



April 05, 2016 9:00 am

1. Call to Order by Mayor Jan J. Moore
2. Invocation and Pledge of Allegiance by Mayor Jan Moore
3. Recognitions/Public Presentations
 - A) Presentation of Retirement for Roger Davis, Refuse Collection Driver, Public Works Department, after 16 years of service.
 - B) Presentation from Georgia Southern University's Dr. Darin Van Tassell regarding Statesboro's proposed participation in the Sister Cities program with Italian cities Grottaferrata and Monte Compatri. Dr. Van Tassell is representing the work that has been done on the project by GSU and the Statesboro Convention and Visitors Bureau.
4. Public Comments (Agenda Item):
5. Consideration of a Motion to approve the Consent Agenda
 - A) Approval of Minutes
 - a) 03-15-2016 Council Minutes
 - B) Request for a Special Event permit for the "Cure Childhood Cancer" Fundraising Dinner to be held at the Belle House
 - C) Consideration of a Motion to approve **Resolution 2016-16**: A Resolution to approve the restatement and amendment of the City of Statesboro's Georgia Municipal Association 401(a) Defined Contribution Plan Adoption Agreement.
6. Administrative Hearing for alleged alcohol violation as pursuant to Chapter 6 of the City of Statesboro Alcohol Ordinance:

Enforcement from the Statesboro Police Department:

	<u>Offense in 12 month period</u>	<u>Citation Date</u>
a) Michael Kay and Jason G Palmer Two Guys Discount Inc DBA Two Guys Beverage & Tobacco 8 B College Plaza	1st offense	March 4, 2016
b) Robert B Demere III Enmark Stations Inc DBA Enmark Stations Inc #849 2298 Northside Drive West	1st offense	March 4, 2016
c) Clyde Woolard Coastal Area Stores Inc DBA Clyde's Market #76 17874 Highway 67	1st offense	March 4, 2016

7. Consideration of a Motion to award a contract extension for insurance brokerage services to align both the general liability and workers compensation insurance policies to Glenn Davis and Associates. The General Liability Insurance policy will begin May 1st, 2016 for a 15 month period and the workers compensation insurance will be for a 12 month period to begin August 1st, 2016. Both coverage policies will end on August 1st, 2017.
8. Consideration of a Motion to approve **Resolution 2016-17**: A Resolution to approve a new classification and compensation plan provided by Evergreen Solutions LLC., which includes a list of job titles, pay grades, pay ranges, guidelines for administration and written job descriptions for each position.
9. Consideration of a Motion to Award a Contract to Ellis Wood Contracting for the City of Statesboro Municipal Court Parking Lot Improvement Project. Ellis Wood's bid was in the amount of \$54,136.25, based on unit price extensions, however, since bids came in lower than expected, the Engineering Division requests approval to spend up to the original estimated amount of \$65,530.00 in order to make repairs and improvements to the driveway/rear parking area behind the building. Costs for additional work to be based on contractor's unit bid prices. Construction to be paid for through 2013 SPLOST funds.
10. Other Business from City Council
11. City Managers Comments
 - A) "Beer Mart LLC" is applying for an alcohol license for retail package sale of beer and wine, 3018 Northside Drive West Suite A, pending the background investigation. The owners are James M Strowbridge III & Catina L Strowbridge.
 - B) Chief of Police Search
12. Public Comments (General)
13. Consideration of a Motion to enter into Executive Session to discuss "Personnel Matters" in accordance with **O.C.G.A.§50-14-3 (2012)**
14. Consideration of a Motion to Adjourn



**CITY OF STATESBORO
Council Minutes
March 15, 2016**

A regular meeting of the Statesboro City Council was held on March 15th, 2016 at 5:30 p.m. in the Council Chambers at City Hall. Present were Mayor Jan J. Moore, Council Members: Phil Boyum, Sam Lee Jones, Jeff Yawn, John Riggs and Travis Chance. Also present were Deputy City Manager Robert Cheshire, City Clerk Sue Starling, City Attorney Alvin Leaphart, Director of Public Works and Engineering Jason Boyles and Director of Planning and Development Mandi Cody.

The meeting was called to Order by Mayor Jan J. Moore

The Invocation and Pledge of Allegiance was led by Councilman Jeff Yawn

Mayor Moore stated that item #10 on the agenda would be tabled, at the request of the applicant, until the April 19th, 2016 Council Meeting.

Public Comments (Agenda Item): None

Consideration of a Motion to approve the Consent Agenda

A) Approval of Minutes

a) 03-01-2016 Council Minutes

b) 03-01-2016 Executive Session Minutes

c) Consideration of a Motion to award a "Sole Source Purchase" for a Pump Motor with Impeller and (3) spare Impellers to Smith & Loveless Inc. in the amount of \$31,582.00. This equipment is to be funded utilizing 2013 SPLOST proceeds under project number WWD-153.

Councilman Chance made a motion, seconded by Councilman Riggs to approve the consent agenda in its entirety. Councilman Boyum, Jones, Yawn, Riggs and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

Consideration of a Motion to Adopt Ordinance 2016-03: An Ordinance amending Chapter 6 of the Statesboro Code of Ordinance regarding Alcoholic Beverages.

Councilman Yawn made a motion, seconded by Councilman Riggs to Adopt **Ordinance 2016-03**: An Ordinance amending Chapter 6 of the Statesboro Code of Ordinance regarding Alcoholic Beverages with the amended language for Sec. 6-7 (g) to include: "All licenses which are in existence and valid as of July 1, 2016 may continue to be renewed". Councilman Jones, Yawn, Riggs and Chance voted in favor of the motion. The motion carried by a 4-0 vote. Councilman Boyum abstained from voting as stated in a previous meeting because of a conflict of interest as he was promoted to General Manager of Springhill Suites. The Hotel currently holds an alcohol license.

Consideration of a Motion to Adopt Ordinance 2016-04: An Ordinance Amending Article 2 (Authorities, Boards and Commissions) of Chapter 2 (Administration) of the Statesboro Code of Ordinances.

Councilman Riggs made a motion, seconded by Councilman Boyum to Adopt Ordinance 2016-04: An Ordinance Amending Article 2 (Authorities, Boards and Commissions) of Chapter 2 (Administration) of the Statesboro Code of Ordinances. Councilman Boyum, Jones, Yawn, Riggs and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

Consideration of a Motion to Adopt Resolution 2016-11: A Resolution establishing fees for Chapter 6 of the City of Statesboro Code of Ordinances governing alcoholic beverages.

Councilman Boyum made a motion, seconded by Councilman Chance to Adopt Resolution 2016-11: A Resolution establishing fees for Chapter 6 of the City of Statesboro Code of Ordinances governing alcoholic beverages. Councilman Boyum, Jones, Yawn, Riggs and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

Second Reading and Consideration of a Motion to Approve Ordinance 2016-05: An Ordinance to merge the Department of Information Technology and the Purchasing/Management Department to create the Department of Central Services and that the Department of Information Technology is hereby dissolved and the Purchasing/Risk Management Department is hereby removed from the Finance Department, and dissolved.

