MEETING

Category: 10. NEW BUSINESS

Access: Public

Type: Action

Recommended Action: Refer to Facilities and Engineering Committee

File Attachments:
- Oak Creek Subdivision.pdf (485 KB)

Subject: G. A Resolution appointing Lauren Benedict as the Post Seven (7) citizen member of the Retirement Committee for Division A of the Macon-Bibb County Pension and Retirement Systems

Meeting: May 6, 2014 - MACON-BIBB COUNTY COMMISSION REGULAR MEETING

Category: 10. NEW BUSINESS

Access: Public

Type: Action

Recommended Action: Refer to Operations and Finance Committee

File Attachments:
- 2014 Reichert appoint Lauren Benedict Macon General Employees Retirement Committee.pdf (11 KB)
Subject: H. A Resolution to rename Haywood Road to Marshall Stenson, Jr. Drive
Meeting: May 6, 2014 - MACON-BIBB COUNTY COMMISSION REGULAR MEETING
Category: 10. NEW BUSINESS
Access: Public
Type: Action
Recommended Action: Refer to Facilities and Engineering Committee

File Attachments
2014 Lucas Renaming of Haywood Road to Marshall Stenson Jr Drive.pdf (88 KB)

Subject: I. A Resolution to support the Benoit Group, LLC., to redevelop the Macon Gardens Property located at 3601 Mercer University Drive
Meeting: May 6, 2014 - MACON-BIBB COUNTY COMMISSION REGULAR MEETING
Category: 10. NEW BUSINESS
Access: Public
Type: Action
Recommended Action: Refer to Operations and Finance Committee

File Attachments
2014 Benoit Group - Support of Macon Gardens Rehabilitation.pdf (80 KB)

Subject: J. A Resolution to authorize and approve the proposed action plan for redevelopment of the Riverside Drive property and Associated Manufactured Gas Plant ("MGP") #2 at a cost of $100,000
Meeting: May 6, 2014 - MACON-BIBB COUNTY COMMISSION REGULAR MEETING
Category: 10. NEW BUSINESS
Access: Public
Type: Action
Recommended Action: Refer to Facilities and Engineering Committee

File Attachments
Riverside Drive Property.pdf (5,904 KB)

Subject: K. Draft Agreement for Workforce Development
Meeting: May 6, 2014 - MACON-BIBB COUNTY COMMISSION REGULAR MEETING
Category: 10. NEW BUSINESS
Access: Public
Type: Action

File Attachments

Recommended Refer to Economic & Community Development Committee Action

11. GENERAL PUBLIC COMMENTS

12. ADJOURNMENT
Tuesday, May 6, 2014
MACON-BIBB COUNTY COMMISSION - MEETING SCHEDULE

5:00 P.M. Pre-Commission Meeting
6:00 P.M. Regular Commission Meeting
Government Center
(Commission Chamber)
MINUTES OF PRE-COMMISSION MEETING  
MACON – BIBB COUNTY COMMISSION  
TUESDAY, APRIL 16, 2014  
5:00 P.M.  
LARGE CONFERENCE ROOM

Commission Members Present:  
Mayor Robert A. B. Reichert  
Commissioner Gary Bechtel  
Commissioner Mallory Jones  
Commissioner Scotty Shepherd  
Commissioner Virgil Watkins

Mayor Pro-Tem Bert Bivins  
Commissioner Ed DeFore  
Commissioner Elaine Lucas  
Commissioner Al Tillman

Commission Members Absent:  
Commissioner Larry Schlesinger

Staff Present:  
Steve Layson, Asst. County Manager  
Judd Drake, County Attorney  
Julie Moore, Assistant to the County Manager  
Janice Ross, Training and Events Coordinator

Charles Coney, Asst. County Manager  
Sheila Thurmond, Clerk of the Commission  
Crystal Jones, Assistant County Attorney

Guests Present:  
Virgil Adams, Adams, Jordan and Herrington  
Adah Roberts

Gene Dunwody, Dunwody and Beeland

News Media Present:  
Jim Gaines – The Telegraph

Mayor Reichert called the Pre-Commissioner meeting to order.

The Mayor reviewed the agenda items for tonight’s Regular Commission Meeting at 6:00 P.M. and stated that all items under New Business would be referred to a committee.

AGENDA ITEMS

CALL TO ORDER

PRAYER

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

A. Pre-Commission Minutes of April 1, 2014

B. Regular Commission Minutes on April 1, 2014

INVITED GUESTS

PUBLIC COMMENTS ON AGENDA ITEMS

REPORTS FROM COMMITTEES AND DEPARTMENTS

A. Operations and Finance Committee
B. Economic and Community Development Committee
C. Public Safety Committee
D. Facilities and Engineering Committee

CONSENT AGENDA

New alcoholic beverage license for Arshaj, LLC located at 3590 Riverside Drive

OLD BUSINESS

A. An Ordinance For Franchise To Tri-County EMC
B. An Ordinance for Franchise to Flint Electric
C. An Ordinance for Franchise to Central Georgia EMC
D. A Resolution of Amendment to and Adoption of OPEB Trust Agreement
E. A Resolution to Authorize and Approve the Selection of Independent Portfolio Consultants
F. An Ordinance To Amend Investment Policy
G. A Resolution to Designate Mauldin and Jenkins as Auditors for Macon-Bibb County for FY2015
H. A Resolution To Approve Supplier for Lighting At Various Recreation Centers
I. An Ordinance To Appropriate Funds to District Attorney for Witness Fees for Trial
J. An Ordinance To Appropriate Funds to Pay the State EPD Fine
K. A Resolution for GEMA Grant for Kits, Manuals, Equipment and Supplies
L. A Resolution for GEMA Grant for Law Enforcement Response Vehicle
M. A Resolution for GEMA Grant for K-9 Unit Goods and Services
N. A Resolution to Execute An Amendment to Contractor Agreement with Rumcreek Enterprises for SPLOST Management Services
O. Confirmation of three Department Heads: Animal Welfare Director, Public Works Director and Small Business Affairs Director

NEW BUSINESS

A. A Resolution to Amend The ECD Budget Supplement Regarding Demolition of 37 Houses

Referred to: Operations and Finance Committee

B. A Resolution Regarding Continuation and Acceptance of the Juvenile Justice Incentive Grant

Referred to: Operations and Finance Committee
C. A Resolution Approving Selection of IPC as Consultant for OPEB Trust and Approving Master Investment Policy for OPEB Trust

Referred to: Operations and Finance Committee

GENERAL PUBLIC COMMENTS

ADJOURNMENT

There being no further business, the meeting was adjourned at 5:46 P.M.

Unanimous approval by Commissioners Gary Bechel, Elaine Lucas, Mallory Jones, III, Scotty Shepherd, Virgil Watkins, Jr., Ed DeFore, and Al Tillman.

__________
Shelia Thurmond, CCC
Clerk of Commission
MINUTES OF REGULAR COMMISSION MEETING
MACON-BIBB COUNTY COMMISSION
April 16, 2014 – 6:00 P.M.
Government Center
(Commission Chamber)

The Regular Commission meeting of the Macon-Bibb County Commission was held on April 16, 2014 at 6:00 P.M. in the Commission Chamber at Government Center.

Commission Members Present:
Mayor Robert A.B. Reichert
Commissioner Gary Bechtel
Commissioner Mallory Jones, III
Commissioner Scotty Shepherd
Commissioner Virgil Watkins

Mayor Pro Tem Bert Bivins, III
Commissioner Ed DeFore
Commissioner Elaine Lucas
Commissioner Al Tillman

Commission Members Absent:
Commissioner Larry Schlesinger

Staff Present:
Judd Drake -- County Attorney
Crystal Jones – Asst. County Attorney
Kevin Barrere – Public Affairs
Trae McCombs, Public Affairs
Ben Hubbard -- Dir. of Human Resources
Julie Moore, Asst. to County Manager
Marvin Land – Public Works

Sheila Thurmond – Clerk of Commission
Steve Layson – Asst. Co. Mgr - Infrastructure
Justin Crum, Public Affairs
Janice Ross – Training & Events Coordinator
Cliff Howard -- Public Works

Guests in Attendance
Dr. Lindsay Holliday
Adah Roberts
Steve Pettis
Rev. James Bumpus

News Media Present
Jim Gaines – The Telegraph
Shonti Tager – FOX 24 WXGA
Charles Richardson, The Telegraph
Ron Wildman – 58 WPGA
Anita Oh – 13 WMAZ

CALL TO ORDER
The meeting was called to order by Mayor Robert A. B. Reichert.

PRAYER
The prayer was rendered by Rev. Evans Brown, Truth Faith Church of God in Christ

PLEDGE OF ALLEGIANCE
APPROVAL OF MINUTES

A. Pre-Commission Meeting on April 1, 2014
B. Regular Commission Meeting on April 1, 2014

ACTION:

On motion of Commissioner Ed DeFore, seconded by Commissioner Gary Bechtel, and carried unanimously, the minutes of the Pre-Commission and Regular Commission meetings held on April 1, 2014 were approved as presented.


INVITED GUESTS

Rev. Evans Brown, Truth Faith Church of God in Christ, was invited to render the prayer for tonight's Regular Commission Meeting.

Loretto Grier Cudjoe Smith, Legislative Chair of the St. Peter Claver Catholic Church Council of Catholic Women.

Ms. Cudjoe-Smith requested that the Commissioners support the Saint Peter Claver Council on Catholic Women's Event entitled "Bring a Child to Church Sunday on May 18, 2014".

PUBLIC COMMENTS ON AGENDA ITEMS

Mr. William A. Fickling, III, addressed the Commission regarding the appointment of the Animal Welfare Director. He requested that a task force be formed to address issues of concern.

REPORTS FROM COMMITTEES AND DEPARTMENTS

Operations and Finance Committee

- Commissioner Gary Bechtel reported that the Operations and Finance Committee met on April 8, 2014. The Committee discussed and recommended adoption of the following items:
  - An Ordinance for a Franchise to Tri-County EMC
  - An Ordinance for a Franchise to Flint Electric
  - An Ordinance for a Franchise to Central Georgia EMC
  - A Resolution of Amendment to OPEB Trust Agreement
  - A Resolution to authorize the selection of Independent Portfolio Consultants
  - An Ordinance to amend the Investment Policy
  - A Resolution to designate Mauldin and Jenkins as Auditors for Macon-Bibb County for FY 2015
  - A Resolution approving Supplier for lighting at various recreation centers
  - An Ordinance appropriating funds to District Attorney for witness fees for trial
- An Ordinance appropriating funds to pay the State EPD fine related to the Walker Road Landfill

Economic and Community Development Committee

- In the absence of Committee Chairman Schlesinger, Commissioner Tillman reported that the Economic and Community Development Committee met on Tuesday, April 8, 2014.

- For information only, the Committee heard the following presentations:
  - The Academy for Classical Education, a Charter School that will be opening in Macon-Bibb County in August 2014.
  - Macon Charter Academy, a Charter School that will be opening in Macon-Bibb County in August 2014.
  - A report on the current programs and plans for the future of the Senior Citizens Center by Recreation staff. There was discussion and suggestion of a resolution for a new or renovated building for Senior Citizens. It was requested that the matter be placed on the next agenda for a more in-depth discussion.
  - The John Drew Tennis Center building design. It was requested that information related to fees and economic impact be provided at the next meeting.

- The Committee had on the agenda an update on the Eisenhower Community Improvement District. The item was not discussed due to the fact that Mark Stevens had to leave for another meeting. A handout was provided to each member of the commission for perusal.

- The Committee discussed and recommended adoption of a Resolution for a GEMA grant for manuals, equipment and supplies.

- The Committee discussed and recommended adoption of a Resolution for a GEMA grant for a law enforcement response vehicle.

- The Committee discussed and recommended adoption of a Resolution for a GEMA grant for K-9 Unit goods and services.

Public Safety Committee

- Committee Chairman Scotty Shepherd reported the Public Safety Committee met on Tuesday, April 8, 2014.

- The Committee discussed a Substitute Ordinance to establish the Fire Civil Service System.
• No Formal Action Was Taken.

Facilities and Engineering Committee

- Committee Chairman Al Tillman reported the Facilities and Engineering Committee met on Tuesday, April 8, 2014.

  • The Committee discussed and recommended adoption of Resolution to execute an Amendment to Contractor Agreement with Rum Creek Enterprises for SPLOST Management Services. The services of Len Hindsman, previous Bibb County SPLOST Project Coordinator, ended March 31, 2014.

  • The Committee received an update on the Macon-Bibb County Walker Road Landfill from Larry Dunning of Public Works.

CONSENT AGENDA

A. New 2014 Alcoholic Beverage License for Arshaj LLC Located at 3590 Riverside Drive

ACTION:

On motion of Commissioner Gary Bechtel, seconded by Commissioner Ed DeFore, and carried unanimously, the above stated alcoholic beverage license.


OLD BUSINESS

A. An Ordinance for Franchise to Tri-County EMC

  • Clerk read by caption: An Ordinance Of The Macon-Bibb County Commission Granting A Franchise To Tri-County EMC; And To Provide For Other Lawful Purposes

ACTION:

  • Unanimous approval by Commissioners Bert Bivins, III, Gary Bechtel, Elaine Lucas, Mallory Jones, III, Ed DeFore, Scotty Shepherd, Virgil Watkins, Jr., and Al Tillman.

B. An Ordinance for Franchise to Flint Electric

  • Clerk read by caption: An Ordinance Of The Macon-Bibb County Commission Granting A Franchise To Flint Electric Membership Corporation; And To Provide For Other Lawful Purposes
ACTION:


C. An Ordinance for Franchise to Central Georgia EMC

- Clerk read by caption: An Ordinance Of The Macon-Bibb County Commission Granting A Franchise To Central Georgia Electric Membership Corporation; And To Provide For Other Lawful Purposes

ACTION:


D. A Resolution of Amendment to and Adoption of OPEB Trust Agreement

- Clerk read by caption: A Resolution Of The Macon-Bibb County Commission To Adopt The Amendment To And Restatement Of The Macon-Bibb County Other Post-Employment Benefits Trust Agreement; And For Other Purposes.

ACTION:


E. A Resolution to Authorize and Approve the Selection of Independent Portfolio Consultants

- Clerk read by caption: A Resolution Of The Macon-Bibb County Commission To Authorize And Approve The Selection Of Independent Portfolio Consultants, Inc. (IPC) As The Financial Consultant For General Fund, Enterprise Funds, Special Revenue Funds, Debt Service Funds, Capital Project Funds, Internal Service Funds, And New Funds; And For Other Purposes.

ACTION:


F. An Ordinance To Amend Investment Policy

April 16, 2014
• Clerk read by caption: An Ordinance Of The Macon-Bibb County Commission To Amend The Investment Policy Section For Non-Retirement Assets Of The Financial Policies For Macon-Bibb County By Replacing Said Section In Its Entirety With A New Investment Policy Section For General Fund, Special Revenue Funds, Debt Service Funds, Capital Project Funds, Internal Service Funds, Enterprise Funds, And New Funds; And To Provide For Other Lawful Purposes.

ACTION:


G. A Resolution to Designate Mauldin and Jenkins as Auditors for Macon-Bibb County for FY2015

• Clerk read by caption: A Resolution Of The Macon-Bibb County Commission Designating Mauldin And Jenkins, LLC, As The Official External Auditor For Macon-Bibb County, Georgia For Fiscal Year 2015; And For Other Purposes.

ACTION:


H. A Resolution To Approve Supplier for Lighting At Various Recreation Centers

• Clerk read by caption: A Resolution Of The Macon-Bibb County Commission To Authorize And Approve The Selection Of Energy & Environment, LLC, As The Supplier Of Recreation Center Lighting For Bloomfield Center, Rosa Jackson Community Center, East Macon Park, Frank Johnson Community Center, Memorial Gymnasium, North Macon Park And Freedom Park (Boxing) In The Amount Of One Hundred Ninety-Two Thousand And 00/100 ($192,000.00) To Be Paid From SPLOST Funds; And For Other Purposes.

ACTION:

An Ordinance To Appropriate Funds to District Attorney for Witness Fees for Trial

- Clerk read by caption: An Ordinance of the Macon-Bibb County Commission to Appropriate $10,200 from FY2014 General Fund Budget to District Attorney to Fund Witness Fees for Trial.

**ACTION:**

- **Unanimous approval by Commissioners Bert Bivins, III, Gary Bechtel, Elaine Lucas, Mallory Jones, III, Ed DeFore, Scotty Shepherd, Virgil Watkins, Jr., and Al Tillman.**

I. An Ordinance To Appropriate Funds to Pay the State EPD Fine

- Clerk read by caption: An Ordinance of the Macon-Bibb County Commission to Appropriate $70,000 from the FY2014 Solid Waste Management Fund Balance to the Landfill Division to Pay EPA Fines.

**ACTION:**

- **Unanimous approval by Commissioners Bert Bivins, III, Gary Bechtel, Elaine Lucas, Mallory Jones, III, Ed DeFore, Scotty Shepherd, Virgil Watkins, Jr., and Al Tillman.**

J. A Resolution for GEMA Grant for Kits, Manuals, Equipment and Supplies

- Clerk read by caption: A Resolution Of The Mayor And Macon-Bibb County Commission, Authorizing The Mayor To Execute A Sub grant Agreement In Substantially The Same Form As Attached Hereto As Exhibit “A” For Acceptance Of A Grant Of $4,055.00 From The Georgia Emergency Management Agency For The Purchase Of Various Kits, Manuals, Equipment, And Supplies; And For Other Purposes.

**ACTION:**

- **Unanimous approval by Commissioners Bert Bivins, III, Gary Bechtel, Elaine Lucas, Mallory Jones, III, Ed DeFore, Scotty Shepherd, Virgil Watkins, Jr., and Al Tillman.**

K. A Resolution for GEMA Grant for Law Enforcement Response Vehicle

- Clerk read by caption: A Resolution Of The Mayor And Macon-Bibb County Commission, Authorizing The Mayor To Execute A Sub grant Agreement In Substantially The Same Form As Attached Hereto As Exhibit “A” For Acceptance Of A Grant Of $52,240.00 From The Georgia Emergency Management Agency For The Purchase Of One Law Enforcement Response Vehicle; And For Other Purposes.
ACTION:


L. A Resolution for GEMA Grant for K-9 Unit Goods and Services

- Clerk read by caption: A Resolution Of The Mayor And Macon-Bibb County Commission, Authorizing The Mayor To Execute A Sub grant Agreement In Substantially The Same Form As Attached Hereto As Exhibit “A” For Acceptance Of A Grant Of $3,000.00 From The Georgia Emergency Management Agency For The Purchase Of Various Goods And Services For K-9 Unit; And For Other Purposes.

ACTION:


M. A Resolution to Execute An Amendment to Contractor Agreement with Rumcreek Enterprises for SPLOST Management Services

- Clerk read by caption: A Resolution Of The Mayor And Macon-Bibb County Commission, Authorizing The Mayor To Execute An Amendment To and Restated Independent Contractor Agreement with Rumcreek Enterprises LLC for SPLOST Project Management Services on all City of Macon and Bibb County Projects; and For All Other Purposes.

ACTION:


N. Confirmation of three Department Heads: Animal Welfare Director, Public Works Director and Small Business Affairs Director

- Clerk read by caption: A Resolution Of The Macon-Bibb County Commission Approving And Confirming The Mayor’s Appointment Of Department Heads For Small Business Affairs, Public Works And Animal Welfare; And For Other Purposes.

ACTION:
• Commissioner Jones motioned to remove Sarah Tenon from the list. The motion failed for lack of a second.

• Approval by Commissioners Bert Bivins, III, Gary Bechtel, Elaine Lucas, Ed DeFore, Scotty Shepherd, Virgil Watkins, Jr., and Al Tillman. Commissioner Jones voted No. The vote was 7-1.

Commissioner Tillman expressed concerns regarding Animal Welfare and department heads not answering their telephones.

NEW BUSINESS

A. A Resolution to Amend The ECD Budget Supplement Regarding Demolition of 37 Houses

Referred to: Operations and Finance Committee

B. A Resolution Regarding Continuation and Acceptance of the Juvenile Justice Incentive Grant

Referred to: Operations and Finance Committee

C. A Resolution Approving Selection of IPC as Consultant for OPEB Trust and Approving Master Investment Policy for OPEB Trust

Referred to: Operations and Finance Committee

GENERAL PUBLIC COMMENTS

Mrs. Shirley Adams spoke on the need for street lights on Wilson Road. She stated that because of the dark street crime is an issue. She presented a Petition from the residents of Wilson Road requesting lights be placed on said road.

Dr. Lindsay Holliday -- Dr. Holliday stated that at the MATS meeting, Mayor Reichert announced that he has hired Moreland-Altobelli to create new traffic projections for the southern section of Forest Hill Road nearest Vineville Avenue. Dr. Holliday expressed his concern that Moreland-Altobelli had been hired once again to create new traffic projections for Forest Hill Road. Dr. Holliday provided a handout to the Commission.

POINTS OF PERSONAL PRIVILEGE

Commissioner Lucas stated that she would like to see a Resolution drawn up by the County Attorney for the formation of a Task Force. She continued that many people's feelings had been hurt during the process of hiring a Director of Animal Welfare and her hope is that by forming a task force the healing process could begin.

Commissioner Tillman concurred that there have been a lot of hurt feelings during the process of hiring a Director of Animal Welfare. He believe the piece that is missing is the education of the children and general public on the welfare and health of the pets. He encouraged Animal
Welfare to start an educational program within the school system, both public and private, as soon as possible.

ADJOURNMENT

There being no further business, and on motion by Commissioner Lucas, and seconded by Commissioner Tillman, and carried unanimously, the meeting was adjourned at 6:35 P.M.


Shefia Thurmond, CCC
Clerk of Commission"
A RESOLUTION OF THE MACON-BIBB COUNTY COMMISSION TO RECOGNIZE THE DEDICATED SERVICE AND COMMITMENT OF THIRTY-FOUR RETIRING BIBB COUNTY EMPLOYEES.

WHEREAS, the following 34 individuals faithfully served the citizens of Bibb County with dedication and commitment; and

WHEREAS, during their careers, those same 34 individuals earned the respect, admiration, and gratitude of the citizens of this County as well as the members of this Commission; and

WHEREAS, those 34 individuals have now retired from employment with the Bibb County government; and

WHEREAS, the Macon-Bibb County Commission commends each employee on his/her well-deserved retirement.

NOW, THEREFORE, BE IT RESOLVED by the Macon-Bibb County Commission, and it is hereby so resolved by the authority of the same, that we recognize with heartfelt gratitude the following individuals upon their retirement from employment with Bibb County, Georgia:

Joe O. Allen; Vicki Awtrey; Regina Baker; Karen Barnes; Bert Bivins, III; Alfred Burch; Betty Jean Clark; Jeffery Daniels; James S. Defoe; Jesse D. Griffin; Charles P. Gunnels; Samuel F. Hart, Sr.; Sandra V. Harvey; Helen A. Jackson; Emory Kendrick; David Kinard; Sylvia Lindsey; Judy Wheeler Minshew; Paul D. Osgood; Barry Pierson; Richard L. Royal; William R. Savage; Michael A. Smallwood; Walter Barry Smallwood; Darcy B. Sutton; Leonard Thomas; Willie M. Threatt; Leonard A. Wagner, Jr.; Ronald D. Walker; Alden D. Washington; Barbara B. White; Joseph Willard White; Robert L. White; and George C. Williams.

IT IS FURTHER RESOLVED that the Public Affairs Officer is directed to prepare personalized resolutions on behalf of each of the individuals named above. Each individual is also to receive a gold, Pulsar watch as a token of the Macon-Bibb County Commission’s appreciation for their years of tireless and dedicated service to this community.
SO RESOLVED this ___ day of __________, 2014.

ROBERT A. B. REICHERT, MAYOR

ATTEST: ________________________________
Clerk of the Commission
A RESOLUTION OF THE MACON-BIBB COUNTY COMMISSION TO AMEND THE ECONOMIC AND COMMUNITY DEVELOPMENT BUDGET SUPPLEMENT REGARDING DEMOLITION, BY PROVIDING $300,000.00 IN ADDITIONAL FUNDING SO THAT DEMOLITION WORK FOR 37 HOUSES MAY BE SUBMITTED VIA THE BID PROCESS AND REQUESTS FOR PROPOSALS RECEIVED FROM INDEPENDENT CONTRACTORS; AND FOR OTHER PURPOSES.

WHEREAS, Macon-Bibb County has several distressed communities in which blight is prevalent resulting in diminished property values; and

WHEREAS, these blighted areas result in communities that are unsafe and hazardous to the public; and

WHEREAS, there are hundreds of structures that have been condemned by Economic and Community Development as they were visual eyesores, and a danger to the public; and

WHEREAS, said properties require extra resources due to issues such as neglect, fire damage and vandalism; yet the properties fail to generate tax revenue for Macon-Bibb County; and

WHEREAS, the demolition of these condemned properties is the sole viable option to decrease the prevalence of blight in our community; and

WHEREAS, Economic and Community Development currently have thirty-seven (37) homes on which remediation has been completed and said homes are currently ready for demolition as seen in the attached Exhibit “A”; and

WHEREAS, due to budgetary constraints and other reasons, the expeditious demolition of these remediated properties is not possible if demolition remains limited to the demolition services provided by Public Works; and

WHEREAS, granting an additional three hundred thousand dollars ($300,000.00) in funding to Economic and Community Development’s budget supplement will allow them to
prepare bid requests and accept requests for proposal (RFP) so that private companies may
demolish these particular properties in a more expeditious manner; and

WHEREAS, the removal of these remediated properties will benefit and promote the
health, safety, morals and welfare of the citizens of the Macon-Bibb County.

NOW, THEREFORE, BE IT RESOLVED by the Macon-Bibb County Commission,
and it is hereby so resolved by the authority of the same that an additional three hundred
thousand dollars ($300,000.00) shall be provided as a budget supplement to Macon-Bibb County
Economic and Community Development for the purpose of submitting the demolition the
properties designated in the attached Exhibit “A” for bid through the bidding process with the
assistance of the Procurement Department, and paying for said demolitions.

SO RESOLVED this _____ day of ________________, 2014.

______________________________
ROBERT A. B. REICHERT, MAYOR

ATTEST:
SHEILA THURMOND, CLERK OF COMMISSION
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<tr>
<td>1490</td>
<td>Williamson Road</td>
</tr>
<tr>
<td>1488</td>
<td>Wise Avenue</td>
</tr>
</tbody>
</table>
A RESOLUTION OF THE MACON-BIBB COUNTY COMMISSION, AS THE
BOARD OF TRUSTEES FOR THE MACON-BIBB COUNTY OTHER POST
EMPLOYMENT BENEFITS TRUST, TO AUTHORIZE AND APPROVE THE
SELECTION OF INDEPENDENT PORTFOLIO CONSULTANTS, INC. (IPC) AS
THE FINANCIAL CONSULTANT FOR OTHER POST-EMPLOYMENT
BENEFITS (OPEB) FUND ASSETS AND TO APPROVE AND ADOPT THE
MASTER STATEMENT OF INVESTMENT POLICY (MSOP) FOR THE
MACON-BIBB COUNTY OPEB TRUST; AND FOR OTHER PURPOSES

NOW, THEREFORE, BE IT RESOLVED by the Macon-Bibb County
Commission, and it is hereby so resolved by the authority of the same that the Macon-
Bibb County Commission does hereby authorize and approve the selection of
Independent Portfolio Consultants, Inc. (IPC) as the financial consultant for Other Post-
Employment Benefits (OPEB) fund assets.

BE IT FURTHER RESOLVED that the Master Statement of Investment Policy
(MSOP) for the Macon-Bibb County Other Post-Employment Benefits, a copy of which
is attached hereto and incorporated herein by reference, is hereby approved and adopted.

BE IT FURTHER RESOLVED that the Director of Finance and County
Manager shall be authorized to take any and all actions necessary to effectuate the
selection of Independent Portfolio Consultants, Inc. (IPC) as the financial consultant for
Other Post-Employment Benefits (OPEB) fund assets.

SO RESOLVED this _____ day of __________________, 2014.

____________________
ROBERT A. B. REICHERT, MAYOR

ATTEST:

____________________
SHELIA THURMOND, CLERK OF COMMISSION
Master Statement of Investment Policy (MSOP)

for

Macon - Bibb County
Other Post-Employment Benefits (OPEB)

April 2014
Master Statement of Investment Policy

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II. Introduction

Purpose of this Master Statement of Investment Policy

The purpose of this Master Statement of Investment Policy ("MSOP") is: 1) to establish a clear understanding of the Trust's purpose, investment philosophy and investment goals which the Macon–Bibb County Commission, as the Board of Trustees of the Macon–Bibb County Other Post-Employment Benefits Trust, ("MBCC") and their designated representative(s) judge to be appropriate and prudent for the management of the Trust Assets, in consideration of the needs of the Trust's participants and beneficiaries and in compliance with the Public Retirement Systems Investment Authority Law, O.C.G.A. 47-20-80 et seq. and, 2) to provide asset allocation and Investment Manager implementation guidelines that are most suitable to meet those goals. It is designed to be the basis for all future investment decisions and serves the following purposes:

- Establish reasonable expectations and guidelines for the investment of the portfolio's assets;
- Define permitted asset classes and allocation among the asset classes;
- Create a framework and process for selecting suitable asset classes and investment managers;
- Create a mechanism for measuring and tracking portfolio performance against relevant benchmarks or other criteria;
- Define standards for making ongoing adjustments based on changing market conditions, needs and/or changing circumstances;
- Define responsibilities for administrative support and communication for all interested entities.

These policies will be reviewed by the MBCC and its designated representative(s) periodically and revised as necessary to ensure they adequately reflect the current financial requirements of the Trust and the capital markets.

Definitions
1. Macon–Bibb County Commission refers to the persons governing the Trust established to administer and manage the assets of the Trust in compliance with the Public Retirement Systems Investment...
Authority Law, O.C.G.A. 47-20-80 et seq.

2. "Investment Fiduciary" means any person, or group of persons who performs any of the following functions:
   (a) Exercises any discretionary authority or control in the investment of the Trust’s assets;
   (b) Has acknowledged in writing that the firm is an Investment Fiduciary with respect to the assets of the Trust.
Master Statement of Investment Policy

Investment Objectives

MBCC recognize the following factors in establishing investment objectives:

- The MSOP is primarily designed to measure the overall long-term results of the Trust through the effectiveness of the manager and style selection correlations in achieving the overall expected returns that are also in line with the risk objectives and investment parameters established in the MSOP. To that end, achieving the overall results of the total Trust are more important than the Individual Manager selections and style results in assessing the top three investment objectives for the Trust;

- Various managers, and style segments, of the market's cycle in and out of favor over a completed market cycle and the objective is not to time the market or style segments by making such bets, but to coordinate an overall investment plan that meets the Trust's overall objectives and reduces the risk associated with market and style segment timing;

- Since the overall results of the manager and style correlations are the primary focus of the performance measurement and benchmark objectives, then the Individual Managers and style selection benchmark considerations are secondary to the overall objectives and performance expectations for the Trust.

The MSOP is designed to meet the following objectives:

- Provide coordination and efficiency with investable assets;

- Meet or exceed the benchmarks established for the combined portfolio and each manager over a complete market cycle;

- Meet or exceed the investment return objectives contained in the actuarial assumptions;

- Preserve and grow principal to combat the effects of inflation and to grow assets to meet future needs of the Trust, over a complete market cycle;

- Mitigate risk through prudent and proper company, sector, and asset diversification;

- Create a mechanism for measuring and tracking portfolio performance against the appropriate benchmarks;

- Serve as a reference tool, an operating code, and a communications link between the MBCC, consultants, Investment Managers, custodian and other professional advisers.

The top three investment objectives are:

1. **Long Term Growth of Capital** while avoiding excessive risk to grow the Trust assets to cover future benefit payments and expenses;

2. **Income and Growth** to achieve a balanced return of current income and modest growth of principal;

3. **Average, annual, nominal return of 6.0%**, the actuarial assumed rate of return
Master Statement of Investment Policy

The investment time horizon will be considered long term, incorporating a full economic cycle of both economic expansions and recessionary periods. A minimum time horizon is 10 years.

This MSOP is intended to be a summary of an investment philosophy that provides guidance to the MBCC. It is understood that there can be no guarantees about the attainment of goals or investment objectives outlined here.
III. Information about OPEB and this Trust

Macon – Bibb County Commission  
700 Ponder St.  
Macon, GA 31201  
Phone:  
(478) 751-7400  
Email: contact@maconbibb.us

Primary Contacts  
Christy Iuliucci, Finance Director  
Email: Ciliuliucci@maconbibb.us  
Dale M. Walker, County Manager  
Email: Dwalker@maconbibb.us

Portfolio Value  
$23,774,140 million (Market value 12/31/2013)

Purpose and Scope of the Trust  
The Trust currently has 302 participants receiving benefits. It is to be used for the accumulation and investment of funds solely for the purpose of funding tax-exempt health care under the plan for eligible Retirees and their Spouses and Dependents. An investment portfolio is maintained to invest employer contributions and to reinvest income. The Trust is financed by employer contributions and is actuarially determined. The Trust was established March 19, 2008. The plan is currently underfunded with a ratio of 28.1%.

The valuation indicates that the Annual Required Contribution (ARC) under GASB Statement 45 is 22.16% of active member payroll for the fiscal year ending June 30, 2013. The Trust was closed to new entrants effective May 1, 2011. Therefore, there has been a switch to a level dollar closed 30-year period amortization of the unfunded accrued liability.

Governance  
The Trust is administered and managed by the Macon – Bibb County Commission consisting of the Mayor and nine (9) commissioners.

Time Horizon and Risk Tolerance  
The investment time horizon will be considered long term, incorporating a full economic cycle of both economic expansions and recessionary periods. Minimum time horizon is 10 years. The risk tolerance is moderately aggressive; willing to assume an above average amount of market risk/volatility or loss of principal to achieve higher returns, given the objectives. (i.e. a 50/50 equity/fixed income range would be translated as “average or moderate risk” and “moderately aggressive” risk tolerance would translate to an 60/40 equity/fixed income.

Consultant and Custodian  
The Trust is utilizing Independent Portfolio Consultants, Inc.’s (“IPC’s”) business model of a “manager of managers” approach to investment consulting that incorporates services offered under the Independent Managed Assets Program (“IMAP”). The specific services provided are outlined in this document. First Clearing Corporation, a subsidiary of Wells Fargo Bank, serves as
Master Statement of Investment Policy

custodian.

Tax and Regulatory Status

As a governmental plan, the Trust is subject to the applicable provisions of the Internal Revenue Code of 1986, as amended, and the Public Retirement Systems Investment Authority Law, O.C.G.A. 47-20-80 et seq. for investment of Trust assets and amendments thereof and is not subject to the Employee Retirement Income Security Act of 1974, as amended. The Trust assets are invested in accordance with this Master Statement of Investment Policy (MSOP) and addenda.
IV. Responsibilities of RCOC Trust Representatives

The Board of Trustees

The MBCC acknowledges its responsibility as a fiduciary to the Trust. In this regard, the MBCC must act prudently and for the exclusive interest of the Trust's participants and beneficiaries. Duties and responsibilities include:

1. Complying with the provisions of pertinent federal, state and local laws and regulations;
2. Developing sound and consistent investment goals, objectives and performance measurement standards which are consistent with the needs of the Trust;
3. Appointing and evaluating qualified Investment Managers and consultant(s) to invest and manage the Trust’s assets;
4. Determining, with the advice of the investment consultant, how the Trust’s assets should be allocated among the various asset classes;
5. Reviewing and evaluating the results of the Investment Managers in context of established standards of performance;
6. Taking whatever corrective action is deemed prudent and appropriate when an Investment Manager fails to perform as mutually expected;
7. Review and deal prudently with any conflicts of interest;

Independent Portfolio Consultants, Inc.

Independent Portfolio Consultants, Inc. ("IPC") acknowledges its responsibility as a fiduciary of the Trust. The primary role of IPC is to act as investment advisor and provide investment management services that will enable MBCC to make well informed decisions regarding the investment of the Trust’s assets. The duties and responsibilities include:

1. Performing ongoing due diligence review and analysis of an Investment Manager's adherence to its investment style, process, and philosophy;
2. Requiring that investment performance is reported in accordance with the Global Investment Performance Standards (GIPS®), except Multiple Manager Strategy Portfolios (MMSP);
3. Ongoing, due diligence review of Investment Managers to determine what, if any, changes have taken place at each firm that may have an adverse impact on the portion of the portfolio for which the Investment Manager is responsible;
4. Reviewing the underlying Statements of Investment Policy, at least quarterly, to ensure adherence to the policies set forth therein;
5. Determining, in consultation with the MBCC, if any modifications to the Statements of Investment Policy or Master Statement of Investment Policy are required;
6. Computing and reporting actual investment results quarterly through a summary consulting letter, followed by a performance measurement report, to compare the results to the appropriate benchmarks and any other measures required for one, three, and five-year periods ending with the most recent quarter. Performance versus assigned benchmarks will be reported for the total portfolio, for each asset class, and for each money manager, net of fees.

7. Arranging for the execution of all stock and bond trades through the Broker-Dealer;

8. Maintaining online interfaces and daily balancing of accounts with the Trustee’s designated bank and custodian;

9. Conducting asset allocation studies when deemed appropriate and/or at the request of the MBCC;

10. Conducting periodic educational workshops;

11. Compliance with the Public Retirement Systems Investment Authority Law, Q.C.G.A. — subsequent amendments to be provided by MBCC to IPC;

12. Manager of Managers — to recommend the hiring or replacement of the current Investment Manager(s), based on Numbers 1, 2, 3 and 6 above.

Custodian

The Custodian is responsible for the safekeeping of the Portfolio’s investment assets. The specific duties and responsibilities of the custodian include:

1. Provide adequate safekeeping services;

2. Settle securities transactions in a timely manner;

3. Collect fund income when due;

4. Provide adequate accounting and account access services;

5. Prepare useful, accurate, and timely investment reports;

6. Provide required cash-management services;

7. Provide adequate administrative support;

8. Process proxy administration promptly and accurately;

9. Publish an annual statement of all assets and activities as required by regulation;
Master Statement of Investment Policy

Investment Managers

It is the responsibility of MBCC with the assistance of the investment consultant, to select prudent Investment Managers to manage the assets. Such managers can include regulated banks or insurance companies, mutual funds registered under the Investment Company Act of 1940, exchange traded funds or registered investment advisors. With respect to any mutual or other commingled funds that have been purchased by the Portfolio, the prospectus or Declaration of Trust documents of the fund(s) will govern the investment policies of those assets.

The following guidelines apply to separately managed accounts.

Fiduciary Responsibilities

Each Investment Manager is expected to prudently manage the Portfolio's assets in a manner consistent with the investment objectives, guidelines, and constraints outlined in this MSOP, their separate Statements of Investment Policy and in accordance with applicable laws including Public Retirement Systems Investment Authority Laws O.C.G.A. 47-20-80 et seq.

Each Investment Manager shall:

- Be a bank, insurance company or be registered as an investment adviser under the Investment Advisers Act of 1940 (where applicable) and certifying as qualified to be appointed as investment manager under these requirements

- Maintain adequate fiduciary liability insurance and bonding for the management of this account; and

- Acknowledging that if ERISA
Security Selection/Asset Allocation

1. Invest and manage the Trust assets as a fiduciary with the diligence, care, skill and discretion that a prudent, professional Investment Manager would use in the investment of such assets and in compliance with all applicable laws, rules and regulations, Public Retirement Systems Investment Authority Law, O.C.G.A. 47-20-80 et seq.

2. Report through IPC any significant changes in its investment strategy or portfolio structure; significant changes in its ownership, affiliation, organizational structure or financial conditions; and its professional staff turnover;

3. Maintain the asset allocation within the ranges specified in each Statement of Investment Policy;

4. Meet or exceed benchmark performance over a complete market cycle;

5. Communicate to IPC all substantive changes to the accounts pertaining to investment strategy, asset mix, portfolio structure, and other matters affecting the investment of assets;

6. Communicate with the MBCC regarding all significant matters pertaining to the Trust’s assets as required by the MBCC. It is anticipated that annual review meetings will be conducted by IPC with the Investment Managers.
Proxy Voting

Each Investment Manager is responsible and empowered to exercise all rights, including voting rights, as are acquired through the purchase of securities, where practical. Each Investment Manager shall vote proxies according to their established Proxy Voting Guidelines. A copy of those guidelines, and/or summary of proxy votes shall be provided to the MBCC upon request.
V. Asset Allocation

Assumptions for Long-Term Target Asset Allocation

The MBCC recognizes that a long-term asset allocation policy is the primary mechanism for accomplishing the investment objectives set forth in this document and is the primary determinant of investment performance.

Assumptions Underlying How the Assets are Structured

☐ First, informed judgments are made about the asset categories that are being considered for investment based on knowledge of market and economic trends and capital market assumptions used to develop investment themes. Judgments are made about the likely returns provided by each category. Second, judgments about the risks associated with an investment in each category are made. Third, how the various categories are likely to perform relative to each other are conducted (correlations). Fourth, based on expectations for return, risk, and relative performances, calculations are made on how various combinations of the assets will perform and how the combination selected will provide the most appropriate combination for the risk/return tradeoff.

☐ Over the long-term, equities are expected to outperform fixed income investments on an absolute basis. Furthermore, based on the long-term time horizon for the investment of the securities, equities are well-suited to bear the added short-term variability of return recognizing the greater expected long-term return.

☐ Certain segments of the capital markets are inefficient enough, and the potential rewards of sufficient magnitude, to warrant pursuing active management of the assets with the expectation of outperforming passive (index) alternatives over time.

☐ A Multiple Manager Strategy Portfolio (MMSP) can provide additional diversification of the equity market while providing comparable long-term returns and expanding the investment opportunities of the assets. Such strategies that may be considered currently or in the future are small-cap, mid-cap, micro-cap, international developed, global dividend value, emerging markets, tactical asset allocation, Real Estate Investment Trusts, hedge fund of funds, and Dynamic Asset Allocation Funds. Several of these investment strategies have historically experienced higher volatility than other U.S. equity asset classes, but can provide additional diversification and growth potential if carefully structured with other asset classes while potentially lowering the risk profile of the overall portfolio (see explanation of MMSP on the following page).

☐ The fixed income or bond investments are to be utilized to generate a stable flow of interest income and serve as a hedge against deflation.
Master Statement of Investment Policy

☐ Alternative investments such as hedge funds are expected to provide diversification by investing in strategies that do not correlate directly with traditional equity and/or fixed income investments. Such strategies may include, but are not limited to the following: long/short equity, convertible arbitrage, merger/risk arbitrage, fixed income arbitrage, global macro, market neutral and distressed securities. The MBCC may consider investments in hedge fund strategies or fund of fund strategies in accordance with Public Retirement Systems Investment Authority Law, O.C.G.A. 47-20-80, et seq. as part of an overall investment plan.

☐ Exchange-Traded Funds and mutual funds may be utilized periodically to represent the appropriate diversification strategy in the portfolio to improve upon the risk/return characteristics of the entire portfolio, particularly in the emerging markets sector.

☐ Conformance with statutory investment guidelines contained Public Retirement Systems Investment Authority Law, O.C.G.A. 47-20-80 et seq. Further amendments to this Act will be provided by the MBCC.

Multiple Manager Strategy Portfolio

☐ The Multiple Manager Strategy Portfolio (MMSP) is a single custodial account that allows for multiple investment strategies to be managed and tracked independently of each other (within one account). IPC serves as the Overlay Portfolio Manager for MMSP accounts, and independent Investment Managers serve as sub-advisors to IPC for the underlying, individual, investment strategies. The Overlay Portfolio Manager executes the trades as directed by the sub-advisors and oversees and is responsible for the entire Multiple Manager Strategy Portfolio.

☐ The primary objective in constructing a complementing MMSP is to further diversify the equity assets and assist in the long-term growth of equity capital. IPC will recommend MMSP strategy allocations that are expected to limit and/or reduce overall equity sector volatility and, as a result, reduce the amount of risk taken per unit of expected return in the overall portfolio, with the objective of enhancing investment return potential in the overall portfolio over a complete market cycle.

☐ Traditional asset class diversification involves analyzing which MMSP strategies best complement the equity sector of a primary portfolio based on correlation and volatility analysis. Equity strategies are added that may differ from the primary equity portfolio in terms of targeted market capitalization, equity style, industry exposure, and/or country exposure. When implemented successfully, the MMSP will generate a stream of returns which is not highly correlated to the stream of returns generated by the equity primary asset class(es). As shown in the chart on the next page, this results in a reduction of the overall volatility of the total equity sector.
Volatility reducing effects of lower correlation

- INVESTMENT A
- COMBINED
- INVESTMENT B

Years
VI. Asset Allocation Strategy

Strategic Allocation

In line with the Portfolio's return objectives and risk parameters, the mix of assets for the Portfolio should generally be maintained as follows (percentages are of the market value of the Portfolio).