Councilman Yawn made a motion, seconded by Councilman Boyum to Approve Ordinance 2016-05: An Ordinance to merge the Department of Information Technology and the Purchasing/Management Department to create the Department of Central Services and that the Department of Information Technology is hereby dissolved and the Purchasing/Risk Management Department is hereby removed from the Finance Department, and dissolved. Councilman Boyum, Jones, Yawn, Riggs and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

Consideration of a Motion to Approve Resolution 2016-15: A Resolution to approve the adjustments to the classification and compensation plan to reclassify the Director of Information Technology and Purchasing Director positions to the Director of Central Services, an IT System Analyst to a Network Administrator, a GIS Coordinator to a GIS Administrator and the approval of the Mayor and Council to assign the Director of Central Services, Network Administrator and GIS Administrator positions a higher wage than Step C on the Compensation Plan.

Councilman Chance made a motion, seconded by Councilman Yawn to Approve Resolution 2016-15: A Resolution to approve the adjustments to the classification and compensation plan to reclassify the Director of Information Technology and Purchasing Director positions to the Director of Central Services, an IT System Analyst to a Network Administrator, a GIS Coordinator to a GIS Administrator and the approval of the Mayor and Council to assign the Director of Central Services, Network Administrator and GIS Administrator positions a higher

wage than Step C on the Compensation Plan. Councilman Boyum, Jones, Yawn, Riggs and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

Public Hearing and Consideration of a Motion to Approve Application SE 16-02-01: Brason Investments, LLC requests a Special Exception for .38 acres of property located at 101 Hawthorne Road to utilize the existing single-family residence as an office (Tax Parcel Number MS74 000085 000).

This item was tabled for the April 19th, 2016 Council meeting.

Consideration of a Motion to Approve Resolution 2016-12: A Resolution Approving Application to the Georgia Department of Community Affairs (DCA) requesting \$500,000 FY 2016 Community Development Block Grant (CDBG) Funds and approval of City financial commitment of \$225,000 (\$150,000 from Stormwater Utility Fund and \$75,000 from Water/ Sewer Fund).

Councilman Jones made a motion, seconded by Councilman Chance to Approve Resolution 2016-12: A Resolution Approving Application to the Georgia Department of Community Affairs (DCA) requesting \$500,000 FY 2016 Community Development Block Grant (CDBG) Funds and approval of City financial commitment of \$225,000 (\$150,000 from Stormwater Utility Fund and \$75,000 from Water/ Sewer Fund). Councilman Boyum, Jones, Yawn, Riggs and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

Consideration of a Motion to Approve Resolution 2016-13: A Resolution Awarding an Administration Contract for the FY 2016 Community Development Block Grant to Associates in Local Government (ALGA), subject to the award of the grant. Administrative fees to be established by and paid from the grant award

Councilman Boyum made a motion, seconded by Councilman Yawn to Approve Resolution 2016-13: A Resolution Awarding an Administration Contract for the FY 2016 Community Development Block Grant to Associates in Local Government (ALGA), subject to the award of the grant. Administrative fees to be established by and paid from the grant award. Councilman Boyum, Jones, Yawn, Riggs and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

Consideration of a Motion to Approve Resolution 2016-14: A Resolution Awarding an Engineering Contract for the FY 2016 Community Development Block Grant to Parker Engineering, subject to the award of the grant. Engineering fees to be established by and paid from the grant award.

Councilman Chance made a motion, seconded by Councilman Boyum to Approve Resolution 2016-14: A Resolution Awarding an Engineering Contract for the FY 2016 Community Development Block Grant to Parker Engineering, subject to the award of the grant. Engineering fees to be established by and paid from the grant award. Councilman Boyum, Jones, Yawn, Riggs and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

Other Business from City Council

There was no other business from Council

City Managers Comments

- A) **"Flash Foods LLC" is applying for an alcohol license pending the background investigation. The owners are Stephen J. Lattig, Evan W. Smith, and Tammy V. Floyd.**

Deputy City Manager Robert Cheshire stated he had met with Marilyn Creech-Harris regarding the Youth Build project. He also stated the City could not be set up to administer the program but would support the program. Recommendations will be brought back to Council.

Public Comments (General) None

Consideration of a Motion to Adjourn

Councilman Chance made a motion, seconded by Councilman Riggs to adjourn the meeting. Councilman Boyum, Jones, Yawn, Riggs and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

The meeting was adjourned at 6:15 pm.

CITY OF STATESBORO
P O BOX 348
STATESBORO, GEORGIA 30459
Telephone (912) 764-5468 Fax (912) 764-4691

APPLICATION FOR A SPECIAL EVENT PERMIT FOR NON-PROFIT TAX
EXEMPT CIVIC ORGANIZATION
(IRS TAX EXEMPT FORM IS REQUIRED)
30 DAY NOTICE IS REQUIRED BEFORE THE EVENT
FEE - \$50.00

DATE OF APPLICATION 3/29/16

DATE OF EVENT 4/16/16

TIME OF EVENT 6pm

LOCATION OF EVENT The Belle House

TYPE OF EVENT (DETAILED DESCRIPTION) A fundraising dinner
and auction benefiting CURE Childhood Cancer

IF THIS IS A THEATRE PRODUCTION, PROVIDE A DESCRIPTION.

PRODUCTS TO BE SERVED: BEER WINE LIQUOR

** ALCOHOL MUST BE PURCHASED THROUGH A LICENSED WHOLESALE DISTRIBUTOR.

NAME OF WHOLESALE DISTRIBUTOR Beer was ^{donated} ~~purchased~~ through Budweiser

ADDRESS AND PHONE NUMBER OF WHOLESALE DISTRIBUTOR Budweiser-
Greg Stringer

Hubersham Beverage, 4618 Hubersham St, Savannah 31405
(912) 354-6477

Wine
from
Hubers
Bevera
(229)
242-8404

**THE APPLICANT IS NOT ALLOWED TO HAVE A CASH BAR AT THE EVENT.

WILL THERE BE FOOD SERVED? IF SO WHO WILL BE CATERING?

Yes, Berricks

WILL THERE BE MUSIC AND DANCING? IF SO DESCRIBED

Music will be provided by a 2 person band, The Rosies
No dancing

IF RAISING MONEY FOR A CHARITY, WHAT IS THE NAME OF THE ORGANIZATION CURE Childhood Cancer

PROVIDE A NAME AND PHONE NUMBER OF THE CHARITY ORGANIZATION CONTACT Mandy Garola

Community Manager - Savannah

IF THE EVENT IS FOR A CHARITY, PROVIDE A COPY OF THE APPROVED RECOGNITION OF EXEMPTION UNDER SECTION 501(C)(3) OF THE INTERNAL REVENUE CODE.

ARE FLYERS BEING DISTRIBUTED? Attached a sponsorship form with event info,
 YES NO tables are sold out
IF YES ATTACH TO APPLICATION.

NAME OF APPLICANT Jody Polk

APPLICANT'S ADDRESS _____

APPLICANT'S PHONE NUMBER (912) 536-6973


APPLICANT IS REQUIRED TO ATTEND THE COUNCIL MEETING.

I HAVE READ AND AGREE TO THE REQUIREMENTS OF THIS PERMIT.

Jody Polk
SIGNATURE OF APPLICANT

DATE APPROVED _____

SUE STARLING, CITY CLERK

 **IRS** Internal Revenue Service
P.O. Box 2508
Cincinnati OH 45201

In reply refer to: 0248459781
Apr. 18, 2011 LTR 4168C E0
58-1244138 000000 00
00018472
BDDC: TE


CURE CHILDHOOD CANCER INC
1117 PERIMETER CTR W STE N402
ATLANTA GA 30338-5456

Employer Identification Number: 58-1244138
Person to Contact: MS. WINKLER
Toll Free Telephone Number: 1-877-829-5500

Dear TAXPAYER:

This is in response to your Apr. 07, 2011, request for information regarding your tax-exempt status.