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<th>Asset Class</th>
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<th>Maximum</th>
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<td>0%</td>
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<tr>
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<td>15%</td>
<td>10%</td>
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<tr>
<td>Alternatives</td>
<td>0%</td>
<td>10%</td>
<td>5%</td>
</tr>
<tr>
<td>Real Estate (REITs)</td>
<td>0%</td>
<td>10%</td>
<td>5%</td>
</tr>
<tr>
<td>Hedge Funds</td>
<td>0%</td>
<td>10%</td>
<td>0%</td>
</tr>
</tbody>
</table>
Rebalancing Procedures

Strategic Rebalancing

From time to time, market conditions may cause the portfolio’s investments in various asset classes to vary from the target asset allocation. To remain consistent with the asset allocation guidelines established by this MSOP for equity and fixed income, the percentage in each asset class shall be reviewed on a quarterly basis and compared to the respective targeted percentage. An asset class will be rebalanced to the recommended weightings if, at six-month intervals, the actual weighting is outside the minimum or maximum policy ranges. In addition, as an example, if the target allocation varies by 10% or more from the recommended weighting target or ranges, at the suggestion of IPC, with the authorization of the MBCC or their designated representative, the asset classes will be rebalanced to the respective targeted allocation. In this instance, a proportional rebalancing strategy will be utilized by taking the target allocation for the class, multiplying by .10 and rebalancing by the resultant percentage; i.e., 65% target for equities *10% = 6.50% out of balance.

Tactical Rebalancing

Tactical asset allocation can potentially benefit the portfolio by making changes to the asset allocation at regular intervals over time as a result of the managers/consultants changing assessment of the relative risks and returns of the various markets. Tactical asset allocation may be practical in such a way as to vary asset mix within the allowable ranges established by the asset allocation policy. Tactical asset allocation methodology includes capitalization (large vs. small); style driven (growth vs. value); geographic (U.S. vs. international, vs. emerging); active vs. passive management; alternatives (REITs); tactical (equities vs. cash equivalents). IPC and/or the managers may make recommendations for tactical rebalancing from time to time that will serve as a point of discussion during quarterly reviews. A target allocation to a tactical asset allocation is part of the MMSP and the strategic asset allocation. Changes in tactical asset allocation in the MMSP, as long as they are in the ranges permitted in the target asset allocation, can be made at the discretion of IPC with notification to the MBCC at the next quarterly review.

Asset Allocation Studies

An asset allocation study will be performed periodically by IPC based on (1) historical results, (2) any actuarial report changes that will materially impact the cash flows, and/or (3) changes in economic or market assumptions that may change the risk/return characteristics of the combined portfolio.
VII. Investment Selection Criteria

Investments (including Investment Managers, mutual funds, exchange traded funds and commingled investments) shall be chosen using the following criteria:

☐ How well each proposed asset class and manager/investment complements other assets in the portfolio; i.e., how non-correlated is each investment;

☐ Minimum of a ten-year track record of two years if the principals in the firm have a minimum of ten years of experience;

☐ Conformance to Global Investment Performance Standards (GIPS®) to which each firm warrants adherence, with the exception of the MMSP strategies, mutual funds and hedge funds which may or may not be a selection criterion;

☐ Consistency of investment style and discipline;

☐ Past performance, considered relative to other investment managers having similar investment objectives. Consideration shall be given to both consistency of performance and the level of risk taken to achieve results;

☐ The investment style and discipline of the Investment Manager;

☐ Level of experience, financial resources, personnel turnover and staffing levels of the Investment Manager;

☐ An assessment of the likelihood of future investment success, relative to other opportunities;

☐ Reasonableness of expense ratios/fees;

☐ Stability of organization.
VIII. Investment Guidelines

Investment activity must be consistent within the requirements of this policy and applicable laws including Public Retirement Systems Investment Authority Law, O.C.G.A. 47-20-80, et seq.

Investments are permitted in mutual funds, exchange traded products, commingled funds/trusts, separately managed accounts, or combinations thereof. In addition, the following guidelines will apply to Investment Managers of separately managed accounts.

A. Permitted Securities

Equity/Global Securities

☐ Common stocks, REITs, and securities convertible into common stock of U.S.-based companies.

☐ Depository Receipts (ADRs/GDRs) of Non-U.S. Companies; stocks of Non-U.S. Companies (Ordinary Shares), Preferred Stock, Convertible Preferred Stocks, Rights and/or Warrants, if attached to securities held and/or being purchased for the portfolio, Exchange traded funds.

Convertible Securities

☐ Securities that are convertible into the common stock of U.S. based companies. This would include convertible bonds, convertible preferred stock, and mandatory convertible securities (e.g. PERCs, CHIPS, ELKS).

☐ All convertible securities purchased must be U.S. dollar denominated securities.

☐ Individual convertible securities should be rated "B" (or its equivalent) or higher at the time of purchase by a nationally recognized statistical rating agency. For the purposes of asset allocation, convertible securities shall be considered equities.

☐ Equities underlying a convertible-security should be issued by companies with market capitalizations greater than $100 million at the time of purchase.

International Securities

☐ Sponsored and unsponsored American Depositary Receipts (ADRs) or American Depositary Shares (ADSs) or other depositary securities of non-U.S. based companies traded in the U.S., closed-end country funds, and securities convertible into common stock of non-U.S. based companies.

☐ Equities of foreign domiciled companies that are traded in the U.S. may also be purchased so long as the securities are registered (or filed) with the Securities and Exchange Commission and traded on a recognized national exchange or over-the-counter market.

☐ Non-U.S. dollar denominated equity securities traded on a recognized national or regional exchange or over-the-counter market may also be purchased. (Ordinary shares).
Master Statement of Investment Policy

Real Assets

☐ Real Estate: REITs of U.S.-based and international companies or REIT mutual funds or exchange-traded funds.

☐ Commodities: Mutual funds or exchange traded funds that invest in broadly diversified commodity indices, or the common stocks of commodity-oriented companies.

☐ Treasury Inflation Protected Securities (TIPS): Mutual funds, exchange traded funds or bonds of inflation linked securities.

Domestic Fixed Income Securities

Domestic fixed and variable rate bonds and notes issued by the U.S. Government and its Agencies, international governments, U.S. corporations, Yankee bonds and notes (bonds or notes issued by non-U.S. based corporations and governments but traded in the U.S.), securitized mortgages (e.g. GNMA's, FNMAs, FHLMC's), collateralized mortgage obligations, asset-backed securities, taxable municipal bonds and preferred stock.

Global Fixed Income Securities

Global fixed income securities, including but not limited to, government obligations, corporate debt, mortgage backed securities, guaranteed insurance contracts, bankers' acceptances, cash, and cash equivalents.

Cash and Ultra-Short Fixed Income

Cash reserves shall be held in the custodian's money market fund, bank deposit or invested in short-term Treasury securities, or high quality money market instruments.

Alternative Investments

Alternative investments represent investments in investment vehicles that seek to provide diversification through innovative and flexible strategies. Investments in such vehicles are expected to provide diversification and the opportunity for capital appreciation and for purposes of controlling risk as an objective. Diversification standards within each investment vehicle shall be according to the prospectus or Portfolio document. Investments in these investment vehicles carry special risks. Permitted alternative investments in the Portfolio are:

☐ Investments may include hedge funds, managed futures funds, commodities, venture capital and real estate funds. Investments in other strategies shall be reviewed and approved by the MBCC prior to purchase.

☐ Diversified by investment style and Investment Manager. The Portfolio shall emphasize investments in fund-of-fund vehicles that are diversified by investment style and typically utilize multiple Investment Managers within a fund. The Portfolio, however, may invest in single manager funds, but, these investments shall not comprise the majority of the investment.

Diversification Requirements

The primary method to reduce risk for the portfolio is diversification through asset allocation. By allocating assets in different asset classes, the portfolio can reduce risk by avoiding concentration as well as reduce risk through the low-correlation between different asset classes.
Master Statement of Investment Policy

To minimize the risk of large losses, each Investment Manager shall maintain adequate diversification in their portfolio subject to the constraints outlined in this investment policy.

Domestic/Global Stocks

☐ No more than 70% of the Trust’s assets may be invested in stock or an equity position in a company traded on an exchange outside of the United States or a security that may be issued in a currency other than the United States dollar or an unregistered American depository receipt.

☐ No more than 5% of the outstanding global securities may be invested in any 1 issuer.

☐ No more than 5% of the Trust’s assets in the global securities of any 1 issuer.

☐ No more than 10% of the Trust’s assets may be invested in publicly traded real estate investment trusts.

Fixed Income

The fixed income portfolio should be broadly diversified by issue, issue type, asset pool, quality, maturity and issuer.

☐ Fixed income securities should be rated “BBB-” (or its equivalent) or higher at the time of purchase by a nationally recognized statistical rating agency, unless an investment manager has been authorized by the MBCC to invest in below-investment-grade fixed income (“High Yield Bonds”).

Global Fixed Income Portfolio

The fixed income portfolio should be broadly diversified by issue, issue type, asset pool, quality, maturity and issuer.

Non-dollar denominated bond investments shall be restricted to bonds rated equivalent to the same credit and concentration standard as the US fixed income portfolio unless an Investment Manager has been authorized by the terms of the statement of investment policy to invest in below-investment-grade bonds.

Transactions or unanticipated market actions that cause a deviation from these policy guidelines should be brought to the attention of the MBCC and their designated representative(s) and the Investment Consultant by the Investment Manager prior to executing transactions, when practical. Such deviations may be authorized in writing by the MBCC or their designated representative(s), who can determine if the deviation constitutes a material departure from the spirit of this policy.

C. Exclusions

The Portfolio’s assets may not be used for the following purposes except for approved Alternative Investment Strategies:

☐ Purchases of letter stock, private placements (including “144A” securities) or direct payments

☐ Venture Capital investments

☐ Commodities transactions, unless by managers approved for that strategy

☐ Investment by the Investment Managers in their own securities, their affiliates or subsidiaries

☐ There shall be no purchase that would cause a position in the portfolio to exceed five (5) percent of the issue outstanding, based on cost value
Master Statement of Investment Policy

☐ There shall be no investments in non-marketable or illiquid securities

Normally, the following investments are to be excluded except for those managers approved for those transactions. However, modern portfolio management uses them to reduce the risks in the portfolio. Exception may be made for the following investments when used to hedge an open position or close out the hedge. Under no circumstances may they be used to speculate.

☐ Investments in futures, use of margin, or investments in any derivatives not explicitly permitted in this policy statement

☐ Puts, calls or other option strategies

☐ Purchase and sale of foreign currency or currency futures

Any other security transaction not specifically authorized in this policy statement, unless approved, in writing, by MBCC or their designated representative(s). Requests by Investment Managers to execute transactions that are not currently authorized in this policy should be made prior to executing such transactions.
Master Statement of Investment Policy

IX. Investment Transactions

Trading for this portfolio is directed by and is the responsibility of each Investment Manager to whom the Trust has granted the discretionary authority to determine (subject to the investment objectives and policies outlined herein) the securities to be bought or sold on behalf of the Trust; the amount of such securities, and the brokers or dealers to be used in such transactions. The Investment Manager is generally obligated, absent the MBCC direction to the contrary, to effect transactions with or through those brokers or dealers that in the Investment Manager's view, are capable of providing best price and execution of client orders. Consistent with this general obligation, it is anticipated that the Investment Manager will direct most, if not all transactions to Managed Account Services (MAS) both in view of its execution capabilities and because the investment advisory fees paid by the Trust to cover transaction charges only when transactions are executed through MAS.
X. Meetings and Communications

☐ As a matter of course, representatives of the Investment Managers should keep the MBCC and their Investment Consultant apprised of any material changes in the Investment Manager's outlook, investment policy, brokerage placement practices and tactics;

☐ Representatives of each Investment Manager should be available to meet with the MBCC on a reasonable basis or be available for telephone conferences to review and explain their portfolio's investment results;

☐ Each Investment Manager should be available on a reasonable basis for telephone communication when needed. Any material event that affects the ownership or capital structure of the investment management firm, senior investment, marketing or administration personnel changes at the investment management firm or any material event that affects the management of this account must be reported promptly to the Investment Consultant. This requirement does not include routine employee stock ownership awards or partnership announcements;

☐ The custodian shall provide monthly statements of assets and transactions;

☐ IPC shall provide the MBCC or their designated representative(s) with quarterly performance reports and is expected to assist in the interpretation of the results.
XI. Performance Evaluation

IPC will quarterly evaluate the performance of the portfolio's assets, each asset class, and each Investment Manager. Performance attribution analysis will be provided quarterly, after twelve months of performance, for the combined portfolio, each Investment Manager, and for the MMSP. On a risk adjusted basis, the combined portfolio performance is expected to be equal or greater than the combined benchmark over a complete market cycle. The investment time horizon will be considered long term, incorporating a full economic cycle of both economic expansions and recessionary periods. Minimum time horizon is ten years. Qualitative factors as well as quantitative factors will be considered with reference to the monitoring of the Investment Managers' performance, particularly over periods of time that encompass less than a complete market cycle.

The MBCC is more concerned about minimizing losses than about maximizing gains. Therefore, the preference is to perform on a relative basis during negative return periods, underperform on a relative basis during sharply rising or speculative markets, and achieve above-average returns in normal markets.

Peer group comparisons may be provided to the MBCC annually. However, IPC recognizes that peer group comparisons in many cases are not reliable as an indicator of relative performance due to survivorship bias, classification bias, composite bias and the variations of investment styles in a peer group. Additionally, Investment Managers may be fired at the time that they should be hired because of the creation of faulty manager universes. To be statistically significant, databases must encompass a large number of Investment Managers. However, Investment Managers with specific purposes and specialized strategies are not often numerous enough to create a large enough manager universe to be statistically significant in group comparisons. The MBCC recognize these short-comings and will endeavor to work with IPC and rely upon IPC's analysis of the Investment Managers and their results, when appropriate, as opposed to utilizing peer group comparisons as the sole criteria or to be used as conclusive evidence. Such a finding would be based upon the facts and situations.

The Portfolio's asset allocation in separately managed accounts and the composite portfolio's asset allocation shall also be reported on a quarterly basis and compared to the permitted asset allocation ranges, as outlined in this MSOP.

Risk as measured by volatility, or standard deviation, should be evaluated after four quarters of performance history have accumulated. An attribution analysis should also be performed for each portfolio, to evaluate how much of the portfolio's investment results are due to the Investment Managers' investment decisions, as compared to the effect of the financial markets. It is expected that this analysis will use the "style index" as the performance benchmark for evaluating both the returns achieved and the level of risk taken.
Master Statement of Investment Policy

Investment Manager Exceptions

The MBCC employs an automatic policy for the monitoring of its Investment Managers. A watch list will be initiated by the investment consultant, approved by the MBCC, and the Investment Manager will be immediately notified by the investment consultant when that Investment Manager is placed on the watch list. The following is a listing of the major key items that will result in an Investment Manager being placed on the watch list:

☐ Annual performance below the Investment Manager’s designated Portfolio Benchmark.
☐ Three and five year annualized performance below the Investment Manager’s designated Portfolio Benchmark.
☐ Organization or key personnel changes.
☐ Portfolio style changes occur.
☐ Negative risk-adjusted performance over three and five year annualized periods.

Once on the watch list, the Investment Manager may be terminated if performance does not improve over the next two succeeding quarters. In addition, the Investment Manager may be terminated if any organization changes or key personnel changes are deemed to have an adverse effect on the future performance of the portfolio.

The investment consultant will communicate in its Executive Summary each quarter those money managers placed on a watch list with comments as to the status and factors influencing performance. Recommendations will be made by the investment consultant to terminate or continue with the money manager based on total performance and interviews with the money manager and an assessment by the investment consultant as to the likelihood of the money manager’s ability to turnaround performance in a reasonable time period.

Total Fund Performance Evaluation

The performance of the total fund will be compared to a balanced index constructed as follows:

**Index or Other Measure**
- Russell 1000 Growth
- Russell 2000 Growth
- Russell Mid-Cap
- S&P 500
- Russell 2500
- MSCI EAFE Index
- Barclays U.S. Gov’t/Credit Bond Index
- Barclays 1-3 Year U.S. Gov’t/Credit
- Barclays 1-3 Year Government
- NAREIT

**Index or Other Measure** | **Percent Weight**
--- | ---
S&P 500 Stock Index | 60%
Barclays U.S. Gov’t/Credit Bond Index | 40%

Individual Asset Class Benchmark

The individual Investment Managers will be measured versus a comparable index as indicated in the specific Statements of Investment Policy for each Investment Manager selected which will be attached herein and will be incorporated as part of this Master Statement of Investment Policy.
Performance Monitoring and Investment Managers

IPC will seek to identify any inconsistent investment approaches. Therefore, IPC will carefully monitor the Investment Managers on several key indicators of possible inconsistency:

- Investment Manager turnover;
- Portfolio characteristics which are not consistent with the managers' stated investing style;
- Performance patterns not logically explainable in terms of the published style;
- Variance in performance (performance attribution), including a grade of reasonably "met", "exceeded", or "below expectations", is contained in the Quarterly Consulting Letter provided by IPC.

MSOP Modification

IPC will review the MSOP quarterly with the Trustees. However, IPC and the Trustees recognize that major changes to the investment policy can produce potentially damaging inconsistency with the long term objectives of the policy.

XII. Frequency of MSOP Review

IPC will use each of the periodic investment performance evaluations as occasions to consider whether any elements of the MSOP are either insufficient or inappropriate. Key occurrences that could result in a MSOP modification include:

- Significant changes in the Trust's anticipated needs and financial circumstances;
- Changes in state law or new legislation or regulations;
- Changes in funding level of the Trust or changes in Actuarial methods;
- Impractical time horizons; and
- Suggestions for change presented by IPC.
XIII. Approval

This MSOP is adopted on this _____ day of ____________, 2014 pursuant to an Ordinance of this same date duly adopted and approved by the Macon-Bibb County Commission which Ordinance authorized the County Manager and Finance Director to take any and all actions necessary to effectuate the selection of Independent Portfolio Consultants, Inc. (IPC) as the financial consultant for Other Post-Employment Benefit (OPEB) fund assets.

__________________________
Date

Dalé Walker, County Manager
Print Name

__________________________
Date

Christy Iuliucci, Finance Director
Print Name

The above hereby represents and warrants the persons executing this MSOP on behalf of the Macon – Bibb County Other Post Employment Benefit Trust are the appropriate fiduciaries with authority to sign this document on behalf of the Trust and that the MBCC will notify IPC if this status or authority should change.
A RESOLUTION OF THE MACON-BIBB COUNTY COMMISSION AUTHORIZING THE CONTINUATION AND ACCEPTANCE OF THE JUVENILE JUSTICE INCENTIVE GRANT, NOT TO EXCEED THE AMOUNT OF $500,000.00 AND AGREEING THAT MACON-BIBB COUNTY WILL SERVE AS THE FISCAL AGENT OF SAID GRANT; AND FOR OTHER PURPOSES.

WHEREAS, in 2013, the Bibb County Juvenile Court applied for and received the Juvenile Justice Incentive Grant award in the amount of three hundred eighty-eight thousand seven hundred seventy-five dollars ($388,775.00) for the project period of August 1, 2013 to June 30, 2014; and

WHEREAS, the funds are awarded to provide evidence-based programs and services to systems-involved juveniles at high risk for commitment to the Youth Detention Center; and

WHEREAS, the funds support three identified primary and secondary interventions: Multi-Systemic Therapy, Aggressive Replacement Therapy and Botvin Life Skills to serve a total of 60 juveniles as identified by the Assistant District Attorney and the Department of Juvenile Justice; and

WHEREAS, the grant funds are state funds authorized under HB 242; and

WHEREAS, the Criminal Justice Coordinating Council has conducted a program audit and financial audit as of April 2, 2014, and has invited the Bibb County Juvenile Court to apply for continuation funding at the same level of funding to continue current chosen interventions; and

WHEREAS, Juvenile Court Judges Thomas J. Matthews and Quintress J. Gilbert have requested to pursue continuation funding; and

WHEREAS, the application for continuation of said funding requires the County to serve as the fiscal agent of the grant funds and the application is due April 28, 2014, and there is no required match; and

WHEREAS, this resolution will benefit and promote the health, safety, morals and welfare of the citizens of Macon-Bibb County.
NOW, THEREFORE, BE IT RESOLVED by the Macon-Bibb County Commission, and it is hereby so resolved by the authority of the same that the Bibb County Juvenile Justice Court is hereby authorized to apply for continuation funding from the Juvenile Justice Incentive Grant for the period of July 1, 2014 to June 30, 2015, not to exceed the amount of five hundred thousand dollars ($500,000.00).

SO RESOLVED this ____ day of ________________, 2014.

________________________
ROBERT A. B. REICHERT, MAYOR

ATTEST:
________________________
SHEILA THURMOND, CLERK OF COMMISSION

(SEAL)
A RESOLUTION OF THE MACON-BIBB COUNTY COMMISSION CONFIRMING THE MAYOR'S APPOINTMENTS OF COMMISSIONER W.F. "SCOTTY SHEPHERD" AND COMMISSIONER LARRY SCHLESINGER TO POSTS FOUR AND FIVE RESPECTIVELY OF THE RETIREMENT COMMITTEE FOR THE MACON PENSION AND RETIREMENT SYSTEMS, DIVISION A, (1972 GA. LAWS, PAGE 3152, AS AMENDED); AND FOR OTHER PURPOSES.

NOW, THEREFORE, BE IT RESOLVED by the Macon-Bibb County Commission, and it is hereby so resolved by authority of the same that, pursuant to the requirements of Section 8.1 of the Macon Pension and Retirement Systems, Division A, (1972 Ga. Laws, Page 3152, as amended), the Mayor's appointments are hereby confirmed for Commissioner W.F. "Scotty" Shepherd to fill the unexpired term, 02/07/12 – 02/07/16, of Lauren Benedict for Post 4 of the retirement committee and Commissioner Larry Schlesinger to fill the unexpired term, 02/21/12 – 02/21/16, of Nancy White for Post 5 of the retirement committee.

SO RESOLVED this _____ day of ______________, 2014.

ROBERT A.B. REICHERT, MAYOR

ATTEST:

SHEILA THURMOND, CLERK OF COMMISSION
A RESOLUTION OF THE MACON-BIBB COUNTY COMMISSION AUTHORIZING
THE COMMISSION TO ACCEPT AN IMMIGRATION COMPLIANCE POLICY IN
THE SAME FORM AS ATTACHED HERETO AS EXHIBIT “A”; AND FOR OTHER
PURPOSES.

Purpose: To accept an immigration compliance plan in order to allow for better adherence
with the requirements of OCGA §36-60-6 and §50-36-1.

WHEREAS, E-Verify mandates that public employers must verify the immigration
status of its employees, in accordance with OCGA §36-60-6; and

WHEREAS, the Systematic Alien Verification for Entitlements requires, individuals to
agree to E-Verify employees or provide proof of immigration status prior to receiving any one
of, various the State enumerated public benefits, under OCGA §50-36-1 through 3; and

WHEREAS, the County of Macon-Bibb wishes to ensure full adherence with the
provisions of state immigration law; and

NOW, THEREFORE, BE IT RESOLVED by the Commission of Macon-Bibb county,
and it is hereby so resolved by the authority of the same that the Commission is authorized to
accept the Immigration Compliance Policy, in substantially the same form as attached hereto as
Exhibit “A”.

SO RESOLVED this ___ day of _____________, 2014.

______________________________
Mayor, Macon-Bibb County

SO APPROVED this ___ day of _____________, 2014.

______________________________
Clerk of Commission
Macon-Bibb County
Immigration Compliance Policy

April 2014

Doron Dvorak
Compliance Officer Macon-Bibb County
PUBLIC STATEMENT

Macon-Bibb County hereby assures that it adheres to all the requirements of Georgia Security and Immigration Compliance Act (GSICA), it’s it utilization of E-Verification and compliance with the systematic alien verification for entitlements program.

Macon-Bibb County further assures nondiscrimination in all of its programs and activities, while at the same time complying with Both Federal and State law. The Macon-Bibb County Compliance Officer, Macon-Bibb County Departments, along with the various Departmental Coordinators are responsible for initiating and monitoring those activities falling under the GSICA, preparing required reports and other responsibilities as required by GSICA.

In the event that the County hires or disperses governmental benefits to individuals, the County will include all e-verification/SAVE and Title VI language in all written agreements where appropriate and will monitor for compliance.

For additional information about Macon-Bibb County’s obligations under GSICA or Title VI, please send your written request or contact:

Doron Dvorak
Macon-Bibb Compliance Officer
700 Poplar Street, 3rd Floor
Macon, Georgia 31201
DDvorak@maconbibb.us
PURPOSE

There is a dual purpose to Georgia Security and Immigration Compliance Act (GSICA). Its first is to ensure that all public employers and their business partners are complying with Federal and State law in offering employment only to those individuals who have some verifiably legal status within the United States. This is done to ensure compliance with Federal and State law which make it unlawful for a "person or other entity, to (A) hire an alien knowing the alien is an unauthorized alien or (b) to hire and individual without complying with the requirements of verification set out in federal law."

The second purpose is to ensure that public benefits are being properly granted to those recipients to whom the aid was intended, and from discriminating against participants and potential participants on the basis of race, color, creed or national origin. Such requirement works to ensure that all persons, regardless of these elements, are allowed access to and participation in programs which are federally funded. To assist in compliance, Macon-Bibb County has established procedures which assist in the monitoring of GSICA compliance in both its hiring and contracting.

APPLICABILITY

The GSICA applies to all Macon-Bibb County departments, subagents, contractors, subcontractors and vendors who transact business with Macon-Bibb County. GSICA also applies to all recipients of "State or local public benefits" including grants, professional or commercial licenses, retirement, health, welfare or disability etc.

AUTHORITY

Compliance with the GSICA falls to the parties; The County will ensure that the issued bids, purchase orders, and employment documents will contain the required E-verify/SAVE affidavits along with the various provisions referencing the laws applicable in this policy. However, it is the responsibility of the party receiving the benefit or employment to ensure that where applicable, they have previously registered with the required Federal Authorities under the E-verification and SAVE provisions. The County will ensure that the signed affidavits are present with any required paperwork, and retain any and all required copies; however, a failure or refusal to return the signed affidavits will result in a delay or denial of employment or the provision of benefits in accordance with the requirements of the GSICA.

The Macon-Bibb County Compliance Officer is responsible for 1) educating departmental coordinators on their responsibilities under the provisions of GSICA, 2) monitoring for compliance with GSICA legislation, 3) ensuring all departments are up to date with and in full compliance with GSICA, 4) assisting with the maintenance of the required documentation for GSICA compliance.

The Macon-Bibb County Compliance Officer’s duties may include but are not limited to the following:

- Conducting annual E-verify/SAVE training for all departments and to those departments/contractors as requested;
- Disseminating all E-verify/SAVE resources, including posters and brochures, to departmental coordinators;
- Educating departmental coordinators on necessary monitoring techniques to ensure departmental compliance;
- Submitting annual GSICA plan to grantors in a timely manner;
- Other duties as necessary to ensure the County’s compliance;

Departmental Coordinators’ responsibilities include but may not be limited to the following:
- Ensuring that all new employees within their departments receive the E-verify/SAVE training and information;
- Ensuring that procedures are in place to provide for public notification of their E-verify/SAVE rights.
- Prominently displaying all E-verify/SAVE resources, including posters, flyers and brochures, in locations managed by their departments that are frequented by the public;
- Employing necessary monitoring techniques to ensure departmental compliance;
- Providing the Macon-Bibb County Compliance office with the departmental information to be included in the annual E-verify/SAVE plan in a timely manner;
- Other duties as necessary to ensure GSICA compliance.

INTRODUCTION

In order to ensure that Macon-Bibb County continues to faithful adhere to the various provisions of Georgia's Immigration law, Macon-Bibb County is subject to and enforces both E-Verify and the Systematic Authorization and Verification for Entitlements (SAVE).

Following the most recent Georgia Legislative Session, clarifications were made to provisions of E-Verify and SAVE under House Bill 125. The following now applies to the State of Georgia:

1. It is the intent of the General Assembly that all public employers and contractors at every tier and level use the federal work authorization program on all projects, jobs, and work resulting from any bid or contract, and that every public employer and contractor working for a public employer take all steps to ensure that a legal and eligible workforce is utilized in accordance with federal immigration and employment.

2. E-Verify:

a. A public employer shall not enter into a contract for physical performance of services valued $2499.99 or more, unless the contractor registers with and participates in the federal work authorization program. This includes providing a signed affidavit noting the verification number, date and notarization.

b. E-Verify, with regards to interaction with Macon-Bibb County, is only applicable in three situations:

   i. Where there is an agreement or contract for the performance of services over the specified amount.

   ii. In the provision of a business license or alcohol license where SAVE affidavits require the information

   iii. Where waiver or exemptions of E-Verification are required based on the number employees or specific categories of employment under the law.

c. In regards to private employers, the requirements of E-Verify apply primarily in two situations:

   i. Where the private employer has 10 or more employees,
ii. Where the private employer is applying for a business license or other public benefit of the SAVE program.

3. SAVE:

a. Before any County issues a business license, occupational tax certificate, or other documents required to operate a business, the person shall provide evidence that they are either authorized to use the federal work authorization program by having 9 or more employees, or are exempt from the requirement by employing fewer than the requisite employees and indicating so on the affidavit. Compliance requires a signed affidavit noting the verification number, date and notarization. To renew the license, the individual must submit to the county their E-verify number or resubmit the proof of exemption.

b. In accordance with UCRA § 50-36-1(f) For any applicant who has executed an affidavit that he or she is an alien lawfully present in the United States, eligibility for public benefits shall be made through the SAVE program. Until such eligibility verification is made, the affidavit may be presumed to be proof of lawful presence in the United States under federal immigration law for the purposes of this Code section.

c. Where an applicant is seeking to receive some public benefit, the applicant must provide a photocopy of their identification, and provide the affidavit as required if the applicant is 18 or older. If the applicant is under 18, then the affidavit must be executed within 30 days of their 18th birthday.

d. For the purposes of the SAVE program, any document submitted for identification purposes may include, any identification issued by the United States, or in certain cases, by a foreign nation provided there is sub supporting documentation from Homeland Security. Copies of the document may be submitted by mail or electronically by fax, or email.

e. The approved changes state:

i. United States Citizens’ applicants will not have to resubmit their affidavits for renewal or when they apply for a different public benefit from the same agency.

ii. Under the amended code, each agency or political subdivision, will submit its annual report as required by December 31st of that year to include all SAVE affidavits gathered during the previous year. These reports will include the governmental entities’ name and verification number as well as its authorization date. The report will also include the following:

1. For contracts for the physical performance of services: legal name, address, federal work authorization user number of all contractors and the date of the contract.
2. For business licenses: a listing of each license or certificate issued by the county, the work authorization number of the business, the name of their contact, and the business name.

f. State Auditors will be conducting random audits of governmental agencies’ compliance with the requirements of SAVE and E-verify.

The goal of Macon-Bibb County is remain in full compliance with the law; to do this requires accurate record keeping and adherence with the affidavit requirements which are a key part of this effort. Copies of the affidavits and waivers are included within the Macon-Bibb Compliance plan. If you have any questions about any of the compliance requirements contact the Macon-Bibb Compliance Officer at:

Doron Dvorak
Macon-Bibb Compliance Officer
700 Peplar Street, 3rd Floor
Macon, Georgia 31201
DDvorak@maconbibb.us
MACON-BIBB COUNTY, GEORGIA

SYSTEMATIC ALIEN VERIFICATION FOR ENTITLEMENTS (SAVE) PROGRAM

O.C.G.A. § 50-36-1(e) (2) Affidavit

NOTE: O.C.G.A. § 50-36-1 defines an applicant as "any natural person, 18 years of age or older, who has made application for access to public benefits on behalf of an individual, business, corporation, partnership, or other private entity." A complete list of public benefits for which alien verification is required is set forth in O.C.G.A. § 50-36-1 and the Federal code sections listed in that section.

By executing this affidavit under oath, as an applicant for ____________________________, as referenced in O.C.G.A. § 50-36-1 from Macon-Bibb County, Georgia, the undersigned applicant verifies one of the following with respect to my application for a public benefit:

1) _____ I am a United States citizen.

2) _____ I am a legal permanent resident of the United States.

3) _____ I am a qualified alien or non-immigrant under the Federal Immigration and Nationality Act with an alien number issued by the Department of Homeland Security or other federal immigration agency.

My alien number issued by the Department of Homeland Security or other federal immigration agency is: ____________________________

The undersigned applicant also hereby verifies that he or she is 18 years of age or older and has provided at least one secure and verifiable document, as required by O.C.G.A. § 50-36-1(e)(1), with this affidavit.

The secure and verifiable document provided with this affidavit can best be classified as: ____________________________________________

In making the above representation under oath, I understand that any person who knowingly and willfully makes a false, fictitious, or fraudulent statement or representation in an affidavit shall be guilty of a violation of O.C.G.A. § 16-10-20, and face criminal penalties as allowed by such criminal statute.

Executed in ____________________________ (City), ____________________________ (State).

________________________________________
Printed Name of Applicant

Signature of Applicant

SUBSCRIBED AND SWORN BEFORE ME ON

THIS ___ DAY OF ________________, 20___.

________________________________________
Commission Expires:

NOTARY PUBLIC
GEORGIA SECURITY AND IMMIGRATION COMPLIANCE ACT AFFIDAVIT

By executing this affidavit, the undersigned person or entity verifies its compliance with O.C.G.A. 13-10-91, stating affirmatively that the individual, firm, or corporation which is contracting with Bibb County has registered with, is authorized to participate in, and is participating in the federal work authorization program commonly known as E-Verify,* in accordance with the application provisions and deadlines established in O.C.G.A. §13-10-91.

The undersigned person or entity further agrees that it will continue to use the federal work authorization program throughout the contract period, and it will contract for the physical performance of services in satisfaction of such contract only with subcontractors who present an affidavit to the undersigned with the information required by O.C.G.A. §13-10-91(b).

The undersigned person or entity further agrees to maintain records of such compliance and provide a copy of each such verification to Macon-Bibb County at the time the subcontractor(s) is retained to perform such services.

<table>
<thead>
<tr>
<th>ECV/E-VerifyTM User Identification Number</th>
<th>Date of Authorization</th>
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<tbody>
<tr>
<td>(Name of Person or Entity)</td>
<td>Date</td>
</tr>
<tr>
<td>By: Authorized Officer or Agent</td>
<td></td>
</tr>
<tr>
<td>Title of Authorized Officer or Agent</td>
<td>Printed Name of Authorized Officer or Agent</td>
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</tbody>
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SUBSCRIBED AND SWORN BEFORE ME ON THIS THE:

DAY OF ___________ 2013 My Commission Expires

Notary Public __________________________ Notary Seal __________________________

*or any subsequent replacement operated by the United States Department of Homeland Security or any equivalent federal work authorization program operated by the United States Department of Homeland Security to verify information of newly hired employees, pursuant to the immigration Reform and control Act of 1986 (IRCA), P.L. 99-603.
GEORGIA SECURITY AND IMMIGRATION COMPLIANCE ACT WAIVER

By executing this affidavit, the undersigned person or entity verifies its compliance with O.C.G.A. 13-10-91, stating affirmatively that the individual, firm, or corporation which is contracting with Macon-Bibb County is not registered with, nor authorized to participate in, and is not participating in the federal work authorization program commonly known as E-Verify,* in accordance with the waiver application provisions and deadlines established in O.C.G.A. §13-10-91.

If however, there is a change in the number of current employees, wherein the private employer would be required to register with E-Verify, the undersigned person or entity agrees to register with, and participate in the E-Verification requirements as laid out in O.C.G.A. 13-10-91.

☐ Applied for benefits between 7/1/2012 to 6/30/2012 and have less than 100 employees
☐ Applied for benefits on or after 7/12/2013 I have less than 10 employees
☐ I am not required to E-Verify as a private employer, with fewer than the required employee's.

<table>
<thead>
<tr>
<th>(Name of Person or Entity)</th>
<th>Date</th>
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</thead>
<tbody>
<tr>
<td>By: Authorized Officer or Agent</td>
<td></td>
</tr>
<tr>
<td>Title of Authorized Officer or Agent</td>
<td>Printed Name of Authorized Officer or Agent</td>
</tr>
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</table>

SUBSCRIBED AND SWORN BEFORE ME ON THIS THE:

DAY OF 2013 My Commission Expires

Notary Public Notary Seal

*or any subsequent replacement operated by the United States Department of Homeland Security or any equivalent federal work authorization program operated by the United States Department of Homeland Security to verify information of newly hired employees, pursuant to the immigration Reform and control Act of 1986 (IRCA), P.L. 99-603.
The following is the list of enumerated benefits which Georgia has identified as being subject to the SAVE program verification:

| Alcoholic Beverage Licenses | Ga. Code Ann. § 3-3-2, as amended.  
|                      | Ga. Code Ann. § 3-4-110, as amended.  
<table>
<thead>
<tr>
<th>License Type</th>
<th>Relevant Code</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adult education;</td>
<td>Ga. Code Ann. § 50-36-1 (4) (A) (I)-(xxiv)</td>
</tr>
<tr>
<td>Authorization to conduct a commercial enterprise</td>
<td>or business; Business certificate, license,</td>
</tr>
<tr>
<td>or registration; Business loan;</td>
<td>Cash allowance; Disability assistance or insurance;</td>
</tr>
<tr>
<td>Food stamps; Gaming license; Health benefits; Housing allowance; grant, guarantee, or loan; Loan guarantee; Medicaid; Professional license; Registration of a regulated business; Rent assistance or subsidy; State grant or loan; State identification card; Tax certificate required to conduct a commercial business; Temporary assistance for needy families (TANF); Unemployment insurance; and Welfare to work.</td>
<td></td>
</tr>
</tbody>
</table>
The following is the most inclusive list of secure and verifiable documents, published under the authority of O.C.G.A.§ 50-36-2, contains documents that are verifiable for identification purposes, and documents on this list may not necessarily be indicative of residency or immigration status:

1. A United States passport or passport card [O.C.G.A. § 50-36-2(b)(3); 8 CFR § 274a.2]

2. A United States military identification card [O.C.G.A. § 50-36-2(b)(3); 8 CFR § 274a.2]

3. A driver's license issued by one of the United States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Commonwealth of the Northern Marianas Islands, the United States Virgin Island, American Samoa, or the Swain Islands, provided that it contains a photograph of the bearer or lists sufficient identifying information regarding the bearer, such as name, date of birth, gender, height, eye color, and address to enable the identification of the bearer [O.C.G.A. § 50-36-2(b)(3); 8 CFR § 274a.2]

1. An identification card issued by one of the United States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Commonwealth of the Northern Marianas Islands, the United States Virgin Island, American Samoa, or the Swain Islands, provided that it contains a photograph of the bearer or lists sufficient identifying information regarding the bearer, such as name, date of birth, gender, height, eye color, and address to enable the identification of the bearer [O.C.G.A. § 50-36-2(b)(3); 8 CFR § 274a.2]

2. A tribal identification card of a federally recognized Native American tribe, provided that it contains a photograph of the bearer or lists sufficient identifying information regarding the bearer, such as name, date of birth, gender, height, eye color, and address to enable the identification of the bearer. A listing of federally recognized Native American tribes may be found at [O.C.G.A. § 50-36-2(b)(3); 8 CFR § 274a.2]

3. A United States Permanent Resident Card or Alien Registration Receipt Card [O.C.G.A. § 50-36-2(b)(3); 8 CFR § 274a.2]

A passport issued by a foreign government [O.C.G.A. § 50-36-2(b)(3); 8 CFR § 274a.2]

8. A Merchant Mariner Document or Merchant Mariner Credential issued by the United States Coast Guard [O.C.G.A. § 50-36-2(b)(3); 8 CFR § 274a.2]

9. A Free and Secure Trade (FAST) card [O.C.G.A. § 50-36-2(b)(3); 22 CFR § 41.2]

10. A NEXUS card [O.C.G.A. § 50-36-2(b)(3); 22 CFR § 41.2]

11. A Secure Electronic Network for Travelers Rapid Inspection (SENTRI) card [O.C.G.A. § 50-36-2(b)(3); 22 CFR § 41.2]
12. A driver’s license issued by a Canadian government authority [O.C.G.A. § 50-36-2(b)(3); 8 CFR § 274a.2]

13. A Certificate of Citizenship issued by the United States Department of Citizenship and Immigration Services (USCIS) (Form N-560 or Form N-561) [O.C.G.A. § 50-36-2(b)(3); 6 CFR § 37.11]

14. A Certificate of Naturalization issued by the United States Department of Citizenship and Immigration Services (USCIS) (Form N-550 or Form N-570) [O.C.G.A. § 50-36-2(b)(3); 6 CFR § 37.11]

15. Certification of Report of Birth issued by the United States Department of State (Form DS-1350) [O.C.G.A. § 50-36-2(b)(3); 6 CFR § 37.11]

16. Certification of Birth Abroad issued by the United States Department of State (Form FS-545) [O.C.G.A. § 50-36-2(b)(3); 6 CFR § 37.11]

17. Consular Report of Birth Abroad issued by the United States Department of State (Form FS-240) [O.C.G.A. § 50-36-2(b)(3); 6 CFR § 37.11]

18. An original or certified copy of a birth certificate issued by a State, county, municipal authority, or territory of the United States bearing an official seal [O.C.G.A. § 50-36-2(b)(3); 6 CFR § 37.11]
SPONSOR: MAYOR ROBERT A.B. REICHERT

COMMITTEE AMENDMENT

AN ORDINANCE OF THE MACON-BIBB COUNTY COMMISSION AMENDING ARTICLE II. LICENSING OF CHAPTER 4 OF THE CODE OF ORDINANCES OF MACON-BIBB COUNTY, GEORGIA TO ADD PROVISIONS APPLICABLE TO THE SALE OF GROWLERS; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.

WHEREAS, Article V of Chapter 4 of the Code of Ordinances of Macon-Bibb County, Georgia contains provisions applicable to the retail package sales of wine and malt beverages; and

WHEREAS, the Macon-Bibb County Commission has determined that it is appropriate to amend Article V of Chapter 4 of the Code of Ordinances of Macon-Bibb County, Georgia by adding a provision that would allow the sale of Growlers (as hereinafter defined) under certain circumstances;

NOW, THEREFORE, BE IT ORDAINED by the Macon-Bibb County Commission and it is hereby so ordained by the authority of the same that:

Section 1.

Article V of Chapter 4 of the Code of Ordinances of Macon-Bibb County, Georgia is hereby amended by adding a new Sec. 4-128 which shall read as follows:

"Sec. 4-128. Growlers.

The sale of growlers in compliance with this ordinance is authorized for establishments licensed solely under ordinance section 4-124 (a) (1) for the retail package sales of wine and malt beverages. The filling of growlers by means of a tapped keg shall not constitute the breaking of a package as contemplated by O.C.G.A. §3-3-26 or other provisions of this ordinance. The term "growler" means a glass bottle not to exceed sixty-four ounces (64 oz.) that is filled by a licensee or employee of the licensed establishment with beer from a keg. Growlers may only be filled from kegs procured by the licensee from a duly licensed wholesaler. Only professionally sanitized and sealed growlers may be filled and made available for retail sale. Each growler must be securely sealed and removed from the premises in its original sealed condition. Consumption on the premises is strictly prohibited. However, samples of tap beers may be made available if the licensee is providing growlers in compliance with this ordinance, but shall not exceed one ounce (1 oz.) nor shall any one individual be offered more than three (3) samples within a twenty-four hour (24 hr.) period."

Section 2.
It is hereby ordained that the provisions of this ordinance shall become a part of the Code of Ordinances of Macon-Bibb County, Georgia, and the sections of this ordinance may be renumbered to accomplish such intention.

Section 3.

(a) It is hereby declared to be the intention of the Macon-Bibb County Commission that all sections, paragraphs, sentences, clauses, and phrases of this Ordinance are and were, upon their enactment, believed by the Macon-Bibb County Commission to be fully valid, enforceable, and constitutional.

(b) It is hereby declared to be the intention of the Macon-Bibb County Commission that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Chapter is severable from every other section, paragraph, sentence, clause or phrase of this Ordinance. It is hereby further declared to be the intention of the Macon-Bibb County Commission that, to the greatest extent allowed by law, no section, paragraph, sentence, clause, or phrase of this Ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Ordinance.

(c) In the event that any phrase, clause, sentence, paragraph or section of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the Macon-Bibb County Commission that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or sections of the Ordinance and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs, and sections of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

Section 4.

All Ordinances or parts of Ordinances in conflict with this Ordinance are, to the extent of such conflict, hereby repealed or set aside.
Section 5.

This Ordinance shall become effective immediately upon its adoption.

SO ORDAINED this ___ day of _____________, 2014.

___________________________
ROBERT A.B. REICHERT, MAYOR

ATTEST:
___________________________
SHEILA THURMOND, CLERK OF COMMISSION

[SEAL]
A RESOLUTION OF THE MACON-BIBB COUNTY COMMISSION, APPROVING MACON-BIBB COUNTY’S CONTINUED PARTICIPATION IN THE “HEARTBEAT INCENTIVE PROGRAM” WHEREBY PROPOSED MIXED USED DEVELOPMENTS IN THE CENTRAL BUSINESS DISTRICT MAY BE GRANTED THE BENEFIT OF REDUCED OR ELIMINATED PROPERTY TAXES ACCORDING TO THE APPLICABLE SAVINGS SCHEDULE THROUGH THE USE OF “PAYMENT IN LIEU OF TAXES” (“PILOT”) TRANSACTIONS ADMINISTERED BY THE URBAN DEVELOPMENT AUTHORITY; AND FOR OTHER PURPOSES.