Our records indicate that you were recognized as exempt under section 501(c)(3) of the Internal Revenue Code in a determination letter issued in MARCH 1976.

Our records also indicate that you are not a private foundation within the meaning of section 509(a) of the Code because you are described in section(s) 509(a)(1) and 170(b)(1)(A)(vi).

Donors may deduct contributions to you as provided in section 170 of the Code. Bequests, legacies, devises, transfers, or gifts to you or for your use are deductible for Federal estate and gift tax purposes if they meet the applicable provisions of sections 2055, 2106, and 2522 of the Code.

Please refer to our website www.irs.gov/eo for information regarding filing requirements. Specifically, section 6033(j) of the Code provides that failure to file an annual information return for three consecutive years results in revocation of tax-exempt status as of the filing due date of the third return for organizations required to file. We will publish a list of organizations whose tax-exempt status was revoked under section 6033(j) of the Code on our website beginning in early 2011.

0248459781
Apr. 18, 2011 LTR 4168C E0
58-1244138 900000 00
00018473

CURE CHILDHOOD CANCER INC
1117 PERIMETER CTR W STE N402
ATLANTA GA 30338-5456

If you have any questions, please call us at the telephone number
shown in the heading of this letter.

Sincerely yours,



S. A. Martin, Operations Manager
Accounts Management Operations

SISTERS on a journey

*Benefiting The Catie Wilkins Memorial Fund
of CURE Childhood Cancer*

About Sisters on a Journey

“Sisters on a Journey” is a unique, inspiring event benefiting The Catie Wilkins Memorial Fund of CURE Childhood Cancer. This special table-hostess-style dinner features creative themed tables, a silent and live auction, raffle, speakers and entertainment, all while raising important funds to support life-saving research for pediatric cancer.

In its sixth year, “Sisters on a Journey,” always a sell-out, includes three dinners:

Savannah – Saturday, February 20, 2016

Effingham – Saturday, March 19, 2016

Statesboro – Spring 2016

About the Catie Wilkins Memorial Fund

On her first birthday, Catie Wilkins was diagnosed with medulloblastoma, an aggressive brain tumor. With no warning, Catie and her family were plunged into a world of non-stop doctors and surgeries and chemotherapy and medicines.

Catie endured 12 surgeries, 4 different chemotherapy protocols and 6 weeks of radiation. But her tumor continued to grow, even through these harsh treatments. Catie fearlessly fought her battle with cancer, but the chemotherapy had compromised her immune system so severely that she succumbed to a common virus before she reached her 5th birthday.

Catie’s family is committed to furthering research so in the future, treatments will exist which allow children to survive brain tumors and thrive as survivors. Wanting to work with a reputable, impactful childhood cancer organization, the Wilkins established The Catie Wilkins Memorial Fund of CURE Childhood Cancer to fund critical, life-saving research.

About CURE Childhood Cancer

Founded in 1975, CURE Childhood Cancer is dedicated to conquering childhood cancer through funding targeted research and through supporting patients and their families. CURE dedicates more than \$2.5 million annually to specific research projects aimed at solving cancers which affect children. Through innovative programming, CURE Childhood Cancer also provides crisis-oriented support to patients and their families. For more information visit www.curechildhoodcancer.org.

cure
CHILDHOOD CANCER

CURE’s Social Media Reach

Facebook: 176,000+ Likes
Website: 8,000+ Monthly Visitors
Twitter: 6,700+ Followers
Blog: 365+ Views Per Day
Sisters on a Journey
Facebook Page: 1,000+ Likes



December 8, 2015

President
Mike Bodker
Mayor, Johns Creek

First Vice President
Edna Jackson
Mayor, Savannah

Second Vice President
Boyd Austin
Mayor, Dallas

Third Vice President
Dorothy Hubbard
Mayor, Albany

Immediate Past President
Keith Brady
Mayor, Newnan

Executive Director
Lamar Norton

MEMORANDUM VIA U.S. MAIL AND E-MAIL
(flavia.starling@statesboroga.gov)

TO: Ms. Flavia Starling, DC/DC Contact, City of Statesboro

FROM: Mr. Sam L. Brannen, Jr., Associate General Counsel

SUBJECT: Restatement of City of Statesboro's Georgia Municipal Association 401(a) Defined Contribution Plan; Required Federal Law Updates

The Board of Trustees of the Georgia Municipal Association ("GMA") Defined Contribution and Deferred Compensation Program recently restated the GMA 401(a) Defined Contribution Plan ("401(a) DC Plan") to incorporate the relevant provisions of the Pension Protection Act of 2006 ("PPA"), the Heroes Earnings and Assistance and Relief Tax of 2007 ("HEART"), the Worker, Retiree, and Employer Recovery Act of 2008 ("WRERA"), the final Treasury regulations under Code Section 415 published on April 5, 2007, and model amendments provided under Internal Revenue Service Notice 2009-82.

Each employer who wishes to continue using the GMA 401(a) DC Plan to provide retirement benefits for eligible employees must adopt the restated plan. We have attached two (2) drafts of a restated 401(a) DC Plan Adoption Agreement that reflects the current elective provisions of the City of Statesboro's 401(a) DC Plan, as well as the City's current 401(a) DC Plan Adoption Agreement and Amendment 1 to the current Adoption Agreement. Please note that Amendment 1 to your current 401(a) DC Plan Adoption Agreement, relating to post-severance compensation, has been incorporated into the restated 401(a) DC Plan Adoption Agreement. Additionally, a copy of the restated GMA 401(a) DC Master Plan document (which does not need to be executed by the Governing Authority), a summary of the changes made to the 401(a) DC Master Plan document and Adoption Agreement, and a copy of the 2014 IRS advisory letter are included in this mailing.

To continue using the GMA 401(a) DC Plan, you will need to take the following steps:

- Step 1:** Review the enclosed draft Adoption Agreement to ensure that it correctly reflects the benefit design options selected by the City of Statesboro.

The City's current Adoption Agreement provides the following employees participate in the 401(a) DC Plan: City Manager in

office from January 1, 2002 through February 15, 2008; City Judge in office on or after April 3, 2010; and City Attorney in office on or after January 31, 2012. The City Judge has no minimum hour requirement, and the City Attorney is required to work a minimum of 30 hours per week in order to participate in the 401(a) DC Plan. The City makes contributions to the 401(a) DC Plan accounts of the City Attorney and City Judge equal to 1/12th of 4.0% of each participant's annual budgeted base salary before taxes or deductions, per month.

If this or other information in the Adoption Agreement does not accurately reflect the City's current practices or benefit design options, please let us know immediately.

Step 2: If the Adoption Agreement correctly reflects the benefit design options selected by the City, have the Governing Authority approve the restated GMA 401(a) DC Plan Adoption Agreement.