WHEREAS, the Macon-Bibb County Urban Development Authority is an instrumentality of the newly consolidated Macon-Bibb County Government, charged with reducing blight and increasing residential and commercial growth in Macon-Bibb County, Georgia; and

WHEREAS, offering tax savings to qualified developers of projects titled to the Macon-Bibb County Urban Development Authority that will be located in Macon-Bibb County’s Central Business District would benefit Macon-Bibb County by reducing blight and increasing the amount of developed property in this area; and

WHEREAS, the Heartbeat Incentive Program results in at a minimum, assessed value improvements fifty percent (50%) greater than the tax assessed value of the parcel prior to improvements; and

WHEREAS, the Heartbeat Incentive Program allows the Macon-Bibb County Urban Development Authority to provide for payments in lieu of taxes (hereinafter “PILOT”) to be paid by lessees of projects owned and developed by Macon-Bibb County Urban Development Authority, thereby offering an incentive to developers; and

WHEREAS, in 2010 the Macon-Bibb County Urban Development Authority, in cooperation with the Macon-Bibb County Board of Tax Assessors, proposed a streamlined
application and pre-approval PILOT that was approved for a three (3)-year period by the Mayor
and former Macon City Council; and

WHEREAS, because of the success of the streamlined PILOT approval process and
Macon-Bibb County Urban Development Authority’s continued efforts to develop and revitalize
the Central Business District of Macon-Bibb County, Macon-Bibb County Urban Development
Authority and Macon-Bibb County Board of Tax Assessors desire to create a streamlined PILOT
application process similar to the process in place between 2010-2013; and

WHEREAS, this resolution will benefit and promote the health, safety, morals and
welfare of the citizens of Macon-Bibb County.

NOW, THEREFORE, BE IT RESOLVED by the Macon-Bibb County Commission,
and it is hereby resolved by the authority of the same that the Macon-Bibb County Commission
approves the use of the following:

1. The Macon-Bibb County Urban Development Authority, in connection with the
Macon-Bibb County Board of Tax Assessors, is authorized to provide the PILOT incentives, to
any new construction residential housing development in Macon-Bibb County, particularly in the
Central Business District, provided, however, that:

A. The maximum total taxable value of any one such development subject to the
HEARTBRAT INCENTIVE PILOT shall be $12,000,000; and
B. The pre-approval process outlined herein for any such project by Macon-Bibb
County shall lapse and be repealed three (3) years from the date of this
Resolution, or sooner if at any time repealed by action of Mayor and County
Commission; and
C. The Macon-Bibb County Urban Development Authority shall use an
application and procedure similar to that outlined in the attached Exhibit “A”
when reviewing projects that may qualify for PILOT incentives for new
housing construction and development, subject to the requirements of this
resolution; and

F:\Law\RES MACON-BIBB\2014 Heartbeat Incentive Program – Urban Development Authority
D. To be eligible, projects must increase the taxable value of a developed parcel by at least 50% and must be for residential construction of at least ten new or additional units; and

E. To be eligible, projects must be within the designated target area, which shall include the downtown area west to Pierce Avenue, as shown more particularly in Exhibit "C"; and

F. Projects already under construction, excluding stabilization, site preparation or utility work, will not be eligible; and

G. A majority of square footage in mixed-use projects must be dedicated to residential use; and.

H. The project will become fully taxable for ad valorem tax purposes at the end of the Heartbeat Incentive PILOT.

2. For each such project undertaken by the Macon-Bibb County Urban Development Authority over the upcoming five (5) year period, the Macon-Bibb County Urban Development Authority shall notify the Clerk of the County Commission, so that Commission and Mayor’s office will be apprised of each instance of the use of the Heartbeat Incentive PILOTs.

3. This Resolution in no way empowers Macon-Bibb County Urban Development Authority, or any other instrumentality of Macon-Bibb County, to avoid seeking the approval of the Macon-Bibb County Board of Tax Assessors and local taxing authorities, including Macon-Bibb County, on all other projects not subject to preapproval pursuant to this resolution which seek an incentive using the traditional PILOT process heretofore utilized by the County, Board of Education, and Macon-Bibb County Board of Tax Assessors.

SO RESOLVED this ____ day of __________, 2014.

______________________________
ROBERT A. B. REICHERT, MAYOR

ATTEST:
______________________________
SHEILA THURMOND, CLERK OF COMMISSION
AN ORDINANCE OF THE MACON-BIBB COUNTY COMMISSION, TO ADOPT A POLICY AND PROCEDURE FOR MACON-BIBB COUNTY CITIZENS FOR THE REPAIR AND REGISTRATION OF PAVED ROADWAYS THAT HAVE NOT BEEN ESTABLISHED AS PUBLIC ROADS OF MACON-BIBB COUNTY, AND TO ESTABLISH THE PROCEDURE FOR CREATION OF SPECIAL TAX DISTRICT FOR THE PROVISION OF LOCAL GOVERNMENT SERVICES; TO PROVIDE AN ADOPTION AND EFFECTIVE DATE; AND TO PROVIDE FOR OTHER LAWFUL PURPOSES.

WHEREAS, by virtue of Article IX, Section III, Paragraph II of the Constitution of Georgia, Ga. Law 2012, page 5595 and Ga. Laws 2013, pages 3501, 3942, and by virtue of the will of the people in a referendum held on July 31, 2012 there is to be a consolidated local government known as “Macon-Bibb County”; and

WHEREAS, Macon-Bibb County has an interest in encouraging the design and construction of economically sound subdivisions and other related structures; and

WHEREAS, Macon-Bibb County has an interest in encouraging the proper legal description, identification, monumentation and recordation of real estate boundaries; and

WHEREAS, Macon-Bibb County has an interest in the public welfare of citizens residing in subdivisions in which the roads have not been dedicated by the developer where the developer has filed bankruptcy, has absconded or has failed to submit the roads for acceptance upon completion of construction; and

WHEREAS, these citizens are residing in subdivisions and/or neighborhoods in which the roadways are not considered public roadways as they have not been entered upon the Public Road Register and therefore are not eligible for maintenance by the Macon-Bibb County; and

WHEREAS, establishing a procedure by which said property owners may pay the costs incurred in bringing the condition of roads that are currently not entered upon the Public Road Register up to a standard acceptable to Macon-Bibb County upon completing the Road Repair Petition and Road Registration Deed; and

WHEREAS, creation of a special tax district under these circumstances will prevent undue hardship for property owners and will encourage said property owners to voluntarily complete; and

WHEREAS, the ordinance contained herein would benefit and promote the health, safety, morals and welfare of the citizens of Macon-Bibb County.

NOW, THEREFORE, BE IT ORDAINED by the Macon-Bibb County Commission and it is hereby so ordained by the authority of the same that Chapter 25, Article I of the Code of Ordinances of Macon-Bibb County, Georgia is hereby amended to read as follows:
Section 1.

Chapter 25, Article I, Section 311 of the Code of Ordinances of Macon-Bibb County is hereby amended to read as follows:

ARTICLE I. IN GENERAL.

Sec. 26-311. Constitutional Authority.

The Commission is authorized pursuant to Article IX, Section II, Paragraph VI of the Constitution of the State of Georgia to create special districts for the provision of local government services within such districts, and to levy and collect fees, assessments and taxes within such district to pay, wholly or partially, the cost of providing such services therein.

Sec. 26-312. Statement of Policy and Purpose.

The purpose of this ordinance is to provide citizens of Macon-Bibb County with a procedure to petition for the repair and registration of paved roadways that have not been established as public roads of Macon-Bibb County so that they may be added to the Public Road Register and maintained as public road of Macon-Bibb County.

Sec. 26-313. Definitions.

Lot owner. The term "lot owner" as used in this ordinance shall include all persons holding fee simple title according to the real estate records of the County to real property within a proposed road repair district at the time the road repair petition and road registration deed form is submitted for the creation of said district as provided herein. For the purpose of the petitioning of the Macon-Bibb County Commission for the creation of a new road repair and registration tax district, the lot owner/owners shall have one vote per platted lot within a particular proposed road repair and registration district. "Lot owner" shall not include tenants in possession of property within the road repair and registration district.

Road repair and registration district. The term "road repair and registration district" is a specific type of special tax district within Macon-Bibb County. A special tax district is authorized pursuant to Article IX, Section II, Paragraph VI of the Constitution of the State of Georgia. Road repair and registration districts may be created in order for lot owners to amortize the cost of road repairs within the district where they are seeking to have said roads entered upon the Public Road Register.
Sec. 26-314. Districts; How Created; Responsibility for Costs

(a) Any lot owner in Macon-Bibb County may present a Road Repair Petition and Road Registration Form to the Macon-Bibb County Engineering Department where said roadways are paved.

(b) The Road Repair Petition and Road Registration Deed Form must be completed in its entirety and a plat of the area to be repaired and registered attached to the form.

(c) The petitioner must obtain signatures from 50% + 1 (more than 50%) of the lot owners located in the potential road repair and registration tax district. The signatures must be notarized. Engineering, with assistance from the Macon-Bibb County Tax Assessors Office, will verify that the notarized signatures on the form represent the actual owners of record for each property. In addition, each form must designate a district resident as the “district contact person”, responsible for communication between Macon-Bibb County and the district pertaining to its road repair and registration district.

(d) Unless 100% of the lot owners have signed the petition, the Macon-Bibb County Commission shall conduct at least one public hearing after having advertised the request one time in the official legal organ of Macon-Bibb County, and a sign or signs shall be posted in the proposed road repair and registration district giving notice of the hearing at least 10(ten) days before the public hearing.

(e) By signing the Road Repair Petition and Road Registration Deed Form, all petitioners within the subdivision or neighborhood shall be deemed to have actual or constructive notice of this ordinance and all the provisions contained herein, as well as the road repair and registration district.

(f) The Macon-Bibb County Engineering Department will provide an estimate for the cost of road repairs necessary to bring the roads up to standard. The estimate will be given to the property owners.

(g) The choice as to the type, method and time of the accomplishment of repairs shall be entirely discretionary with the governing authority of Macon-Bibb County.

(h) Special tax districts which shall be known as road repair and registration districts may be created upon the submission of the proper Road Repair Petition and Road Registration Deed Form to the Macon-Bibb County Engineering Department and submission of a resolution to the Macon-Bibb County Commission. Each new road repair and registration district so created shall be assigned a number and be designated by recorded plats showing each lot therein.

(i) A register of road repair and registration districts shall be maintained in the office of the Macon-Bibb Superior Court Clerk or his or her designee and the office of the Macon-Bibb County Tax Commissioner. Such registers shall be available to the public for inspection upon reasonable notice to either of these offices.
(j) The cost of repairing the paved road or roads shall be advanced by Macon-Bibb County. Macon-Bibb County shall have the authority to contract with the necessary parties to complete the job. This cost shall then be paid by the residents of the road repair and registration tax district and amortized up to a year or period of years as determined by the Macon-Bibb County Commission. The amortized cost of repairs shall be assigned to each platted lot. Each lot, whether vacant or improved, will pay the same assessment. The road repair and registration tax district shall end upon the payment of the amortized cost to Macon-Bibb County.

(k) Unless and until the Macon-Bibb County Commission shall have accepted the paved road(s) or street(s), the same shall not be deemed to be a public road so as to become a part of the Macon-Bibb County street and road system or to require maintenance and improvement by Macon-Bibb County.

Sec. 26-315. Street/Road Standards

Street/road standards can be located in Chapter 25, Article II, Division 2 of the Code of Ordinances of Macon-Bibb County.

Sec. 26-316. Lien of fees; payment; levy

(a) The charges for road repair in each road repair and registration district shall be paid as a road repair assessment and shall be collected concurrently with the ad valorem tax billed to each lot owner within each road repair and registration tax district. The date for determining ownership of each lot shall be January 1st of each year.

(b) The administration, payment and accounting of the amortized cost herein authorized shall be the responsibility of the Macon-Bibb County Commission or some department of the Macon-Bibb County government to which responsibility shall be assigned by the Macon-Bibb County Commission. Any proration of charges between the owners of lots to which title is transferred during any year shall be the responsibility of the buyers and sellers of such lots.

(c) The office of the Macon-Bibb County Tax Commissioner shall be responsible for the timely collection of taxes, fees and assessments assessed to each road repair and registration district and shall remit such sums to the Macon-Bibb County Commission in the same manner as other taxes are remitted.

(d) The fees herein prescribed shall be deemed in all respects to be governed by the rules and ordinances respecting ad valorem taxes in Macon-Bibb County.

Sec. 26-317. Liens
In addition to any other rights of collection for late or unpaid charges, Macon-Bibb County shall have all rights available under the laws of the State of Georgia for the assessment and creation of a lien upon the property of the owner receiving the service provided, together with all rights of execution, levy, foreclosure and sale.

Sec. 26-318. Applicability of Ordinance

This ordinance shall only be applicable to paved road(s). Roads may become public roads by being dedicated and the County’s acceptance as evidenced by resolution of the Macon-Bibb County Commission. By signing the road repair petition and road registration deed form, petitioners agree to dedicate for road purposes, the right-of-way for said roads in so far as his or her land is included in said right-of-way. The right-of-way must be surveyed and a plat of said survey shall be attached to the road repair petition and road registration form. The cost in obtaining said survey plat shall be incurred by petitioners. Where the right of way shown on the original plat of the subdivision is still valid, it will be deemed to meet this requirement.

In order present Macon-Bibb County with fee simple title to the roads, the lot owners may have to locate the developer with the authority to deed over the roads to Macon-Bibb County. This will be at the expense of the lot owners and the lot owners may obtain representation by counsel to expedite the process at their own expense.

Sec. 26-319. Federal, State Laws to Prevail

If any provisions of this ordinance is in conflict with any state or federal law, or with any rule, regulation, or any order of any agency of this state or federal agency having jurisdiction of the subject matter of this ordinance, it is hereby deemed to be the intention of the Macon-Bibb County Commission that the state or federal law or rule, regulation or order shall prevail such that the remaining portion of this ordinance shall be deemed to be of full force or effect.

Sec. 26-320. Exceptions

The Macon-Bibb County Commission may make exceptions to this ordinance when warranted by exceptional circumstances.

Section 2.

It is the intention of the Macon-Bibb County Commission that nothing herein shall be interpreted as amending, altering, abolishing, discharging, or in any manner affecting any advisory committees, taxes, fees, charges, and/or assessments previously established or adopted by Bibb County or the City of Macon regarding road repair or dedication in Bibb County, the City of Macon, and/or Macon-Bibb County, and that any
such advisory committees, taxes, fees, charges, and/or assessments shall continue in full force and effect in Macon-Bibb County consistent with the provisions of the Macon-Bibb County Charter, Ga. Law 2012, page 5595 and Ga. Laws 2013, pages 3501, 3942.

Section 3.

The preamble of this Ordinance shall be considered to be and is hereby incorporated by reference as if fully set out herein.

Section 4.

Section 26-311. It is hereby ordained that the provisions of this ordinance shall become and be made a part of the Code of Ordinances of Macon-Bibb County, Georgia, and the sections of this ordinance may be renumbered to accomplish such intention.

Section 5.

(a) It is hereby declared to be the intention of the Macon-Bibb County Commission that all sections, paragraphs, sentences, clauses, and phrases of this Ordinance are and were, upon their enactment, believed by the Macon-Bibb County Commission to be fully valid, enforceable, and constitutional.

(b) It is hereby declared to be the intention of the Macon-Bibb County Commission that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Chapter is severable from every other section, paragraph, sentence, clause or phrase of this Ordinance. It is hereby further declared to be the intention of the Macon-Bibb County Commission that, to the greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this Ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Ordinance.

(c) In the event that any phrase, clause, sentence, paragraph or section of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the Macon-Bibb County Commission that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or sections of the Ordinance and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs, and sections of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

Section 6.

All Ordinances or parts of Ordinances in conflict with this Ordinance are, to the extent of such conflict, hereby repealed.
Section 7.

This Ordinance shall become effective immediately upon its approval by the Mayor.

SO ORDAINED this ____ day of ________________, 2014.

ROBERT A.B. REICHERT, MAYOR

ATTEST:

SHEILA THURMOND, CLERK OF COMMISSION
A RESOLUTION OF THE MAYOR AND THE MACON-BIBB COUNTY COMMISSION, AUTHORIZING THE MAYOR TO SELL A PARTIAL PORTION OF NEW STREET LANE CONSISTING OF 2,086 SQUARE FEET TO THE ADJOINING OWNER FOR NO LESS THAN FAIR MARKET VALUE ($29,204); AUTHORIZING THE MAYOR TO EXECUTE A QUIT CLAIM DEED AND ANY OTHER NECESSARY DOCUMENTS TO EFFECT THE SALE OF SAID PROPERTY; AND FOR OTHER LAWFUL PURPOSES.

WHEREAS, O.C.G.A. § 32-7-3 authorizes Macon-Bibb County to close and dispose of a public road pursuant to the procedure set forth in O.C.G.A. § 32-7-4 when Macon-Bibb County determines that it is no longer needed for public road purposes because of changed conditions, and that closing said road is in the public interest; and

WHEREAS, the Macon-Bibb County Hospital Authority seeks to purchase and close only that portion of New Street Lane which is bounded on both sides by property owned by the Macon-Bibb County Hospital Authority, as shown on Exhibit A, and does not seek to close any portion of New Street Lane that is bounded by property owned by others,

WHEREAS, that portion of New Street Lane, as shown on Exhibit B, is not used by the public as a thoroughfare; and

WHEREAS, the Macon-Bibb Hospital Authority has submitted a petition along with the nonrefundable attorney/engineering fees to Macon-Bibb County to abandon and sell the portion of New Street Lane that runs from Hemlock Street to Hemlock Street Lane that is bounded on both sides by property owned by the Macon-Bibb Hospital Authority; and

WHEREAS, the Mayor and Macon-Bibb County Commission find that said portion of New Street Lane is not needed for public road purposes and that abandoning and disposing of it is in the public interest, as it facilitates the enjoyment of the highest and best use of the abutting property.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Macon-Bibb County Commission, and it is hereby so resolved by the authority of the same that the Mayor is authorized to abandon and sell a portion of New Street Lane, shown on Exhibit B, to the adjoining owner for no less than fair market value as determined by the Macon-Bibb County Tax Assessors Office ($29,204), in accordance with O.C.G.A. § 32-7-4, and to execute quit claim deeds or any other documents necessary to complete this transaction.
BE IT FURTHER RESOLVED that, contingent on such sale, said portion of New Street Lane is hereby closed and abandoned.

BE IT FURTHER RESOLVED that should Macon-Bibb County fail to sell this portion of New Street Lane for no less than fair market value, said road shall not be closed or abandoned, but shall remain Macon-Bibb County property.

SO RESOLVED this _____ day of ____________, 2014.

ROBERT A.B. REICHERT, MAYOR

ATTEST: SHELIA THURMOND, CLERK OF COMMISSION
A RESOLUTION OF THE MAYOR AND THE MACON-BIBB COUNTY COMMISSION, AUTHORIZING THE MAYOR TO SELL AND CLOSE AN ALLEY KNOWN AS CLIETT DRIVE CONSISTING OF 18,534 SQUARE FEET TO THE ADJOINING OWNER FOR NO LESS THAN FAIR MARKET VALUE ($18,534); AUTHORIZING THE MAYOR TO EXECUTE A QUIT CLAIM DEED AND ANY OTHER NECESSARY DOCUMENTS TO EFFECT THE SALE OF SAID PROPERTY; AND FOR OTHER PURPOSES.

WHEREAS, O.C.G.A. § 32-7-3 authorizes Macon-Bibb County to close and dispose of a public road pursuant to the procedure set forth in O.C.G.A. § 32-7-4 when Macon-Bibb County determines that it is no longer needed for public road purposes because of changed conditions, and that closing said road is in the public interest; and

WHEREAS, Moses Jackson seeks to purchase and close Cliett Drive which is bounded on both sides by property owned by Moses Jackson, as shown on Exhibit “A”. Cliett Drive is bounded by property owned by Macon-Bibb County noted as 591 on the same exhibit. However, that property is used in essence as a detention pond, is surrounded by a fence and the sole gated entrance to the property is on Key Street; and

WHEREAS, Cliett Drive, as shown on Exhibit “B”, was intended to provide access to eight (8) lots, was never opened or put into use and none of the lots were ever developed. It has never been used by the public as a thoroughfare, Moses Jackson has owned the property enclosed in yellow for years, and he has recently acquired the property enclosed in pink; and

WHEREAS, the Macon-Bibb County Engineering Department notes that Moses Jackson is in the process of constructing an automotive repair business, that Cliett Drive is an unopened wooded right-of-way and they know of no interest the government would have in retaining the property; and

WHEREAS, the Macon-Bibb County Board of Tax Assessors have determined the land should be valued at $1.00 per square foot for a total of eighteen thousand five hundred thirty-four dollars ($18,534.00) as shown on Exhibit “C”.

WHEREAS, the Mayor and Macon-Bibb County Commission find that said Cliett Drive is not needed for public road purposes and that abandoning and disposing of it is in the public interest, as it facilitates the enjoyment of the highest and best use of the abutting property.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Macon-Bibb County Commission, and it is hereby so resolved by the authority of the same that the Mayor is authorized to abandon and sell Cliett Drive, shown on Exhibits “A” and “B”, to the adjoining owner for no less than fair market value as determined by the Macon-Bibb County Tax
Assessors Office ($29,204), in accordance with O.C.G.A. § 32-7-4, and to execute quit claim deeds or any other documents necessary to complete this transaction.

**BE IT FURTHER RESOLVED** that, contingent on such sale, Cliett Drive is hereby closed and abandoned.

**BE IT FURTHER RESOLVED** that should Macon-Bibb County fail to sell Cliett Drive for no less than fair market value, said road shall not be closed or abandoned, but shall remain Macon-Bibb County property.

**SO RESOLVED** this _____ day of __________, 2014.

______________________________
ROBERT A.B. REICHERT, MAYOR

ATTEST:
______________________________
SHEILA THURMOND, CLERK OF COMMISSION
A RESOLUTION OF THE MACON-BIBB COUNTY COMMISSION TO SUPPORT HUNT SCHOOL PARTNERS, L.P. AND ITS APPLICATION FOR LOW INCOME HOUSING TAX CREDITS TO ACQUIRE AND REDEVELOP THE FORMER HENRY A. HUNT ELEMENTARY SCHOOL PROPERTY LOCATED AT 990 SHURLING DRIVE IN MACON-BIBB COUNTY, GEORGIA; AND FOR OTHER PURPOSES.

WHEREAS, the Georgia Department of Community Affairs is accepting applications for Low Income Housing Tax Credits until June 5, 2014; and

WHEREAS, the former Henry A. Hunt Elementary School, located at 990 Shurling Drive, Macon, Georgia, was declared “surplus property” by the Macon-Bibb County School Board; and

WHEREAS, the former Henry A. Hunt Elementary School has exceeded its useful life and is functionally obsolete, as shown in the attached Exhibit “A”; and

WHEREAS, Hunt School Partners, L.P. has entered into a Purchase and Sale Agreement with the owner and will submit an application to the Georgia Department of Community Affairs for an allocation of Low Income Housing Tax Credits, in order to construct approximately sixty (60) housing units for elderly persons, and

WHEREAS, the housing units will have various site amenities, and a variety of supportive services for the elderly residents, as shown in the attached Exhibit “B”; and

WHEREAS, the Macon-Bibb County Commission supports this proposed project, and believes that the re-development of the former Henry A. Hunt Elementary School property fulfills an important public purpose and a needed re-investment that benefits the future residents and the surrounding neighborhood, and provides a substantial benefit to Macon-Bibb County; and

SPONSOR: MAYOR ROBERT A.B. REICHERT
WHEREAS, this resolution will benefit and promote the health, safety, morals and welfare of the citizens of Macon-Bibb County.