Step 3: Have the appropriate designated representatives **sign and date both drafts of the GMA 401(a) DC Plan Adoption Agreement. Return both of the executed documents** in the enclosed self-addressed envelope **no later than January 15, 2016** to the following address:

Ms. Gina Shirley
Legal Assistant
Georgia Municipal Association
P.O. Box 105377
Atlanta, GA 30348

GMA will then countersign both Adoption Agreements, keep one fully executed Adoption Agreement for its files, and return the other fully executed Adoption Agreement to you for your files. **Please keep the fully executed Adoption Agreement, along with the GMA 401(a) DC Master Plan document, as part of the permanent records for your GMA 401(a) Defined Contribution Plan.**

We will be happy to answer any questions you may have regarding the above information. Please contact Ms. Gina Shirley, at 678-686-6258 or gmadcdc@gmanet.com, with any questions.

cc: Mr. Robert Cheshire, Deputy City Manager, City of Statesboro (via email)
Mr. Jeff Grant, Director of Human Resources, City of Statesboro (via email)

Resolution 2016-16
THE GEORGIA MUNICIPAL ASSOCIATION
401(a) DEFINED CONTRIBUTION PLAN

Amended and Restated
As of January 1, 2012

RESOLUTION AND
ADOPTION AGREEMENT

City of Statesboro, Georgia
[Participating Employer]

Administered by:
Georgia Municipal Association
201 Pryor Street, SW
Atlanta, Georgia 30303
Telephone: 404-688-0472
Facsimile: 678-686-6289

RESOLUTION

WHEREAS, the City of Statesboro, Georgia, (hereinafter referred to as the "Participating Employer") has determined that in the interest of attracting and retaining qualified employees, it wishes to offer a defined contribution plan, funded by employer contributions;

WHEREAS, the Participating Employer has also determined that it wishes to encourage employees' saving for retirement by offering matching and/or non-matching contributions;

WHEREAS, the Participating Employer has reviewed the Georgia Municipal Association ("GMA") Defined Contribution Plan, as amended and restated effective as of January 1, 2012 ("Plan");

WHEREAS, the Participating Employer wishes to participate or continue participating in the Plan to provide certain benefits to its employees, reduce overall administrative costs, and afford attractive investment opportunities;

WHEREAS, the Participating Employer is an Employer as defined in the Plan;

WHEREAS, the Participating Employer has executed an Adoption Agreement (and, if applicable, an Addendum) for the Plan; and

WHEREAS, the Mayor and Council of the City of Statesboro ("Governing Authority") is authorized by law to adopt this resolution approving the Adoption Agreement (and, if applicable, Addendum) on behalf of the Participating Employer;

Therefore, the Governing Authority of the Participating Employer hereby resolves:

Section 1. The Participating Employer adopts the Plan and the Trust Agreement ("Trust") for the Plan for its Employees.

Section 2. The Participating Employer acknowledges that the Board of Trustees of the GMA Defined Contribution and Deferred Compensation Plan ("Trustees") are only responsible for the Plan and have no responsibility for other employee benefit plans maintained by the Participating Employer.

Section 3.

(a) The Participating Employer hereby adopts the terms of the Adoption Agreement and any Addendum, which is attached hereto and made a part of this resolution. The Adoption Agreement (and, if applicable, the Addendum) sets forth the Employees to be covered by the Plan, the benefits to be provided by the Participating Employer under the Plan, and any conditions imposed by the Participating Employer with respect to, but not inconsistent with, the Plan. The Participating Employer reserves the right to amend its elections under the Adoption Agreement and any Addendum, so long as the amendment is not inconsistent with the Plan or the Internal Revenue Code or other applicable law and is approved by the Trustees of the Plan.

(b) The Participating Employer acknowledges that it may not be able to rely on the volume submitter letter if it makes certain elections under the Adoption Agreement or the Addendum.

Section 4. The Participating Employer hereby authorizes Ice Miller LLP, Legal Counsel, the volume submitter practitioner who sponsors the Plan on behalf of GMA, to amend the Plan on its behalf as provided under Revenue Procedure 2007-44 and Revenue Procedure 2011-49. The Participating Employer understands that the implementing amendment reads as follows:

With the approval of the Trustees, the Practitioner shall amend the Plan on behalf of all Participating Employers, including those Participating Employers who have adopted the Plan prior to this restatement of the Plan, for changes in the Code, the regulations thereunder, revenue rulings, other statements published by Internal Revenue Service, including model, sample, or other required good faith amendments (but only if their adoption will not cause such Plan to be individually designed), and for corrections of prior approved plans. These amendments shall be applied to all Participating Employers.

Notwithstanding the foregoing paragraph, the Practitioner shall no longer have the authority to amend the Plan on behalf of any Participating Employer as of either:

- the date the Internal Revenue Service requires the Participating Employer to file Form 5300 as an individually designed plan as a result of an amendment by the Participating Employer to incorporate a type of Plan not allowable in a volume submitter plan as described in Revenue Procedure 2011-49; or
- as of the date of the Plan is otherwise considered an individually designed plan due to the nature and extent of the amendments.

If the Participating Employer is required to obtain a determination letter for any reason in order to maintain reliance on the advisory letter, the Practitioner's authority to amend the Plan on behalf of the Participating Employer is conditioned on the Plan receiving a favorable determination letter. In any event, any amendment made by the Practitioner is subject to the approval of the Trustees.

GMA will maintain or have maintained on behalf of the Practitioner a record of the Participating Employers, and GMA on behalf of the Practitioner will make reasonable and diligent efforts to ensure that Participating Employers have actually received and are aware of all Plan amendments and that such Participating Employers adopt new documents when necessary. The provisions of this Section shall supersede other provisions of the Plan to the extent those other provisions are inconsistent.

The Participating Employer further understands that, if it does not give its authorization hereunder or, in the alternative, adopt another pre-approved plan, its Plan will become an individually designed plan and will not be able to rely on the volume submitter advisory letter.

Section 5.

(a) The Participating Employer shall abide by the terms of the Plan and the Trust, including amendments to the Plan made under Section 4 and to the Trust made by the Trustees of the Plan, all investment, administrative, and other service agreements of the Plan and the Trust, and all applicable provisions of the Internal Revenue Code and other applicable law.

(b) The Participating Employer accepts the administrative services to be provided by GMA and any services provided by a Service Manager as delegated by the Trustees. The Participating Employer acknowledges that fees will be imposed with respect to the services provided and that such fees may be deducted from the Participants' Accounts.

Section 6.

(a) The Participating Employer may terminate its participation in the Plan, including but not limited to, its contribution requirements, if it takes the following actions:

- (i) A resolution must be adopted terminating its participation in the Plan.
- (ii) The resolution must specify when the participation will end.

The Trustees shall determine whether the resolution complies with the Plan, and all applicable federal and state laws, shall determine an appropriate effective date, and shall provide appropriate forms to terminate ongoing participation. However, distributions under the Plan of existing accounts to Participants will be made in accordance with the Plan.

(b) The Participating Employer acknowledges that the Plan contains provisions for involuntary Plan termination.

Section 7. The Participating Employer acknowledges that all assets held in connection with the Plan, including all contributions to the Plan, all property and rights acquired or purchased with such amounts and all income attributable to such amounts, property or rights shall be held in trust for the exclusive benefit of Participants and their Beneficiaries under the Plan. No part of the assets and income of the Plan shall be used for, or diverted to, purposes other than for the exclusive benefit of Participants and their Beneficiaries and for defraying reasonable expenses of the Plan. All amounts of compensation deferred pursuant to the Plan, all property and rights acquired or purchased with such amounts and all income attributable to such amounts, property or rights held as part of the Plan, shall be transferred to the Trustees to be held, managed, invested and distributed as part of the Trust Fund in accordance with the provisions of the Plan. All contributions to the Plan must be transferred by the Participating Employer to the Trust Fund. All benefits under the Plan shall be distributed solely from the Trust Fund pursuant to the Plan.

Section 8. This resolution and the Adoption Agreement (and any Addendum) shall be submitted to the Trustees for their approval. The Trustees shall determine whether the resolution complies with the Plan, and, if it does, shall provide appropriate forms to the Participating Employer to implement participation in the Plan. The Trustees may refuse to approve an Adoption Agreement (and any Addendum) by an Employer that does not have state statutory authority to participate in the Plan. The Governing Authority hereby acknowledges that it is responsible to assure that this resolution and the Adoption Agreement (and any Addendum) are adopted and executed in accordance with the requirements of applicable law.

Adopted by the Governing Authority on _____, _____, in accordance with applicable law.

By: _____
Signature

Name and Title

Attest: _____

Date: _____

[Governing Authority should ensure that applicable law is followed in the adoption and execution of this resolution.]

GMA 401(a) DEFINED CONTRIBUTION PLAN ADOPTION AGREEMENT

ADMINISTRATOR

Georgia Municipal Association
201 Pryor Street, SW
Atlanta, Georgia 30303
Telephone: 404-688-0472
Facsimile: 678-686-6289

PARTICIPATING EMPLOYER

Name: City of Statesboro, Georgia

GOVERNING AUTHORITY

Name: Mayor and Council of the City of Statesboro
Address: P.O. Box 348, 50 East Main Street, Statesboro, Georgia 30458
Phone: (912) 764-5468
Facsimile: (912) 764-8258
E-mail: _____
Person Authorized to receive Official Notices from the Plan or GMA: City Manager

DISCLOSURE OF OTHER 401(a) PLAN(S)

This Participating Employer does or does not have an existing defined contribution plan(s). If the Participating Employer does have one or more defined contribution plans, the Governing Authority must provide the plan name, name of the provider, and such other information requested by the Administrator.

TYPE OF ADOPTION AND EFFECTIVE DATE

NOTE: This Adoption Agreement, with the accompanying Master Plan Document, is designed to comply with Internal Revenue Code Section 401(a), as applicable to a governmental qualified defined contribution plan, and is part of the GMA Defined Contribution and Deferred Compensation Program. Plan provisions designed to comply with certain provisions of the Pension Protection Act of 2006 ("PPA"), Heroes Earnings and Assistance and Relief Tax of

2007 (HEART"), the Worker, Retiree, and Employer Recovery Act of 2008 ("WRERA"), the final Treasury regulations under Code Section 415 published on April 5, 2007, and, based on the model amendment provided under Internal Revenue Service Notice 2009-82 are intended as good faith compliance with the requirements of PPA, HEART, and WRERA to be construed in accordance with PPA, HEART, and WRERA and guidance issued thereunder effective for Plan Years set forth herein. Plan provisions designed to comply with certain provisions of additional changes in federal law and guidance from the Internal Revenue Service under Internal Revenue Service Notice 2010-90 (the 2010 Cumulative List) are effective as of the applicable effective dates set forth in the Adoption Agreement and Master Plan Document. By adopting this Adoption Agreement, with its accompanying Master Plan Document, the Participating Employer is adopting a plan document intended to comply with Internal Revenue Code Section 401(a), as updated by PPA, HEART, and WRERA and the 2010 Cumulative List with the applicable effective dates.

This Adoption Agreement is for the following purpose (**check one**):

- This is a new defined contribution plan adopted by the Participating Employer for its Employees effective _____, _____ (**insert effective date of this Adoption Agreement but not earlier than the beginning of the plan year in which the plan is adopted**), with respect to Contributions as approved by the Board of Trustees below.
- Check this box if any non-conforming provisions will be included in Plan provisions. An Addendum must be requested from GMA to be completed as part of the Adoption Agreement.
- This is an amendment and restatement of the current GMA 401(a) Defined Contribution Plan or other defined contribution plan of the Participating Employer, the effective date of which shall be **the date of its approval by the Governing Authority** (**insert effective date of this Adoption Agreement but not earlier than the first day of the 2007 plan year or the beginning of the plan year in which the plan is adopted**). This Adoption Agreement is intended to replace and serve as an amendment and restatement of the Employer's preexisting plan, which became effective on **October 16, 2001** (**insert original effective date of preexisting plan**).
 - Check this box if (i) any preexisting plan provisions will be preserved from a superseded non-GMA plan or (ii) any non-conforming provisions will be included in Plan provisions. An Addendum must be requested from GMA to be completed as part of the Adoption Agreement.
- This is an amendment to be effective as of _____, _____, (**insert effective date of this Adoption Agreement but not earlier than then beginning of the remedial amendment period for such amendment**) of the current GMA 401(a) Defined Contribution Plan previously adopted by the

Participating Employer, which was originally effective _____, as follows
(please specify type below):

- This is an amendment to change one or more of the Participating Employer's contribution design elections in the Adoption Agreement.
- This is an amendment to add a new Department or a new class of Eligible Employees.
- This is an amendment to discontinue participation in the Plan by one or more Departments or classes of Employees.
- Other (must specify elective provisions in this Adoption Agreement):

- Check this box if any non-conforming provisions will be included in Plan provisions. An Addendum must be requested from GMA to be completed as part of the Adoption Agreement.

PLAN YEAR

Plan Year means the Participating Employer's Fiscal Year. For purposes of the limitations under Code Section 415(c) set forth in Article V of the Master Plan Document, the limitation year means the calendar year.

The Employer's Fiscal Year starts on: **July 1** (insert month and day e.g., July 1).

COVERED DEPARTMENTS

A Participating Employer may cover all of its departments in the Plan or only those listed (check one):

- All Departments
- All Departments eligible to participate under the Employer's GMEBS defined benefit plan. Note: This box may only be checked if the Participating Employer's defined benefit plan is administered by GMEBS.
- Covered Departments (must specify): **Administration and Legal**

ELIGIBLE EMPLOYEES

Only Employees as defined in the Plan may be covered by the Adoption Agreement. Independent contractors may not participate in the Plan. Subject to other conditions in the Plan and this Adoption Agreement, the following Employees of the Covered Departments are eligible

to participate in the Plan, provided that they satisfy any additional eligibility requirements specified under "Other Eligibility Requirements" below (**check one**):

- All
- All with the following exclusions:
 - Municipal Legal Officer
 - Elected or appointed officials
 - Other¹ (**must specify and clearly define the ineligible classification of employees**):

- Only employees in any 457(b) plan of the Employer. Note: This box must be checked if the sole purpose of this Plan is to provide Employer contributions to match Employee contributions to a 457(b) Plan.
- Only employees in the GMEBS defined benefit plan. Note: This box may only be checked if the Participating Employer's defined benefit plan is administered by GMEBS.
- Other¹ (**must specify and clearly define the classification of Eligible Employees; Eligible Employees shall not include non-governmental employees, independent contractors, or any other ineligible individuals**):
City Manager from January 1, 2002 through February 15, 2008; City Judge effective April 3, 2010; and City Attorney effective January 31, 2012.

No employee may be excluded based on the attainment of a maximum age.

The Employer shall provide the Trustees with the name, address, Social Security Number, and date of birth for each Eligible Employee, as defined by the Adoption Agreement.

OTHER ELIGIBILITY REQUIREMENTS

Minimum Hours Per Week -- A Participating Employer may prescribe a minimum number of hours that an Employee must be scheduled and normally work in order to be an Eligible Employee under the Plan. The Employer hereby elects the following (elect either "No Minimum Hours Required" or "Minimum Hours Required" below. If you elect to have a minimum hour requirement you must specify the number of hours required in the space provided below).