NOW, THEREFORE, BE IT RESOLVED by the Macon-Bibb County Commission, and it is hereby so resolved by the authority of the same to support Hunt School Partners, L.P. with its application for Low Income Housing Tax Credits for the purchase and redevelopment of the Henry A. Hunt Elementary School in Macon-Bibb County, Georgia.

SO RESOLVED this ____ day of ________________, 2014.

______________________________
ROBERT A. B. REICHERT, MAYOR

ATTEST:
SHEILA THURMOND, CLERK OF COMMISSION
AN ORDINANCE OF THE MACON-BIBB COUNTY COMMISSION GRANTING A FRANCHISE TO SOUTHERN RIVERS ENERGY; AND TO PROVIDE FOR OTHER LAWFUL PURPOSES.

WHEREAS, by virtue of Article IX, Section III, Paragraph II of the Constitution of Georgia, Ga. Law 2012 page 5595, and Ga. Laws 2013, pages 3501, 3942, and by virtue of the will of the people in a referendum held on July 31, 2013 there is to be a consolidated local government known as “Macon-Bibb County”; and

WHEREAS, pursuant to Section 11(b)(8) of the Macon-Bibb County Charter, Macon-Bibb County has the authority to grant franchises to public utility companies; and

WHEREAS, both Macon-Bibb County and the Southern Rivers Energy find the GMA approved model franchise agreement to be acceptable for the establishment of a new ordinance governing Southern River Energy’s use of public rights-of-ways in Macon-Bibb County; and

WHEREAS, the amendments contained herein would benefit and promote the health, safety, morals and welfare of the citizens of Macon-Bibb County.

NOW, THEREFORE, BE IT ORDAINED by the Macon-Bibb County Commission and it is hereby so ordained by the authority of the same that:

Section 1.

The Ordinance Granting Franchise to Southern Rivers Energy attached hereto and made a part hereof as Exhibit “A” is hereby adopted and enacted, but shall not be published within the Code of Ordinances of Macon-Bibb County, Georgia.

Section 2.

The preamble of this Ordinance shall be considered to be and is hereby incorporated by reference as if fully set out herein.

Section 3.

(a) It is hereby declared to be the intention of the Macon-Bibb County Commission that all sections, paragraphs, sentences, clauses, and phrases of this Ordinance are and were, upon their enactment, believed by the Macon-Bibb County Commission to be fully valid, enforceable, and constitutional.

(b) It is hereby declared to be the intention of the Macon-Bibb County Commission that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Chapter is severable from every other section, paragraph, sentence, clause or phrase of this
Ordinance. It is hereby further declared to be the intention of the Macon-Bibb County Commission that, to the greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this Ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Ordinance.

(c) In the event that any phrase, clause, sentence, paragraph or section of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the Macon-Bibb County Commission that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or sections of the Ordinance and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs, and sections of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

Section 4.

All Ordinances or parts of Ordinances in conflict with this Ordinance are, to the extent of such conflict, hereby repealed.

Section 5.

This Ordinance shall become effective June 1, 2014.

SO ORDAINED this ___ day of ____________, 2014.

ROBERT A.B. REICHERT, MAYOR

ATTEST:
SHEILA THURMOND, CLERK OF COMMISSION
A RESOLUTION OF THE MACON-BIBB COUNTY COMMISSION TO AUTHORIZE AND APPROVE A CONSULTING AGREEMENT BETWEEN MACON-BIBB COUNTY AND T.Y. LIN INTERNATIONAL, INC., OF FOUR THOUSAND NINE HUNDRED AND FIFTY AND 00/100 ($4,950.00) FOR PROFESSIONAL CONSULTING SERVICES FOR THE MID-CITY SQUARE CONCEPTUAL DESIGN PROJECT; AND FOR OTHER PURPOSES.

WHEREAS, Macon-Bibb County has adopted a resolution authorizing the acquisition of rights-of-way for the construction of Mid-City Square at the intersection of Pine and Second Streets; and

WHEREAS, Macon-Bibb County desires to engage a consultant to provide professional consulting services related to preparing a photo rendering and a hand drawn birds-eye perspective rendering of Mid-City Square; and

WHEREAS, T.Y. Lin International, Inc., is a global, multi-disciplinary engineering services firm, with an office located in Atlanta, Georgia; and

WHEREAS, T.Y. Lin International, Inc., uses a cross-disciplined approach to achieve a balance between the needs of the client, the impact on the community, and the surrounding environment; and

WHEREAS, T.Y. Lin International, Inc., has many areas of expertise including working with local municipalities, transportation authorities, architecture and engineering firms, contractors, special government districts, etc., in preparing conceptual designs for projects across a broad spectrum of scales and disciplines; and

WHEREAS, T.Y. Lin International, Inc., has previously worked on several projects in the Macon-Bibb County area including, but not limited to, the Little Richard Penniman Connector, the Cherry Street to Poplar Street Vision area and improvements along 2nd Street; and

WHEREAS, T.Y. Lin International has also completed similar projects such as the South Lake Shore Drive (US-41) reconstruction in Chicago, Illinois, the University of Rochester IPD in the Town of Brighton and City of Rochester, New York, the Wacker Driver Reconstruction project in Chicago, Illinois and Novena Square in Singapore; and

WHEREAS, T.Y. Lin International has been demonstrated to possess the experience, expertise and qualifications necessary to successfully perform the tasks necessary for the Mid-City Square Project Conceptual Design; and

WHEREAS, this resolution will benefit and promote the health, safety, morals and welfare of the citizens of the Macon-Bibb County.
NOW, THEREFORE, BE IT RESOLVED by the Macon-Bibb County Commission, and it is hereby so resolved by the authority of the same that, the Mayor is authorized to execute an agreement with T.Y. Lin International, Inc., for the City of Macon Mid-City Square Project Conceptual Design which will include a master site plan – photo rendering in digital format of Mid-City Square and a bird’s eye perspective rendering – hand drawn over aerial photograph, in the amount of FOUR THOUSAND NINE HUNDRED FIFTY and 00/100 DOLLARS ($4,950.00) to be paid from SPLOST funds in substantially the same form as attached hereto as Exhibit “A”.

SO RESOLVED this ______ day of _____________, 2014.

ROBERT A.B. REICHERT, MAYOR

ATTEST: 

SHEILA THURMOND, CLERK OF COMMISSION
A RESOLUTION OF THE MACON-BIBB COUNTY COMMISSION TO ACCEPT THE
DEDICATION OF THE STREETS AND DRAINAGE SYSTEMS LOCATED WITHIN
THE STREETS, IN OAK CREEK SUBDIVISION AND TO DECLARE THAT THOSE
STREETS SHALL BE OPEN FOR PUBLIC USE AND SHALL BE MAINTAINED BY
THE CITY; AND FOR OTHER PURPOSES.

WHEREAS, Owner/Developer Thomas A. Ward of McKinney-Ward Properties, LLC,
constructed streets with storm drainage systems shown on Exhibit “A” attached hereto, namely
Maggie Drive, Castlewoods Drive, and Justin Way ("the Streets"); and

WHEREAS, the Streets and drainage systems have been built according to specifications
and under the inspection and approval of the Engineering Office (See Exhibit “B” attached
hereto); and

WHEREAS, construction of the Oak Creek Subdivision began in September of 2004 and
the infrastructure was completed in June 2005; and

WHEREAS, periodic inspections of the roads were performed by the engineering
department during construction; and

WHEREAS, the final subdivision plat was approved on July 28, 2005; and

WHEREAS, after the one year test period, a punchlist was produced, but was never
completed, however, the individuals involved in the original development expressed a
willingness to make the necessary repairs to the roads and drainage system to allow the roads to
be accepted; and

WHEREAS, a new punchlist was created after the Macon-Bibb County Engineering
Department reinspected the roads; and

WHEREAS, the deficiencies have been addressed in a satisfactory manner;

WHEREAS, the Macon-Bibb County Engineering Department recommends acceptance
of the streets by Macon-Bibb County for future maintenance, with the stipulation that any
additional street lighting requested by the residents should be paid for by the residents, as the street lighting system installed by the developer during the original construction has a distribution of lighting that does not meet the current standards of Macon-Bibb County due to an insufficient number of light poles; and

WHEREAS, it is the desire of the Owner/Developer Tom Ward to dedicate the Streets and drainage systems to the City of Macon for public use and maintenance.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Macon and it is hereby so resolved by the authority of the same that the City accepts such dedication of the Streets and drainage systems shown on the attached Exhibit “A” and declares that the Streets and drainage systems shall be open for public use and shall be maintained by the City.

SO RESOLVED this _____ day of ______________, 2014.

__________________________
ROBERT A. B. REICHERT, MAYOR

ATTEST:
SHEILA THURMOND, CLERK OF COMMISSION
RETURN COMPLETED FORM TO:
MACON-BIBB COUNTY ENGINEERING DEPARTMENT
780 THIRD STREET
MACON, GA. 31201-3282
478-621-6650

YOUR CONTACT INFORMATION:
NAME: Tom Ward – Manager
ADDRESS: 5402 New Forsyth Road
          Macon, GA 31210
PHONE: (478) 474-1180

GEORGIA,
MACON-BIBB COUNTY

To the Macon-Bibb County Commission:

THIS DEED OF DEDICATION, made and executed into this ___ day of __________, 2014 by and between the undersigned, hereinafter called Grantor, and the Macon-Bibb County Government,

WITNESSETH that: Grantor for and in consideration of the sum of One Dollar ($1.00) paid by Macon-Bibb County to the undersigned, the receipt of which is hereby acknowledged, the Grantor does hereby dedicate, grant and convey, with General Warranty, unto Macon-Bibb County, the following, to wit:

The undersigned petitioners respectfully requests that the following described road be established and maintained as a public road of Macon-Bibb County, and entered upon the Public Road Register to be described upon said Register as Maggie Drive

Road: Said road to commence at or near Captain Kell Drive, in the 13th District and extend thence in an easterly direction, along or through the lands of Oak Creek Subdivision


a distance of approximately 1320 linear feet, and terminating at or near the cul-de-sac

Said road or right-of-way upon which it is established to have a uniform width of 55 feet

For the purpose of preserving the establishment and maintenance of said road by Macon-Bibb County, aforesaid, each of the undersigned petitioners does hereby dedicate for road purposes the right-of-way for said road in so far as his land is included in said right-of-way. The right-of-way aforesaid has been surveyed and platted of such survey is attached hereto and made a part hereof, for purposes of more complete identification of said right-of-way.

Upon acceptance by the governing body of Macon-Bibb County, Macon-Bibb County shall, notwithstanding any other provisions in this contract, immediately become vested with the title to all the land between parallel lines, each equidistant from the center of such highway as laid out, and 27.5 feet, there from, so that Macon-Bibb County shall have a right-of-way for the entire length of said road, 55 feet wide, with center line of the road as actually laid out, the center line of the right-of-way, or as otherwise indicated on the plat.

And for the consideration, the undersigned further grants to Macon-Bibb County the right to all necessary drainage in the construction and maintenance of said road constructed over the said right-of-way, and also releases said county from any claim of damages arising on account of construction of said roads, or fills and embankments, ditches or culverts or bridges, on account of back water, changing of courses of streams, or in any other manner.

The Grantor hereby warrants that he or she is the rightful and lawful owner of the aforesaid land, has the legal right and authority to sell and convey said land free and clear from all encumbrances, that this conveyance and dedication is made with the Grantor's free consent, and the Grantor binds him or herself, his or her heirs, executors and administrators forever to be discharged by virtue of these presents.

NAME AND COMPANY (print or typed)

Thomas A. Ward
McKinney-Ward Properties, LLC

__________________________
Signature

Thomas A. Ward, Manager

This the __th day of __________, 2014

Notary Public
My Commission expires __________

F:\Atty\CV\2014 Revised Engineering Road Registration Form.doc

Note to Superior Court Clerk's Office:
Please return recorded petitions along with invoice to Macon-Bibb County Engineering Dept. via interoffice mail (S. Swyer ext. 6384)
RETURN COMPLETED FORM TO:
MACON-BIBB COUNTY ENGINEERING DEPARTMENT
780 THIRD STREET
MACON, GA 31201-3282
478-621-6660

YOUR CONTACT INFORMATION:
NAME: Tom Ward - Manager
ADDRESS: 5402 New Forsyth Road
Macon, GA 31210
PHONE: (478) 474-1180

GEORGIA,
MACON-BIBB COUNTY) 

To the Macon-Bibb County Commission:

THIS DEED OF DEDICATION, made and entered into this ______ day of ______, 20____, by and between the undersigned, hereinafter called Grantor, and the Macon-Bibb County Government.

WITNESSETH that Grantor for and in consideration of the sum of One Dollar ($1.00) paid by Macon-Bibb County to the undersigned, the receipt of which is hereby acknowledged, the Grantor does hereby dedicate, grant and convey, with General Warranty, unto Macon-Bibb County, the following:

The undersigned petitioners respectfully request that the following described road be established and maintained as a public road of Macon-Bibb County, and entered upon the Public Road Register to be described upon said Register as Castlewoods Drive Road. Said road to commence at or near Maggie Drive in the 13th District and extend thence in a southerly direction, along or through the lands of Oak Creek Subdivision.

a distance of approximately 1670 linear feet, and terminating at or near East property line of Lot 26.

For the purpose of providing the establishment and maintenance of said road by Macon-Bibb County, aforesaid, each of the undersigned petitioners does hereby dedicate for road purposes the right-of-way for said road in so far as his land is included in said right-of-way. The right-of-way aforesaid has been surveyed and plat of such survey is attached hereto and made a part hereof for purposes of more complete identification of said right-of-way.

Upon acceptance by the governing body of Macon-Bibb County, Macon-Bibb County shall, notwithstanding any other provisions in this contract, immediately become vested with the title to all the land between parallel lines, each said distance from the center of such highway as laid out, and 40 feet, therefrom, so far Macon-Bibb County shall have a right-of-way for the entire length of said road 20 feet wide, with center line of the road as actually laid out, the center line of the right-of-way, or as otherwise indicated on the plat.

And for the consideration, the undersigned further grants to Macon-Bibb County the right to all necessary drainage in the construction and maintenance of said road constructed over the said right-of-way, and also release said county from any claim of damage arising on account of construction of said roads, fills and embankments, ditches or culverts or bridges, or account of back waters, changing of course of streams, or in any other manner.

The Grantor hereby warrants that he or she is the rightful and lawful owner of the aforesaid land, has the legal right and authority to sell and convey said land free and clear from all encumbrances, that this conveyance and dedication is made with the Grantor's free consent, and the Grantor binds him or herself, his or her heirs, executors and administrators forever to defend by virtue of these presents.

NAME AND COMPANY (printed or typed)
Thomas A. Ward
Mckinney-Ward Properties, LLC

SIGNATURE

Thomas A. Ward, Manager

This the ______ day of __________ 20____.

Signed and sealed in the presence of

Witness
Anita G. McCaslin
Notary Public
My Commission expires 09-07-2014

Note to Superior Court Clerk's Office:
Please return recorded petitions along with invoice
10 Macon-Bibb County Engineering Dept. via interoffice mail (S. Sawyer ext. 6384)
RETURN COMPLETED FORM TO:
MACON-BIBB COUNTY ENGINEERING DEPARTMENT
780 THIRD STREET
MACON, GA 31201-3282
478-621-6660

YOUR CONTACT INFORMATION:
NAME: Tom Ward – Manager
ADDRESS: 5402 New Forsyth Road
Macon, GA 31210
PHONE: (478) 474-1180

GEORGIA,
MACON-BIBB COUNTY

To the Macon-Bibb County Commission:

THIS DEED OF DEDICATION, made and entered into this ______ day of _______ 2014 by and between the undersigned, hereinafter
called Grantor, and the Macon-Bibb County Government.

WITNESSETH that: Grantor for and in consideration of the sum of One Dollar ($1.00) paid by Macon-Bibb County to the undersigned, the receipt of
which is hereby acknowledged, the Grantor does hereby dedicate, grant and convey, with General Warranty, unto Macon-Bibb County, the following, to wit:
The undersigned petitioners respectfully requests that the following described road be established and maintained as a public road
of Macon-Bibb County, and entered upon the Public Road Register to be described upon said Register as Justin Way
Road. Said road to commence at or near Maggie Drive in the 13th District and
extend thence in a southerly direction, along or through the lands of Oak Creek Subdivision

a distance of approximately 590 linear feet, and terminating at or near Castlewoods Drive

Said road or right-of-way upon which it is established to have a uniform width of 55 feet.

For the purposes of procuring the establishment and maintenance of said road by Macon-Bibb County, aforesaid, each of the undersigned petitioners does
hereby dedicate for road purposes the right-of-way for said road in so far as his land is included in said right-of-way. The right-of-way aforesaid has been surveyed and
plotted of such survey is attached hereto and made a part hereof, for purposes of more complete identification of said right-of-way.

Upon acceptance by the governing body of Macon-Bibb County, Macon-Bibb County shall, notwithstanding any other provisions in this contract,
immediately become vested with the title to all the land between parallel lines, each equidistant from the center of such highway as laid out, and 27.5 feet, there from,
so that Macon-Bibb County shall have a right-of-way for the entire length of said road 55 feet wide, with center line of the road as actually laid out, the center
line of the right-of-way, or as otherwise indicated on the plat.

And for the consideration, the undersigned further grants to Macon-Bibb County the right to all necessary drainage in the construction and maintenance of
said road constructed over the said right-of-way, and also release said county from any claims of damages arising on account of construction of said roads, or fills and
embankments, ditches or culverts or bridges, or account of back water, changing of courses of streams, or in any other manner.

The Grantor hereby warrants that he or she is the rightful and lawful owner of the aforesaid land, has the legal right and authority to sell and convey
said land free and clear from all encumbrances, that this conveyance and dedication is made with the Grantor's free consent, and the Grantor binds him or herself, his or
her heirs, executors and administrators forever to defend by virtue of these presents,

NAME AND COMPANY (printed or typed)

Thomas A. Ward

McKinney-Ward Properties, LLC

______________________________  

Signature

Thomas A. Ward, Manager

______________________________  

This the ______ day of ___________, 2014.

Notary Public

My Commission expires ___________.

Note to Superior Court Clerk's Office:
Please return recorded petitions along with invoice
to Macon-Bibb County Engineering Dept. via interoffice mail (S. Sawyer ext. 6364)
TO: Crystal Jones, Attorney

FROM: David P. Fortson

DATE: April 29, 2014

SUBJECT: Acceptance of Oak Creek Subdivision for Maintenance

Development plans for the subdivision were approved for construction by the City of Macon Engineering Department on August 20, 2004. The construction of the subdivision began September of 2004 and the infrastructure was completed in June of 2005. Periodic inspections of the roads were performed by the engineering department during construction. After a one year test period, ending in June of 2006, a punch list was produced by the department. This punch list was never completed. However, individuals involved in the original development recently expressed a willingness to make necessary repairs to the roads and drainage system to allow the roads to be accepted. The Macon-Bibb County Engineering Department reinspected the roads and prepared a new punch list. The repairs to the streets and storm drainage system necessary for acceptance have been made in a satisfactory manner. We recommend acceptance of the streets shown below by Macon-Bibb County for future maintenance.

The street lighting system installed by the developer during the original construction is an underground system with ornamental lighting. The distribution of the lighting does not meet the then current standards of the City of Macon in that the number of light poles is insufficient to provide lighting for the entire neighborhood. Because of this, the acceptance of the streets and drainage system by Macon-Bibb County should come with the stipulation that any additional lighting requested by the residents should be paid for by the residents. Payment for the electricity and maintenance of the existing lights is by the “city” and maintenance of the existing lighting is physically performed by Georgia Power.

Streets to be accepted:

Maggie Drive, from Captain Kell Drive running east approximately 1,320 feet to a cul-de-sac, with a right of way width of 55 feet, including all storm drainage structures located within the 55-foot right of way.

Castlewoods Drive, from Maggie Drive running south and east approximately 1,670 feet to the east property line of Lot 26, with a right of way width of 55 feet, including all storm drain structures located within that 55-foot right of way.
Justin Way, from Maggie Drive running south to Castlewoods drive approximately 590 feet, with a right of way width of 55 feet, including all storm drain structures located within that 55-foot right of way.

The streets are described more fully shown on the plat of Oak Creek Subdivision recorded in Plat book 91, page 726, Clerk's Office, Macon-Bibb County Superior Court.

The papers from the developer, Tom Ward, dedicating the subdivision to the government have been previously forwarded to your office.

C: Gene Simonds
A RESOLUTION OF THE MACON-BIBB COUNTY COMMISSION TO AMEND THE PROJECTS TO BE FUNDED FROM PROCEEDS OF THE $10,000,000 IN AGGREGATE PRINCIPAL AMOUNT MACON-BIBB COUNTY URBAN DEVELOPMENT AUTHORITY REVENUE BONDS (BIBB COUNTY PUBLIC PROJECTS), SERIES 2013A (THE "SERIES 2013A BONDS") AND THE $3,225,000 IN AGGREGATE PRINCIPAL AMOUNT OF MACON-BIBB COUNTY URBAN DEVELOPMENT AUTHORITY TAXABLE REVENUE BONDS (BIBB COUNTY PUBLIC PROJECTS), SERIES 2013B (THE "SERIES 2013B TAXABLE BONDS" AND TOGETHER WITH THE SERIES 2013A BONDS, THE "BONDS"), TO REQUEST THAT THE MACON-BIBB COUNTY URBAN DEVELOPMENT AUTHORITY ("MCUDA") APPROVE THE PROJECTS AS AMENDED, AND TO AUTHORIZE THE EXECUTION AND DELIVERY OF AN AMENDMENT TO THE INTERGOVERNMENTAL CONTRACT BETWEEN MCUDA AND BIBB COUNTY, DATED AS OF JULY 30, 2013 (THE "CONTRACT") RELATING TO THE ISSUANCE OF THE BONDS; AND FOR OTHER PURPOSES.

RECITALS

A. Ga. L. 2012, P.5595, as amended by Ga. L. 2013, p.3942 (together, the "Act") restructured the governmental and corporate powers, duties and functions vested in the City of Macon and Bibb County under a new charter which became effective on January 1, 2014, establishing a single county-wide government with powers and jurisdiction throughout the territorial limits of Bibb County, superseding and replacing the governments of the City of Macon and the Bibb County under the name Macon-Bibb County, the governing body for which is the Macon-Bibb County Commission (the "Commission").