- No Minimum Number of Hours Required**
- Minimum Hours Required Per Week (regularly scheduled):**

¹ Do not specify the inclusion or exclusion of a participant by using the name of the employee.

- _____ (must not exceed 40 hours/week)
- Same Minimum Hours Required as provided in GMEBS defined benefit plan. Number of Hours: _____. Note: This box may only be checked if the Participating Employer's defined benefit plan is administered by GMEBS.
- Other Minimum Hour Requirement (must specify): 35 hours per week for City Manager participating from January 1, 2002 through February 15, 2008; 30 hours per week for City Attorney participating on or after January 31, 2012; No minimum hour per week requirement for City Judge.**

If any Eligible Employee ceases to meet the Minimum Hour Requirement (if any), he or she becomes ineligible for additional contributions until he or she once again meets the requirement. It is the Participating Employer's responsibility to monitor this requirement and to report to the Administrator a change in employee eligibility.

Waiting Period -- A Participating Employer may establish a waiting period before an Eligible Employee may become a Participant in the Plan. The Employer hereby elects the following (elect "no waiting period" or one of the waiting period options below):

- No waiting period.** An Eligible Employee may become a Participant immediately upon meeting the eligibility conditions of the Plan.
- A waiting period described under one of the following options (check one):**
 - Minimum Period of Service (please complete items below):**

The waiting period for participation in the Plan shall be _____ (not to exceed 12 months) of service, calculated from the commencement of the Eligible Employee's employment with the Employer.

Eligible Employees who are employed on the date the Plan is adopted
 will be will not be given credit for prior service as an Employee for purposes of satisfying the waiting period.

Different periods of service will be will not be added together to determine whether the waiting period has been satisfied.

- Minimum Period of Contributions to 457(b) Plan (please complete items below):**

The waiting period for participation in the Plan shall be _____ (not to exceed 12 months) of the Eligible Employee's making contributions to the Employer's 457(b) plan(s).

Eligible Employees who are employed on the date the Plan is adopted will be will not be given credit for prior contributions made to the 457(b) Plan for purposes of satisfying the waiting period.

After initially meeting the waiting period, any interruption of employee contributions to the 457(b) plan(s) will will not require the employee to meet another waiting period to qualify for matching contributions.

Different periods of service in which deferrals are made as an Eligible Employee will will not be added together to determine if the waiting period has been satisfied.

EMPLOYER CONTRIBUTIONS

A Participating Employer may make Matching Contributions **and/or** Non-Matching Contributions as specified below. Matching Contributions and Non-Matching Contributions that are tied to Payroll Periods (as defined in this Adoption Agreement) must be remitted to the Administrator no later than 15 business days after the Payroll Period. Annual Contributions must be remitted to the Administrator no later than 15 days after the end of the Plan Year. A Participating Employer may establish one or more classes of employees for contribution purposes in this Adoption Agreement. However, no employee may be excluded from contributions based on the attainment of a maximum age.

The Participating Employer hereby elects to make contributions as follows (**check matching, non-matching, or both as applicable**):

Matching Contributions

Employer Contributions shall be made to match all or a portion of a Participant's contribution to an eligible 457(b) deferred compensation plan, including the GMA Deferred Compensation Plan. The Employer must identify the class or classes of Participants for whom contributions will be made and the contribution formula:

Class A Matching Contributions will be made on the following basis for Class A Participants:

Class A Participants are (**check one**):

- All Eligible Employees
- Other (**must specify; any individuals specified must be Eligible Employees**): _____

The Employer elects the following matching contribution formula for Class A Participants (**check and complete "Percentage Match," "Flat Dollar Match," or "Other Formula" below**):

- Percentage Match:** For each Payroll Period in which the Participant contributed to _____ (insert plan name) a 457(b) Plan of the Employer, the Employer will contribute _____% (insert percentage) of the dollar amount contributed to the 457(b) Plan. (For example, if an Employer elects a 50% match, then for every \$10 the Participant contributes to the 457(b) Plan, the Employer will contribute \$5 to this Plan).

Cap on Percentage Match - The Employer may wish to establish a cap on its matching contributions, so that the percentage (%) match amount indicated above cannot exceed a certain amount per Payroll Period. The Employer hereby elects the following cap on its percentage matching contribution (**check and fill in \$ or % of compensation limit to apply below, or check "no cap" below**):

- Flat Dollar Cap:** In no event will Matching Contributions made on behalf of a Participant exceed a flat dollar amount equal to (**complete as applicable**):

\$ _____ per weekly Payroll Period
\$ _____ per bi-weekly Payroll Period
\$ _____ per semi-monthly Payroll Period
\$ _____ per monthly Payroll Period

[Note: If the Employer has more than one Payroll Period, you should indicate dollar cap that will apply with respect to each Payroll Period e.g., \$100 per weekly Payroll Period, and \$200 per bi-weekly Payroll Period].

- Cap Equal to Percentage of Total Compensation:** In no event will Matching Contributions made on behalf of a Participant exceed _____% of the Participant's §457(e)(5) includable compensation (gross income from the Employer) per Payroll Period.

No Cap

- Flat Dollar Match:** For each Payroll Period in which the Participant contributed at least \$ _____ (may be \$1 to \$25) to a 457(b) Plan of the Employer, the Participating Employer will contribute a flat dollar amount as shown below (**complete as applicable**):

\$ _____ per weekly Payroll Period
\$ _____ per bi-weekly Payroll Period
\$ _____ per semi-monthly Payroll Period
\$ _____ per monthly Payroll Period

- Other Formula for Calculating Matching Contributions (must specify formula that complies with definitely determinable requirements of Treasury Regulations Section 1.401-1(b)(1)(i) and does not violate limits applicable to governmental plans under Code Sections 401(a)(17) and 415):**
-

[Do not complete following section on Class B Matching Contributions if all Eligible Employees are included in Class A above].

Class B Matching Contributions will be made on the following basis for Class B Participants:

Class B Participants are (must specify; all individuals specified must be Eligible Employees):

The Employer elects the following matching contribution formula for Class B Participants (check and complete "Percentage Match," "Flat Dollar Match," or "Other Formula" below):

- Percentage Match:** For each Payroll Period in which the Participant contributed to _____ (insert plan name) a 457(b) Plan of the Employer, the Employer will contribute _____% (insert percentage) of the dollar amount contributed to the 457(b) Plan. (For example, if an Employer elects a 50% match, then for every \$10 the Participant contributes to the 457(b) Plan, the Employer will contribute \$5 to this Plan).

Cap on Percentage Match - The Employer may wish to establish a cap on its matching contributions, so that the percentage (%) match amount indicated above cannot exceed a certain amount per Payroll Period. The Employer hereby elects the following cap on its percentage matching contribution (check and fill in \$ or % of compensation limit to apply below, or check "no cap" below):

- Flat Dollar Cap:** In no event will Matching Contributions made on behalf of a Participant exceed a flat dollar amount equal to (complete as applicable):

\$ _____ per weekly Payroll Period
 \$ _____ per bi-weekly Payroll Period
 \$ _____ per semi-monthly Payroll Period
 \$ _____ per monthly Payroll Period

[Note: If the Employer has more than one Payroll Period, you should indicate dollar cap that will apply with respect to each Payroll Period e.g., \$100 per weekly Payroll Period, and \$200 per bi-weekly Payroll Period].