B. Section 4 of the Act provides that all contracts, orders, leases, bonds, and other obligations or instruments entered into by the City of Macon or Bibb County or for their benefit prior to the effective date of the charter shall continue in effect according to the terms thereof as obligations and rights of Macon-Bibb County.

C. At the request of Bibb County, MBCUDA issued the Bonds on July 30, 2013, in accordance with the provisions of a bond resolution adopted by the Authority on July 2, 2013 (the "Series 2013 Bond Resolution") and MBCUDA and the County entered into the Contract, which among other provisions provides for the payment of amounts by the County sufficient to pay the principal and interest on the Bonds as the same become due and other amounts which are pledged by MBCUDA as security for payment of the Bonds.
D. The Series 2013 Bond Resolution and the Contract describe and define the "Projects" to be acquired, constructed, renovated, and equipped with proceeds from the Bonds and the estimated costs thereof "as the same may be finalized and amended", as follows:

(a) Acquisition by the County of the property known as the old Sears Roebuck store located at 111 Third Street at a cost of approximately $500,000 and making renovations and improvements to the existing structure for the relocation of County offices including County Records Management, the State Court Probation Office, and certain divisions of the Sheriff's Office at a cost of approximately $1,250,000;

(b) East Bibb Fire Station at a cost of approximately $2,000,000;

(c) Acquisition by the County of the land and building formerly occupied by Capital City Bank at 455 Walnut Street, Macon, at a cost of approximately $350,000 and making renovations and improvements to the existing structure for the relocation of the Tax Commissioner's Office at a cost of approximately $550,000;

(d) Lake Tobesofkee office and meeting facilities and resurfacing of parking lots at a cost of approximately $2,350,000;

(e) Renovations and improvements to the County Building located at 175 Emery Highway to provide expanded offices for the Middle Georgia Regional Commission at a cost of approximately $375,000;

(f) Downtown improvements and streetscapes to create better public areas, including parks, to make better and safer walking areas for pedestrians along various corridors including Cherry Street, Cherry Street Lane, Second Street, and Poplar Street Lane, and to make repairs to cobblestone paved areas at a cost of approximately $2,787,500; and

(g) Rehabilitation and development of property in East Macon including improvements to Clinton Street, streetscapes, site clearing around the Ocmulgee Indian Mounds and the widening of streets to create a boulevard to the Convention Center at a cost of approximately $787,500, rehabilitation of housing and the acquisition and improvement of key properties near Clinton Street and Main Street at a cost of approximately $2,000,000.

The downtown improvements and streetscapes described in (f) and the rehabilitation and development of property in East Macon described in (g) will be coordinated for the County through the Macon Bibb County Urban Development Authority, which is conducting necessary studies, determining priorities and developing specific plans for the projects described in (f) and (g), which priorities
and plans shall be subject to review and approval by the Chairman of the Board of Commissioners or his designee.

E. The Contract specifically provides:

Section 2.01. The Projects. The facilities comprising the Projects shall be acquired, constructed, renovated, and equipped substantially in accordance with the plans and specifications therefor which are on file with the County, which plans and specifications have been and, by the execution of this Contract by the parties, hereby are approved by the Authority and the County. The Authority and the County may amend the plans and specifications to include or delete real property, facilities, and items of personal property and equipment so that all such facilities actually comprising the Projects will be utilized for the most efficient operation of the County and its departments, agencies, divisions, or commissions and otherwise within the purposes of the Act.

* * *

F. The Macon-Bibb County Commission (the “Commission”) has determined that it is in the best interests of Macon-Bibb County to amend the list of Projects to be acquired, constructed, renovated and equipped with proceeds from the Bonds, allocate proceeds from the Bonds among the Projects, as amended, in accordance with revised plans and specifications on file with the County and provide authorization for the proper officers of Macon-Bibb County to finalize the allocation of proceeds from the Bonds among the Projects, as amended, so that all such facilities actually comprising the Projects will be utilized for the most efficient operation of Macon-Bibb County and its departments, agencies, divisions, or commissions.

G. The Series 2013 Bond Resolution specifically provides:

Section 903. Amendments to Contract Not Requiring Consent of Bondowners. The Authority and the County, without the consent of or notice to the Bondowners, may amend the Contract for the purpose of (i) making any change required by the Contract or this Resolution; (ii) substituting or adding additional property as part of the Projects; (iii) curing ambiguities, defects, or inconsistent provisions; or (iv) providing for any other amendment which does not adversely affect the interests of the Bondowners.

H. Amending the plans and specifications to include or delete real property, facilities, and equipment from the Projects, reallocating bond proceeds among the Projects, and amending the Contract to conform with the intents and purposes of this resolution will not adversely affect the interests of the Bondowners and will assure that all facilities actually comprising the Projects in the same shall be acquired, constructed, renovated and equipped will be utilized for the most efficient operation of Macon-Bibb County and its departments, agencies,

NOW, THEREFORE, BE IT RESOLVED by the Macon-Bibb County Commission, and it is hereby so resolved by authority of the same, as follows:

1. The Projects described in the Series 2013 Bond Resolution and the Contract and the estimated costs of the Projects are amended in accordance with Exhibit A which is attached hereto and made a part hereof, and the Mayor is authorized to execute and deliver on behalf of Macon-Bibb County an Amendment to Contract which shall incorporate Exhibit A as a part thereof.

2. Request is hereby made to MBCUDA that it amend the 2013 Bond Resolution to incorporate Exhibit A as a part thereof and execute and deliver an Amendment to Contract which shall incorporate Exhibit A as a part thereof.

3. For a more complete description of said Projects and the estimated costs thereof, reference is made to the plans and specifications on file with Macon-Bibb County of the Projects listed on Exhibit A.

4. Final costs for each of the Projects cannot be presently determined. The Project Superintendent appointed by the Mayor in accordance with the Committee Amendment adopted by the Commission on April 1, 2014, as the same may be amended, is authorized to approve requisitions for the payment of money from the 2013A Construction Fund and the 2013B Construction Fund in accordance with the 2013 Bond Resolution and the Contract, as amended. If the total of such requisitions for a Project exceeds the estimated cost for such Project listed on Exhibit A or if the Project Superintendent is informed that the cost of any such Project is expected to exceed the estimate for such Project shown on Exhibit A, the Project Superintendent shall obtain the written approval of the Mayor before executing any additional requisitions for such Project. Changes in plans and specifications for any Project shall be submitted to the Mayor for approval within a reasonable time after any such change is made by the department or agency responsible for such Project.

5. The Mayor or his designee is authorized to perform the duties of the Chairman of the Board of Commissioners described in Section 2.01 of the Contract which is set forth in Paragraph E of the Preamble.

6. All costs of the Projects described on Exhibit A to be paid from the Series 2013A Construction Fund shall be for a “governmental purpose” as described in the Non-Arbitrage and Federal Tax Certificate signed on behalf MBCUDA given in reliance on a Certificate of Bibb County dated July 3, 2013. All tax covenants and representations made by the MBCUDA in the 2013 Bond Resolution shall be binding and observed by Macon-Bibb County in performing its obligations under the Contract, as amended.
7. The Mayor, the Clerk of Commission, the County Manager, the Finance Director, the Project Superintendent, the County Attorney and other proper officials of Macon-Bibb County are authorized and directed to take such further actions and to make such certifications to public authorities and other governmental bodies, financial institutions, and other persons as may be required in connection with the obligations of Macon-Bibb County described herein and in the Contract, as amended.

8. The Clerk of Commission is authorized and directed to deliver a certified copy of this resolution to MBCUDA.

9. All resolutions of Bibb County or Macon-Bibb County which conflict with the provisions of this resolution are repealed to the extent of such conflict.

SO RESOLVED this _____ day of May, 2014.

__________________________
ROBERT A.B. REICHERT, MAYOR

Attest: ______________________
SHEILA THURMOND, CLERK OF COMMISSION

[SEAL]
CLERK'S CERTIFICATE

I, Shelia Thurmond, the undersigned Clerk of the Macon-Bibb County Commission, keeper of the records and seal thereof, hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the Macon-Bibb County Commission in public meeting assembled on May __, 2014, the original of which Resolution has been entered in the official records of the Commission 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.

(SEAL)

Shelia Thurmond
Clerk of Commission
A RESOLUTION OF THE MACON-BIBB COUNTY COMMISSION APPOINTING LAUREN BENEDICT AS THE POST SEVEN (7) CITIZEN MEMBER OF THE RETIREMENT COMMITTEE FOR DIVISION A OF THE MACON-BIBB COUNTY PENSION AND RETIREMENT SYSTEMS; AND FOR OTHER PURPOSES.

NOW, THEREFORE, BE IT RESOLVED by the Macon-Bibb County Commission, and it is hereby so resolved by the authority of the same that pursuant to Section 8.1 of the Macon-Bibb County Pension and Retirement System, Division A (1972 GA Laws, Page 3152), as amended, Lauren Benedict is hereby appointed as the Post Seven (7) Citizen Member of the Retirement Committee for Division A of the Macon-Bibb County Pension and Retirement Systems. This appointment shall be to complete the term of office which began on 4-1-12 and ends on 3-31-16.

SO RESOLVED this _____ day of ________________, 2014.

______________________________
ROBERT A.B. REICHERT, MAYOR

ATTEST:
______________________________
SHELLA THURMOND, CLERK OF COMMISSION
A RESOLUTION OF THE MACON-BIBB COUNTY COMMISSION TO RENAME HAYWOOD ROAD TO MARSHELL STENSON, JR. DRIVE; AND FOR OTHER PURPOSES.

WHEREAS, the members of the St. Luke Baptist Church have voted unanimously in favor of petitioning the Macon-Bibb County Commission to rename Haywood Road to Marshall Stenson, Jr. Drive in honor of their deceased pastor.

WHEREAS, in accordance with the procedural requirements of Macon-Bibb County's policy for naming Macon-Bibb County owned streets, a majority of the residents of Haywood Road have signed a petition to rename Haywood Road "Marshall Stenson, Jr. Drive"; and

WHEREAS, a copy of the written request, with the names, addresses and signatures of the majority of the residents of Haywood Road, and a clear and concise statement of the reasons for said request, is attached hereto as Exhibit "A", and

WHEREAS, Reverend Doctor Marshall Stenson, Jr., was born on May 3, 1936, the fifth of thirteen children born to Reverend and Mrs. Marshall Stenson. He grew up in Troup County, Georgia, graduating from Troup County High School with honors and later attended and earned a Bachelor of Arts degree from Clark College. He later attended and was earned a Bachelor and Master of Divinity Degree from Interdenominational Seminary and went on to earn his Doctor of Divinity degree from Carver Bible College; and

WHEREAS, Reverend Doctor Marshall Stenson, Jr., devoted his life in service to the Lord, serving as Pastor of Mt. Vernon Baptist Church in Newnan, Georgia, and later serving as the Pastor of First Baptist Church in Macon, Georgia; and

WHEREAS, while serving in that capacity, Reverend Doctor Marshall Stenson, Jr., became a chief ombudsman of the Civil Rights Movement, hosting Dr. Martin Luther King, Jr., and other civil rights workers as they moved through the Central Georgia area; and
WHEREAS, Reverend Doctor Marshell Stenson, Jr., became Pastor of St. Luke Baptist Church and served as the President of Bryant’s Theological Seminary in 1969. He served as Pastor of St. Luke Baptist Church for 44 (forty-four) years. He served as President of Brant’s Theological Seminary for 35 (thirty-five) years; and

WHEREAS, in the late 1960’s, Reverend Doctor Marshell Stenson, Jr., served on the Georgia Council on Human Relations, was a member of the executive committee of the Bibb County Republican Party and helped organize the Alcoholics Rehabilitation Center in Macon, Georgia.

WHEREAS, in 1970, Reverend Doctor Marshell Stenson, Jr., headed “Operation Breadbasket”, an effort to help poor African-Americans find better jobs; and

WHEREAS, Reverend Doctor Marshell Stenson, Jr., was the first African-American Chaplain at Grady Memorial Hospital in Atlanta, Georgia; and

WHEREAS, Reverend Doctor Marshell Stenson, Jr., served as a certified chaplain, marriage counselor and counselor for the mental health division alcoholic rehabilitation services having improved and saved the lives of countless individuals; and

WHEREAS, Reverend Doctor Marshell Stenson, Jr., worked to create equality within the Bibb County School System; and

WHEREAS, Reverend Doctor Marshell Stenson, Jr., has been recognized for his service to several organizations, including a commendation for Outstanding Christian Service to the Sixth District of the General Missionary Baptist Convention of Georgia, the Charles Emerson Boddie Merit Award for excellence in Christian Education by the American Baptist Theological Seminary, had a 33 room dormitory known as Marshell Stenson Hall, named in his honor at Bryant Theological Seminary, was recognized as Pastor of the Year in 2010 by the Georgia Informer, and was honored as the first annual Martin Luther King, Jr., Drum Major for Justice in
honor of his more than 50 years of service to the ministry by the National Baptist Convention, Inc.; and

WHEREAS, Reverend Doctor Marshall Stenson, Jr., was inspirational to many through his high ideals, morals, deep concern for his fellow citizens, integrity, intelligence, fairness, kindness, generosity, devotion, patience and understanding he demonstrated to his fellow man; and

WHEREAS, the Policy of the Macon-Bibb County Commission for Naming & Renaming Parks, Facilities and Streets (the “Policy”) sets forth specific procedural requirements (including that any park, facility or street owned by Macon-Bibb County so named for a deceased person must have been deceased for a period of one (1) year prior to consideration), in naming and renaming Macon-Bibb County owned property but provides for exceptions to be made to the procedural requirements by the Macon-Bibb County Commission when warranted by exceptional circumstances; and

WHEREAS, the above outstanding contributions and accomplishments of Reverend Doctor Marshall Stenson, Jr., constitute exceptional circumstances that justify waiving the procedural requirements of the Policy and renaming Haywood Road to Marshall Stenson, Jr. Drive, in honor of Reverend Doctor Marshall Stenson, Jr.
NOW, THEREFORE, BE IT RESOLVED by the Macon-Bibb County Commission, and it is hereby so resolved by the authority of the same that Haywood Road is renamed Marshall Stenson, Jr. Drive.

SO RESOLVED this _____ day of May, 2014.

ROBERT A. B. REICHERT, MAYOR

ATTEST: ________________

Clerk of the Commission

(SEAL)
SPONSOR: COMMISSIONERS TILLMAN AND WATKINS

A RESOLUTION OF THE MACON-BIBB COUNTY COMMISSION TO SUPPORT THE BENOIT GROUP, LLC, TO REDEVELOP THE MACON GARDENS PROPERTY LOCATED AT 3601 MERCER UNIVERSITY DRIVE IN MACON-BIBB COUNTY, GEORGIA; AND FOR OTHER PURPOSES.

WHEREAS, the Georgia Department of Community Affairs is accepting applications for Low Income Housing Tax Credits until June 5, 2014; and

WHEREAS, Macon Gardens consists of low income house originally built in 1981; and

WHEREAS, Macon Gardens has been minimally maintained and is now in dire need of a full renovation due to its severe deterioration; and

WHEREAS, The Benoit Group, LLC, has expressed an interest in rehabilitating Macon Gardens in a manner that will preserve the affordability of the units to which the residents of Macon Gardens have grown accustomed to; and

WHEREAS, The Benoit Group, LLC has expressed an interest in submitting an application to the Georgia Department of Community Affairs for an allocation of Low Income Housing Tax Credits, in support of the rehabilitation of Macon Gardens so as to provide affordable rental housing in the community; and

WHEREAS, the proposed revitalization and rehabilitation will result in several improvements to the property, as shown in the attached Exhibit “A”; and

WHEREAS, the Macon-Bibb County Commission supports this proposed project, and believes that the revitalization and rehabilitation of Macon Gardens fulfills an important public purpose and a needed re-investment that benefits the future residents and the surrounding neighborhood, and provides a substantial benefit to Macon-Bibb County; and

WHEREAS, this resolution will benefit and promote the health, safety, morals and welfare of the citizens of Macon-Bibb County.
NOW, THEREFORE, BE IT RESOLVED by the Macon-Bibb County Commission, and it is hereby so resolved by the authority of the same to support The Benoit Group, LLC, to redevelop Macon Gardens in Macon-Bibb County, Georgia. This support is non-financial in nature, as there is no allocation of funding included in this resolution. Furthermore this support is provided for the project as outlined and shall not constitute the endorsement or approval of the development entity and its capacity to develop the property as outlined.

SO RESOLVED this _____ day of ______________, 2014.

_____________________________
ROBERT A. B. REICHERT, MAYOR

ATTEST: _________________________
SHELIA THURMOND, CLERK OF COMMISSION
SPONSOR: MAYOR ROBERT A.B. REICHERT

A RESOLUTION OF THE MACON-BIBB COUNTY COMMISSION TO AUTHORIZE AND APPROVE THE PROPOSED ACTION PLAN FOR REDEVELOPMENT OF RIVERSIDE DRIVE PROPERTY AND ASSOCIATED MANUFACTURED GAS PLANT ("MGP") #2 AT A COST OF APPROXIMATELY $100,000.00; AND FOR OTHER PURPOSES.

NOW, THEREFORE, BE IT RESOLVED by the Macon-Bibb County Commission, and it is hereby so resolved by the authority of the same, that the Macon-Bibb County Commission does hereby authorize and approve the proposed action plan attached hereto as Exhibit "A" of Smith, Welch, Webb and White; Joe Tanner & Associates; and Geotechnical and Environmental Consultants for redevelopment of Riverside Drive Property owned by Macon-Bibb County at 801 (former Central Services Facility) and 815 (former Bus Transit Facility) Riverside Drive at a cost of approximately $100,000.00.

BE IT FURTHER RESOLVED that the Mayor shall be authorized to take any and all actions necessary to implementation of the action plan including, but not limited to, the authority to sign, and deliver such agreements, orders, or instruments as required on behalf of Macon-Bibb County.

SO RESOLVED this _____ day of ___________, 2014.

ROBERT A.B. REICHERT, MAYOR

ATTEST: SHELIA THURMOND, CLERK OF COMMISSION
April 29, 2014

Mayor Robert Reichert  
County Commissioners  
Macon-Bibb County  
700 Poplar Street  
Macon, Georgia 31202

RE: Proposed Action Plan for Redevelopment Riverside Drive Property and Associated Manufactured Gas Plant (“MGP”) #2

Dear Mayor Reichert and County Commissioners:

It was my pleasure and privilege to listen to your questions and discuss the current status of the potential redevelopment of the property owned by Macon-Bibb County at 801 (former Central Services Facility) and 815 (former Bus Transit Facility) Riverside Drive (collectively the “Property”). In short, based on our meetings and analysis of the history of the Property and existing sampling results, Smith Welch Webb & White (“Firm”), Joe Tanner & Associates (“JTA”), and Tom Driver of Geotechnical & Environmental Consultants, Inc. (“GEC”) recommend the following course of action plan:

(1) First, notify EPD, Georgia Power (“GP”) and Atlanta Gas Light (“AGL”) (the previous owners of the Property and operators of the MGP) that Macon-Bibb County has received interest and is itself interested in possibly developing the Property for mixed residential and commercial uses. (Notifications are required under the Consent Order with EPD and the Restrictive Covenant Agreement with GP and AGL dated June 30, 2005, recorded in Deed Book 6746 pgs. 174-189.)

(2) Next, conduct a sampling delineation of only that portion of the Property which is located within the polygon as shown in Exhibit “A” attached hereto (“Site”). This sampling is intended to provide Macon-Bibb County and prospective developers with an accurate delineation of the vertical and horizontal contamination of the Site so that any prospective developer will understand the costs associated with excavating any portion of the Site. GEC, in collaboration with JTA, has estimated this sampling to cost $18,000.00 which may change depending on site conditions. (Attached as Exhibit “B” is
GEC’s specific description of the proposed site exploration and associated services.) GEC will perform this site work pursuant to an enclosed agreement with Macon-Bibb County and share the results with JTA and this Firm.

(3) Thereafter, apply with the State of Georgia’s Department of Environmental Protection’s (“EPD”) for inclusion of the Site in the Voluntary Remediation Program (“VRP”). The purpose of the VRP is to work with EPD on reducing the Risk Reduction Standards (“RRS”) from the present site level of 4 to residential levels of 1 and/or 2. The delineation study coupled with previous studies should greatly assist the Commission under the VRP. Depending on the engineering and institutional controls required by EPD, the Site or portions of the Site may thereafter be suitable for residential uses. Moreover, should a prospective purchaser contract to purchase the Property, the project may be transferred to EPD’s Brownfields program which affords limitations on liability for purchasers of brownfield sites and property tax abatement.

The Firm, GEC and JTA will work together on the VRP application, associated submissions and moving the Property through the VPR process. The VRP application fee is $5,000.00. The estimated cost of GEC’s and JTA’s involvement in the VRP process will be about $40,000.00. Although this Property stands a very good chance of approval for residential uses through the VRP, there are simply no guarantees. These cost estimates do not include any attorney’s fees or costs for litigation or appeals. In sum, undertaking actions (1), (2) and (3) will cost Macon-Bibb County approximately $70,000.00 inclusive of the application fee but exclusive of expenses and legal fees. (The Firm’s scope of work and fees are included in Exhibit “C”.)

Should you desire more information, Exhibit “D” of this letter provides you with additional analysis undertaken in reaching the recommendations above. In addition, we did consider the following alternative courses of action: (a) take no action since EPD has approved the Property for commercial and industrial uses which will result in lost revenue from post-redevelopment opportunities; or (b) remove all contaminated soil in the Site and replace with clean fill-dirt which is crudely estimated to cost $26,000,000.00. In light of the sentiments and goals expressed during our last meeting with the Commission, we do not recommend either of these alternatives.

We are grateful for the opportunity to assist the Commission with a transformation of this Property into a commercial and residential beacon for Macon-Bibb County. If you have any questions, JTA, GEC and I stand ready to answer those questions and to meet with the Commission should you so desire.

Sincerely,

Andrew J. (Andy) Welch, III

AJWIII
Cc: Judd Drake

{Doc: 01234212.DOC}
EXHIBIT "A"
EXHIBIT "B"
April 21, 2014

Mr. Judd Drake
Senior Assistant City Attorney
Macon-Bibb County Government
700 Poplar Street
Macon, Georgia 31202

SUBJECT: Proposal for Additional Sampling and Voluntary Remediation Program Submittal
Former Macon 2 Manufactured Gas Plant Facility
Macon, Georgia
GEC Proposal No. MG-14-6366

Dear Mr. Drake:

Geotechnical & Environmental Consultants, Inc. (GEC) is pleased to provide this proposal for additional sampling and testing and the preparation and submittal of a Voluntary Remediation Program Act (VRP) application for the above site in Macon, Georgia. The sampling to be performed includes near surface sampling in those areas discussed during conversations with Joe Tannen and Associates which is designed to further delineate contamination or the lack of contamination in selected areas of the site. Following the receipt of the sampling results, GEC will prepare a report of the findings. It is anticipated that, after review of the data, a Voluntary Remediation Program report will be necessary. The VRP became effective in June of 2009 and was created to encourage voluntary investigation and remediation of contaminated properties in Georgia. As discussed previously, the VRP being considered for this site includes both Engineering and Institutional Controls to limit exposure to the potential contaminants at the site.