Cap Equal to Percentage of Total Compensation: In no event will Matching Contributions made on behalf of a Participant exceed _____% of the Participant's §457(e)(5) includable compensation (gross income from the Employer) per Payroll Period.

No Cap

Flat Dollar Match: For each Payroll Period in which the Participant contributed at least \$ _____ (may be \$1 to \$25) to a 457(b) Plan of the Employer, the Participating Employer will contribute a flat dollar amount as shown below (complete as applicable):

\$ _____ per weekly Payroll Period

\$ _____ per bi-weekly Payroll Period

\$ _____ per semi-monthly Payroll Period

\$ _____ per monthly Payroll Period

Other Formula for Calculating Matching Contributions (must specify formula that complies with definitely determinable requirements of Treasury Regulations Section 1.401-1(b)(1)(i) and does not violate limits applicable to governmental plans under Code Sections 401(a)(17) and 415):

[Skip to "Payroll Period" below if Employer is not going to make Non-Matching Contributions]

Non-Matching Contributions

The Employer hereby elects to make contributions to the Plan without regard to a Participant's contribution to a 457(b) plan(s). The Employer must identify the class or classes of Participants for whom these contributions will be made and the contribution formula:

Non-Matching Contributions shall be made on the following basis for Class C Participants:

Class C Participants are (check one):

All Eligible Employees

Other (must specify; any individuals specified must be Eligible Employees): **City Attorney and City Judge**

The Employer elects the following contribution formula for Class C Participants (**check one**):

- Year-End Contributions: A one-time Plan Year-end contribution of \$_____ or _____% of Compensation per Participant.
- _____% of Compensation per Participant for each Payroll Period.
- A flat dollar amount per Payroll Period as shown below (**complete as applicable**):
 - \$_____ per weekly Payroll Period
 - \$_____ per bi-weekly Payroll Period
 - \$_____ per semi-monthly Payroll Period
 - \$_____ per monthly Payroll Period

- Other Formula for Calculating Non-Matching Contributions (must specify formula that complies with definitely determinable requirements of Treasury Regulations Section 1.401-1(b)(1)(i) and does not violate limits applicable to governmental plans under Code Sections 401(a)(17) and 415):

1/12 of 4.0% of the Participant's annual budgeted base salary before taxes or deductions, per month.

[Do not complete the following section on Class D Non-Matching Contributions if all Eligible Employees are included in Class C above].

Non-Matching Contributions shall be made on the following basis for Class D Participants:

Class D Participants are (**must specify; all individuals specified must be Eligible Employees**): City Manager

The Employer elects the following contribution formula for Class D Participants (**check one**):

- Year-End Contributions: A one-time Plan Year-end contribution of \$_____ or _____% of Compensation per Participant.
- _____% of Compensation per Participant for each Payroll Period.
- A flat dollar amount per Pay Period as shown below (**complete as applicable**):
 - \$_____ per weekly Payroll Period

\$ _____ per bi-weekly Payroll Period
\$ _____ per semi-monthly Payroll Period
\$ _____ per monthly Payroll Period

- Other Formula for Calculating Non-Matching Contributions (must specify formula that complies with definitely determinable requirements of Treasury Regulations Section 1.401-1(b)(1)(i) and does not violate limits applicable to governmental plans under Code Sections 401(a)(17) and 415):

\$416.66 per month from January 1, 2002 through October 31, 2007 and \$541.66 per month from November 1, 2007 through February 15, 2008.

For purposes of computing non-matching contributions, "Compensation" is defined in the Plan, subject to the limits imposed by Georgia Code Section 47-1-13(b) and Internal Revenue Code Section 401(a)(17), as adjusted for cost-of-living increases under Internal Revenue Code Section 401(a)(17)(B).

COMPENSATION

Compensation Paid After Severance From Employment -- A Participating Employer may elect to include certain post-severance payments in Compensation for purposes of computing contributions under the Plan, but only if these amounts are paid no later than 2½ months after severance from employment or, if later, the end of the calendar year that includes a Participant's severance from employment, and only if it is a payment that, absent a severance from employment, would have been paid to the Participant while the Participant continued in employment with the Participating Employer. The Participating Employer makes the following election with respect to including post-severance payments in Compensation (Note: if the following is not completed, no post-severance payments will be included in Compensation by default):

- No post-severance payments will be included in Compensation for purposes of computing contributions under the Plan (if this box is checked, skip to "Payroll Period" below).
- For purposes of calculating contributions under the Plan, the following post-severance payments will be included in Compensation, as long as: 1) they are paid no later than 2½ months after severance from employment or, if later, the end of the calendar year that includes the Participant's severance from employment; and 2) absent a severance from employment, they would have been paid to the Participant while the Participant continued in employment with the Participating Employer (check all that apply):
- regular compensation paid after severance from employment for services rendered prior to severance during the Participant's regular working hours

AA-11

- compensation paid after severance from employment for services rendered prior to severance outside the Participant's regular work hours (such as overtime or shift differential), commissions, bonuses, or other similar payments
- post-severance payments for unused accrued bona fide sick, vacation or other leave, but only if the Participant would have been able to use the leave if employment had continued
- Other: _____

PAYROLL PERIOD

The payroll period of the Participating Employer is:

- Weekly
- Bi-Weekly
- Semi-Monthly
- Monthly

VESTING FOR EMPLOYER MATCHING CONTRIBUTIONS (Complete if Employer is Making Matching Contributions)

A Participating Employer may establish a vesting schedule for Employer Matching Contributions. This means that if the Participant leaves the Participating Employer's employment prior to completing a specified period of service (not to exceed 5 years), the Participant forfeits all or part of the Employer's Matching Contributions. However, upon Death or Disability or the termination of the Plan, the Participant is 100% vested in the Participant's Employer Matching Contributions, notwithstanding any vesting schedule. If a vesting schedule is established, it is the Employer's responsibility to calculate the Eligible Employee's service and report it to the Administrator. Unless otherwise specified below, for purposes of vesting, service means the number of years and complete months of service of a Participant as an Eligible Employee of the Employer and the Participant's service begins with the first day of employment as an Eligible Employee. The Employer hereby elects the following (check one):

- Immediate Vesting.** No vesting schedule. Employer Matching Contributions are 100% vested from the time credited to the Participant's Account (**if this option is elected, do not complete the rest of this section**).
- Cliff Vesting.** Employer Matching Contributions are 100% vested after a Participant has been employed as an Eligible Employee for _____ years (**not**

to exceed 5 years) (the "Vesting Period"). Matching contributions remain 0% vested until the Participant satisfies the full Vesting Period.

- Graduated Vesting Schedule.** Employer Matching Contributions are vested on the following graduated scale (insert vesting % for each completed year of service as an Eligible Employee. **Note:** Maximum waiting period for 100% vesting may not exceed 5 years):

<u>Completed Years of Service as Eligible Employee</u>	<u>Vested %</u>
1 year	_____ %
2 years	_____ %
3 years	_____ %
4 years	_____ %
5 years	_____ 100 %

Complete the following items if Employer has elected Cliff Vesting or Graduated Vesting:

In determining the Participant's total years of service for vesting purposes, Eligible Employees who are employed on the date the Plan is adopted by the Employer (**check one**): will be will not be given credit for prior service as an Eligible Employee.