The following paragraphs briefly address our proposed scope of services, and an estimate of related costs.

SCOPE OF SERVICES

Sampling and Testing

We propose to use a skid steer mounted Geoprobe for sampling at the site. Samples will be collected at the following locations and depths:
GB-3  0-2', 8-10', 18-20', 28-30' (no sampling has been done in this area below the slab of the central services building. Nearby, there was a hit for lead at 24-29', so propose taking this one deeper).

GB-9  8-10', 18-20', 23-25', 28-30' (estimate fill depth about 32' in this area)
GB-11 8-10', 18-20', 23-35', 28-30' (est. fill 32')
GB-13 8-10', 13-15', 18-20' (est. fill 20')
GB-17 8-10', 13-15', 18-20', 23-25' (est. fill 28')
GB-18 8-10', 18-20', 28-30' (est. fill 32')
GB-19 8-10', 13-15' (est. fill 18')
GB-20 8-10', 13-15' (est. fill 18')
GB-22 8-10', 13-15' (est. fill 18')
GB-24 8-10', 18-20', 23-25', 28-30' (est. fill 32')

In the vicinity of SB-41 at 10 to 15 feet (SVOC's detected at 19-24 feet)
In the vicinity of SB 15 at 10 to 15 feet (SVOC's detected at 36-41 feet)
In the vicinity of SB-17 at 10 to 15 feet (SVOC's detected at 16-20 feet)

All samples will be tested for SVOC's and RCRA metals.

Once the laboratory results are received, GEC will summarize the results in report format.

**Voluntary Remediation Program Report**

It is anticipated that, following the interim report and meetings with Macon-Bibb County and the consultants, that the VRP report will be authorized. For the VRP, we anticipate the following.

**Initial Meeting with EPD**

We recommend that an initial meeting with EPD be held to discuss the anticipated institutional and engineering controls at the site and to initiate a “buy-in” with EPD on the proposed actions. This is especially important due to the approved CSR that is in place at the site which will be replaced by the VRP and to hopefully limit the amount of work and sampling to be performed in gaining approval for the VRP. We recommend that representatives of Joe Tanner and Associates be present for (and actually lead) the meeting, as well as Andy Welch and a Macon-Bibb representative. The anticipated outcome of this meeting would be a general agreement with EPD over the proposed VRP controls leading to approval of the site for residential uses.

**Report preparation**

GEC will prepare and submit the report and application that summarizes and compiles the data from the previous investigations, to the EPD VRP unit. The report is anticipated to be a short report and will refer to sections of the previously submitted and approved CSR. The report will also include:

- Soil boring locations, sample locations/depths, and the results of attendant laboratory analyses, relevant to applicable State and/or Federal regulatory standards,
including the sampling performed recently by GEC.

- Proposed clean-up standards, including those engineering and institutional controls recommended to bring the site into compliance for residential use.

- A proposed Implementation Schedule, along with selected milestones and implementation of an ongoing Environmental Inspection and Maintenance Plan for the site.

It is not anticipated that additional sampling will be necessary for the preparation of the VRP; however, EPD may require that such sampling be performed prior to approval. Additional sampling will likely be necessary during the implementation stage of the VRP after EPD approval. We do, however, anticipate that at least one additional iteration of the VRP report will be needed after EPD review.

A single, bound hard copy of the report will be issued, along with an electronic copy, in PDF format.

**Timeline**

The following table outlines the anticipated timeline for the report/application submission and EPD review.

<table>
<thead>
<tr>
<th>Event</th>
<th>Expected Time for Completion</th>
</tr>
</thead>
<tbody>
<tr>
<td>Field Work, Receipt of Analytical Results, Report Preparation</td>
<td>4 weeks after Notice to Proceed.</td>
</tr>
<tr>
<td>Set up and Hold Meeting with EPD</td>
<td>2 weeks after Notice to Proceed with VRP Report</td>
</tr>
<tr>
<td>Report Submittal for client review</td>
<td>4 weeks after EPD Meeting</td>
</tr>
<tr>
<td>Attorney/Macon-Bibb Review</td>
<td>1 week after Submittal</td>
</tr>
<tr>
<td>Submittal of Report to EPD</td>
<td>1 Week after Receipt of Attorney Comments</td>
</tr>
<tr>
<td>EPD review</td>
<td>4 Weeks after Submittal</td>
</tr>
<tr>
<td>Re-submit of Report to EPD, including review by Attorney/Macon-Bibb</td>
<td>3 Weeks after Receipt of Comments</td>
</tr>
<tr>
<td>EPD Review and Comment/Approval</td>
<td>3 Weeks after Submittal</td>
</tr>
</tbody>
</table>

As shown in the above time estimate, we anticipate approximately ½ year for the approval of the VRP. Of course, this assumes that no additional sampling will be necessary after the initial field exploration. Sampling and testing of soil and groundwater at the site would certainly increase the time required.

Macon-Bibb will be responsible for completing the VRP application and the payment of the $5000
application fee, as well as providing any information and required documentation regarding the property.

COMPENSATION

GEC anticipates that the above outlined services can be performed for the estimated cost of $40,000. This cost is estimated and could change drastically if additional sampling and testing is necessary. Additionally, this does not include the $5,000.00 application fee which must be paid directly to the Georgia EPD, nor does it include any costs for services provided by the Andy Welch Law Firm or Joe Tanner & Associates.

The estimated costs for the phases of work are as follows:

1. Cost of Field Exploration (see attached Cost Summary) $18,020.00
2. Meetings with EPD, VRP submittals, other meetings, etc. $15,000.00
   Total cost estimate $33,020.00

The above costs are estimates. All services will be invoiced in accordance with our unit rate fee schedule. The indicated total cost will not be exceeded without your prior authorization. If any expansion or alteration of the scope described herein becomes appropriate during the execution of this project, such that the cost will be affected, you will be contacted for approval.

Please note that the attached terms and conditions form a part of this proposal.

AUTHORIZATION

As formal authorization to proceed with this project, please complete the Proposal Acceptance Form on the next page and return it to our office.

Geotechnical & Environmental Consultants, Inc. sincerely appreciates the opportunity to work with you on this project. Please feel free to call if you have any questions or need additional information concerning this proposal.

Sincerely,

GEOTECHNICAL AND ENVIRONMENTAL CONSULTANTS, INC.

Thomas E. Driver, P.E.
President

TED/tg

Attachments: Proposal Acceptance Form
Tennis and Conditions
PROFESSIONAL SERVICES AGREEMENT

Proposal No. MG-14-6366 Macon 2 MGP Site accepted by:

______________________________  ____________________________
Signature*                                                  Date of Acceptance

______________________________
Print Name

To complete our files, please also provide the following:

______________________________
Company Name (if different than shown on first page)

______________________________
Street Name

______________________________  ________________  ________________
City-                          State               Zip Code

______________________________  ____________________________
Phone No.                      Fax No.                Mobile No.

______________________________
Email address

*The above signature indicates that the GEC's standard terms and conditions are accepted and agreed upon and that payment to GEC will be made in accordance with these terms.
TERMS AND CONDITIONS: Services performed by GEO TECHNICAL & ENVIRONMENTAL CONSULTANTS, INC. ("GEC") under this AGREEMENT are expected by CLIENT to be conducted in a manner consistent with the level of care and skill ordinarily exercised by and consistent with the standards of competent practitioners practicing under similar conditions in the locality of the project. Under no circumstance is any warranty, expressed or implied, made in connection with providing consulting services.

SITE ACCESS AND SITE CONDITIONS: CLIENT will grant or obtain access to the site for all equipment and personnel necessary for GEC to perform the work set forth in the AGREEMENT. CLIENT will notify any and all parties of the project site that GEC has granted GEC access to the site. GEC will take reasonable precautions to minimize damage to the site, but it is understood by CLIENT that, in the normal course of work, some damage may occur and the correction of such damage is not part of this AGREEMENT unless so specified under Special Conditions.

CLIENT is responsible for accurately delineating the locations of all subsurface structures and utilities. GEC will take reasonable precautions to avoid known subsurface structures, and CLIENT waives any claim against GEC from damage done to subsurface structures and utilities not identified or accurately located.

CLIENT represents that CLIENT has made a reasonable effort to evaluate or near the project site, and that CLIENT has informed GEC of CLIENT’s findings relative to the possible presence of such materials. Hazardous materials may exist at a site where there is no reason to believe they could or should be present. GEC and CLIENT agree that the discovery of unascertained hazardous materials constitutes changed conditions mandating a renegotiation of the scope and terms and conditions of work or termination of services.

SAMPLE DISPOSAL: GEC will dispose of all remaining soil and rock samples thirty (30) days after submission of the report covering those samples. Further storage or transfer of samples can be made upon CLIENT’S prior written request. CLIENT will be responsible for ultimate disposal of any samples secured by GEC which are found to be contaminated.

MONITORING: If GEC is retained by CLIENT to provide a site representative for the purpose of monitoring specific portions of construction work or other field activities as set forth in the Scope of Services, GEC will report observations and professional opinions to CLIENT. No action of GEC or that site representative can be construed as altering any AGREEMENT between CLIENT and others. GEC will report to CLIENT any observed geotechnically related work which, in GEC’s professional opinion, does not conform with plans and specifications. GEC has no right to stop or reject work by any agent of the CLIENT. Such rights are reserved solely for CLIENT. Furthermore, GEC’s presence on site does not in any way guarantee the performance of the work to any party retained by CLIENT to provide field or construction-oriented services.

GEC will not be responsible for and will not have control or charge of specific means, methods, techniques, sequences or procedures of construction or other field activities selected by any agent or agreement of CLIENT, or safety precautions and programs incident thereto.

BILLINGS/PAYMENTS: The total fee, except stated lump sum, shall be understood to be an estimate, based upon Scope of Services, and shall not be exceeded without approval and release of the CLIENT. Invoices will be submitted monthly for services and reimbursable expenses and are due when rendered. Invoices shall be considered PAST DUE if not paid within twenty (20) days after the invoice date and GEC may, without waiving any claim or right against CLIENT, and without liability whatsoever to the CLIENT, terminate the performance of the services. A service charge will be charged at 1.5% (or the then applicable legal rate) per month on the unpaid balance. Attn. fees of fifteen percent (15%) and other costs incurred in collecting past due amounts shall be paid by CLIENT. If CLIENT objects to all or any portion of any invoice, CLIENT shall notify GEC in writing within fourteen (14) calendar days of the invoice date, identify the cause of disagreement, and pay when due that portion of the invoice not in dispute. The parties will immediately make every effort to settle the disputed portion of the invoice. If in the absence of written notification as described above, the invoices shall be deemed correct and the balance as stated will be paid within twenty (20) days.

The CLIENT’S obligation to pay for the services contracted for is in no way dependent upon the CLIENT’S ability to obtain financing, payment from third parties, approval of governmental or regulatory agencies, or upon the CLIENT’S successful completion of the project.

RISK ALLOCATION: In recognition of the relative risks, rewards and benefits of the project to both the CLIENT and GEC, the risks have been allocated such that CLIENT agrees, to the fullest extent permitted by law, to limit the liability of GEC and its sub-contractors to CLIENT and to all construction contractors and subcontractors on the project and any third parties from any and all claims, losses, costs, damages of any nature whatsoever, or claims and/or expenses from any cause or causes, including attorneys’ fees and costs, and to the total aggregate liability of GEC and its subcontractors to all those named shall not exceed the lesser of $50,000.00 or GEC’S total fee for services rendered on this project. It is intended that this limitation apply to any and all liability or cause of action, however alleged or arising (including, but not limited to, negligence, errors, omissions, strict liability, breach of contract, breach of warranty, or otherwise), unless otherwise prohibited by law. CLIENT and GEC agree that, since any such liability would be difficult or impossible to estimate, CLIENT and GEC intend this limitation of damages to be liquidated damages and not as a penalty, and that it is a reasonable estimate of any such probable loss.

INSURANCE: Consultant shall maintain at its own expense the following insurance subject to normal industry exclusions: (i) Workmen’s Compensation Insurance for statutory obligations imposed by Workmen’s Compensation or occupational disease laws; (ii) Employer’s Liability Insurance with a limit of $100,000.00 per accident; (iii) Comprehensive Automobile Liability Insurance with limits of $1,000,000.00; (iv) General Liability Insurance with limits of $1,000,000.00. Certificate can be issued upon request identifying details and limits of coverage.
TERMINATION OF SERVICES: This Agreement may be terminated upon ten (10) days written notice by either party should the other fail to perform his obligations hereunder. In the event of termination, the CLIENT shall pay for all services and reimbursable expenses rendered to the date of termination.

OWNERSHIP DOCUMENTS: All documents produced by GEC under this Agreement shall remain the property of GEC and may not be used by this CLIENT for any other endeavor without the prior written consent of GEC.

ASSIGNMENT OF RIGHTS: The rights of each party under this Agreement are personal to that party and may not be assigned or transferred to any other person, firm, corporation, or other entity without the prior, express, and written consent of the other party.

ENTIRE AGREEMENT: This Agreement shall constitute the entire Agreement between the parties and any prior understanding or representation of any kind preceding the date of this Agreement shall not be binding upon either party except to the extent incorporated in this Agreement.

MODIFICATION OF AGREEMENT: Any modification of this Agreement or additional obligation assumed by either party in connection with this Agreement shall be binding only if in writing and signed by each party or an authorized representative of each party.

NO WAIVER: The failure of either party to this Agreement to insist upon the performance of any of the terms and conditions of this Agreement or the waiver of any breach of any of the terms and conditions of this Agreement, shall not be construed as subsequently waiving any such terms and conditions, but the same shall continue to remain in full force and effect as if no such forbearance or waiver had occurred.

EFFECT OF PARTIAL INVALIDITY: The invalidity of any portion of this Agreement will not affect the validity of any other provision. If any provision of this Agreement is held to be invalid, the parties agree that the remaining provisions shall be deemed to be in full force and effect as if they had been executed by both parties subsequent to the expiration of the invalid provision.

EXCUSABLE DELAY: Neither party to this Agreement shall be liable to the other for any loss, cost, or damages, arising out of, or resulting from, any failure to perform in accordance with the terms of this agreement where the cause of such failure shall include, but not be limited to, acts of God, strikes, lockouts, or other industrial disturbances, wars, whether declared or undeclared, blockades, insurrections, riots, governmental action, explosions, fire, floods, or any other cause not within the reasonable control of either party.

NOTICES: Any notice provided for or concerning this Agreement shall be in writing and be deemed sufficiently given when sent by certified or registered mail to the respective address of each party as set forth at the beginning of this Agreement.

GOVERNING LAW, VENUE, and FORUM: All disputes, issues, claims, demands, causes of action, etc., including the construction, validity, and interpretation of this Agreement, shall be governed by and construed in accordance with the domestic laws of the State of Georgia, without giving effect to any choice of law or conflict of law provision (whether of the State of Georgia or any other jurisdiction) that would cause the application of the laws of any other jurisdiction other than the State of Georgia. Client further agrees that the venue for any dispute, issue, claim, demand, cause of action, etc. arising from or related to this Agreement shall be brought in Bibb County, Georgia.

COUNTERPARTS: This agreement may be executed in any number of counterparts, each of which shall be deemed to be an original, but all of which together shall constitute the same instrument.
Exhibit "C": The Firm’s Scope of Work

Smith Welch Webb & White, LLP, (Firm) will provide legal advice, handle negotiations and communications, review legal documents, attend meetings and administrative hearings, trials and appeals on behalf of Macon-Bibb County. We will retain JTA to assist the Firm in its representation of Macon-Bibb County. The Firm will work with JTA and GEC on the implementation of the plan of action. We will also work with the Urban Development Authority, EPD and GP and AGL with respect to their involvement in implementation of the action plan and securing a residential RRS for the Property. Should a prospective buyer for the Property emerge, the Firm will represent the Commission in its dealings with such a buyer.

The Firm’s hourly rates have been and will continue to be during the course of this engagement as follows:

<table>
<thead>
<tr>
<th>Position</th>
<th>In Office Rate</th>
<th>Out of Office Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sr. Partner Buddy Welch</td>
<td>$250 per hour</td>
<td>$300 per hour</td>
</tr>
<tr>
<td>Sr. Partner Andy Welch</td>
<td>$250 per hour</td>
<td>$300 per hour</td>
</tr>
<tr>
<td>Partner</td>
<td>$200 per hour</td>
<td>$200 per hour</td>
</tr>
<tr>
<td>Associate Attorney</td>
<td>$150 per hour</td>
<td>$150 per hour</td>
</tr>
<tr>
<td>Paralegal/Secretary</td>
<td>$80 per hour</td>
<td>N/A</td>
</tr>
</tbody>
</table>

Expenses, fees and costs are not included in these hourly rates.
EXHIBIT "D"
Exhibit “D”: Background Information & Analysis

Brief Background

Georgia Power (“GP”) and Atlanta Gas-Light (“AGL”) (or their predecessors) operated a manufacture coal gasification plant on portions of the Property. The gasification process is the primary source of the known contamination. Some contamination, however, may be as a result of fill material added to the site and as a result of the City’s maintenance of its mass transit busses.

In 2009, GP and AGL entered into a restricted covenant agreement with the City of Macon limiting re-use of the property for non-residential uses (e.g., commercial or industrial use). GP and AGL agreed that if the Property were to be used for residential purposes, the City would reimburse AGL and GP each $250,000.00 for the costs of previous studies and corrective actions. Thereafter, any remediation costs incurred to reduce the risk reduction standards from 4 to 1 or 2 would be divided amongst the parties as follows: 35% GP, 35% AGL, and 30% Macon. If, however, Macon-Bibb County could secure in writing from EPD a letter stating that a certain portion of the Property outside the Site is suitable for residential use, then Macon-Bibb County would not be required to reimburse GP and AGL $250,000.00 each.

It is important to note that the soil has been sampled at the bedrock level and the top two feet but not in between. Therefore, we do not know for certain what amounts of contamination exist between the top two feet and the bedrock of the polygon. Until sampling of that middle stratum is done, EPD will continue to presume that the soil 2 feet below the surface is contaminated. As a result, unless and until the Site is fully remediated, a covenant warning of environmental contamination must be included in any transfer of rights in the contaminated areas.

Even with the subsurface contamination, EPD, by consent order, will allow for non-residential (i.e., commercial and industrial) use of the Site.

Options

If the City or developer wishes to use the Site or area around the Site for residential uses, there are several options to accommodate such uses.

(1) Take no Action: Macon-Bibb County could choose to do nothing and utilize the Property as is, for commercial or industrial purposes.

(2) Isolation. A developer could develop around the polygon and isolate the polygon area from human exposure through the use of barriers. This would require ongoing maintenance of whatever exposure controls are used.

(3) Excavate the Site: The City (along with GP and AGL) could excavate the contaminated soils, dispose of those soils and replace with clean fill. This is the only option which would completely remove the environmental contamination covenant as well as remove future liability to the City for the existing contamination. The high water table in some areas of the polygon is likely to pose significant difficulties and associated costs. The cost of this endeavor has
been very roughly estimated at $26 million dollars, but could be more. It is our experience that most excavations end up with far more soil removal than originally anticipated in order to get confirmation that samples are "clean". Excavation, soil disposal and trucking in new fill is costly and disruptive.

(4) **Voluntary Remediation Program (VRP).** State law allows for voluntary remediation of contaminated properties. Remediation need not be full and complete remediation, but rather may consist of physical barriers and/or institutional controls which eliminate human exposure pathways to the contamination. Barriers may include two feet of uncontaminated soil, concrete, foundation floors, etc. This option will require on-going maintenance of the exposure controls and may require periodic monitoring of the contamination and exposure pathways. To properly establish the location of the barrier and sufficiency thereof, additional soil sampling and engineering will be required. Liability associated with contamination remains both with the property owner and any subsequent owner of the property.

(5) **Brownfields Program.** Is an option only for a prospective buyer. The property is eligible only where it is established through sampling and engineering that a complete remediation of the site is not feasible or appropriate. Prospective purchasers of contaminated property (i.e., a "brownfield") through the Brownfields program would receive a limitation on pollution liability and property tax abatement. Remediation identified by EPD as feasible, however, would have to be completed. Moreover, installing barriers and/or institutional controls which eliminate human exposure pathways to the contamination will also be required. Like, the VRP, this option will require on-going maintenance of the exposure controls used and may require periodic monitoring of the contamination and exposure pathways. The engineering costs will likely be more than under the VRP, but if EPD approves the site for the Brownfield program, prospective purchasers can be protected from liability associated with the existing contamination. (Macon-Bibb County, GP and AGL, however, retain liability for the contamination.) Because we do not at this time have a prospective purchaser willing to go through the Brownfield program, this is not an option.

(6) **Shrinking the Polygon:** During our last meeting, there was some discussion on "shrinking the polygon". As you know, the polygon refers to the Site or the area of contaminated soils. The polygon was defined as is part of the 2003 Compliance Status Report (CSR) and the Corrective Action Plan (CAP) approved by EPD in 2005. The polygon was established by extrapolation of discrete sampling points which detected levels of contamination at essentially the bedrock level. The soil above the sample was simply presumed to have the same level of contamination. The soil sampling for the CSR was used to generate the CAP and delist the Macon MGP 2 Site from the State's Hazardous Site Inventory. The CRP did not attempt to define the vertical stratification of the contamination. Consequently, we do not know with any degree of certainty how much contamination is actually in the Site or where we could remediate to possibly "shrink the polygon". Therefore, to have any understanding of what amount of remediation might be done to reduce the area or depth of the polygon, we must conduct GEC's proposed delineation study. Alternatively, if we had a developer who would commit to the location of residential uses, we could work to remediate those.
portions of the Site to accommodate the residential uses. We do not, however, have any such developer.

Assumptions

You have asked us to advise you on the best option. Selecting the option depends on the accuracy of our presumptions. Based on our last meeting with the Commission, we have made the following presumptions: (1) Macon-Bibb County is not able to expend millions of dollars to fully delineate the contamination and remove and dispose of such contamination; (2) Macon-Bibb does not wish to simply leave the property “as is” on which commercial and industrial uses are allowed; (3) Macon-Bibb County desires to take some action so that the property may be used for residential purposes; and (4) Macon-Bibb County does not have a contract with a prospective purchaser who would be eligible to take the Property through the State Brownfield’s program; (5) Macon-Bibb County is willing to expend some yet-to-be determined amount to attempt to lower the RRS to residential levels for full or partial residential use. Based on those presumptions and after considering all of the above stated options, we have made the recommendations set forth in the cover letter.