In determining the Participant's total years of service for vesting purposes, different periods of employment as an Eligible Employee (**check one**): will be added together will not be added together will be added together if the Participant is reemployed with the Employer before completing a period of separation of _____ years (not to exceed 5 years).

VESTING FOR EMPLOYER NON-MATCHING CONTRIBUTIONS
(Complete if Employer is making Non-Matching Contributions)

A Participating Employer may establish a vesting schedule for Employer Non-Matching Contributions. This means that if the Participant leaves the Participating Employer's employment prior to completing a specified period of service (not to exceed 5 years), the Participant forfeits all or part of the Employer's Non-Matching Contributions. However, upon Death or Disability or the termination of the Plan, the Participant is 100% vested in the Participant's Employer Non-Matching Contributions, notwithstanding any vesting schedule. If a vesting schedule is established, it is the Employer's responsibility to calculate the Eligible Employee's service and report it to the Administrator. Unless otherwise specified below, in calculating the Vesting Period, service means the number of years and complete months of service of a Participant as an Eligible Employee of the Employer, and the Participant's service

begins with the first day of employment as an Eligible Employee. The Employer hereby elects the following (**check one**):

- Immediate Vesting.** No vesting schedule. Employer Non-Matching Contributions are 100% vested from the time credited to the Participant's Account (**if this option is elected, do not complete the rest of this section**).
- Cliff Vesting.** Employer Non-Matching Contributions are 100% vested after a Participant has been employed as an Eligible Employee for _____ years (**not to exceed 5 years**) (the "Vesting Period"). Non-Matching Contributions remain 0% vested until the Participant satisfies the full Vesting Period.
- Graduated Vesting Schedule.** Employer Non-Matching Contributions are vested on the following graduated scale (**insert vesting % for each completed year of service as an Eligible Employee. Note: Maximum waiting period for 100% vesting may not exceed 5 years**):

<u>Completed Years of Service as Eligible Employee</u>	<u>Vested %</u>
1 year	_____ %
2 years	_____ %
3 years	_____ %
4 years	_____ %
5 years	_____ 100 %

Complete the following items if the Employer has elected Cliff Vesting or Graduated Vesting:

In determining the Participant's total years of service for vesting purposes, Eligible Employees who are employed on the date the Plan is adopted by the Employer (**check one**): will be will not be given credit for prior service as an Eligible Employee.

In determining the Participant's total years of service for vesting purposes, different periods of employment as an Eligible Employee (**check one**): will be added together will not be added together will be added together if the Participant is reemployed with the Employer before completing a period of separation of _____ years (not to exceed 5 years).

TREATMENT OF FORFEITURES

If a Participant separates from service, the Participant's non-vested Employer Matching Contributions and/or non-vested Employer Non-Matching Contributions shall be forfeited as of the date of the Participant's Separation from Service. Amounts forfeited during a Plan Year shall be held unallocated until they are used to reduce or otherwise supplement Employer Contributions as of the earliest possible date such contributions are required to be made to the Plan.

MODIFICATION OF THE TERMS OF THE ADOPTION AGREEMENT

If a Participating Employer desires to amend any of its elections contained in this Adoption Agreement (or any Addendum), the Governing Authority by official action must adopt an amendment of the Adoption Agreement (or any Addendum) or a new Adoption Agreement (or Addendum) must be adopted and forwarded to the Trustees for approval. The amendment of the new Adoption Agreement (or Addendum) is not effective until approved by the Trustees and other procedures required by the Plan have been implemented.

The Administrator will inform the Participating Employer of any amendments made by the Trustees to the Plan.

TERMINATION OF THE ADOPTION AGREEMENT

This Adoption Agreement (and any Addendum) may be terminated only in accordance with the Plan.

The Administrator will inform the Participating Employer of the discontinuance or abandonment of the Plan by the Trustees.

EXECUTION BY EMPLOYER

This Adoption Agreement (and any Addendum) may only be used in conjunction with The Georgia Municipal Association 401(a) Defined Contribution Plan Master Plan Document approved by the Internal Revenue Service under an advisory letter J593619a dated March 31, 2014.

The failure to properly complete this Adoption Agreement (or any Addendum), or to operate and maintain the Plan and Trust in accordance with the terms of the completed Adoption Agreement (and any Addendum), Master Plan Document and Trust, may result in disqualification of the Plan under the Code. Inquiries regarding the adoption of the Plan, the meaning of Plan provisions, or the effect of the IRS advisory letter should be directed to the Administrator. The Administrator is the Georgia Municipal Association, with its primary business offices located at: 201 Pryor Street, SW, Atlanta, Georgia 30303. The business telephone number is: (404) 688-0472. The primary contacts are: GMA General Counsel or Deputy Executive Director, Risk Management and Employee Benefits.

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The foregoing Adoption Agreement is hereby adopted and approved on the _____ day of _____, _____, by the Mayor and Council of the City of Statesboro.

Signed: _____

Printed Name: _____

Title: _____

Date of Signature: _____

TRUSTEES APPROVAL

The Adoption Agreement is approved by the Board of Trustees of the GMA Defined Contribution and Deferred Compensation Plan.

[Complete the following if the purpose of this Adoption Agreement is to establish a new defined contribution plan or to restate a preexisting defined contribution plan of the Participating Employer (other than a GMA 401(a) Defined Contribution Plan).]

Contributions shall first be remitted as follows:

- within 15 business days after the Payroll Period ending _____, _____.
- On the following prospective date (**specify a specific date**): _____.

Dated: _____

By: _____

Title: _____
on behalf of the Board of Trustees

COUNCIL
Phil Boyum, District 1
Sam Lee Jones, District 2
Jeff Yawn, District 3
John Riggs, District 4
Travis L. Chance, District 5



Jan J. Moore, Mayor
Robert Cheshire, Acting City Manager
Sue Starling, City Clerk
J. Alvin Leaphart, City Attorney

City of Statesboro

50 East Main Street P.O. Box 348
Statesboro, Georgia 30459

MAYOR AND CITY OF COUNCIL OF STATESBORO NOTICE OF HEARING

VIA CERTIFIED MAIL NO: 7014 0150 0000 4289 2515
RETURN RECEIPT REQUESTED
AND VIA REGULAR MAIL TO:

Michael Kay and Jason G Palmer as
owner of Two Guys Discount Inc
DBA Two Guys Beverage & Tobacco
8 B College Plaza
Statesboro Ga 30458

YOU ARE HEREBY PROVIDED NOTICE that an administrative hearing will be conducted by the Mayor and City Council at the regular scheduled council meeting in the Council Chambers on the Second Floor of City Hall located at 50 East Main Street, Statesboro, Georgia 30458 on the 5th of April, 2016 at 9:00a.m.

The Mayor and City Council shall hear evidence as to whether the alcohol beverage license issued to Michael Kay and Jason G Palmer for the operation of the convenience store known as Two Guys Beverage & Tobacco at 8 B College Plaza, Statesboro, Georgia should be suspended or revoked due to violations of Chapter 6 of the Code of Ordinances of the City of Statesboro that governs the sale of alcoholic beverages.

The date and nature of the allegations are as follows:

1. Whether on or about March 4, 2016 the licensee, his agents or employees furnished alcohol to persons under 21 years of age in violation of Section 6-86, and if so, how many violations of Section 6-86 occurred.

The Mayor and City Council shall generally conduct this hearing in accordance with the Requirements of due process as required by the United States Constitution and the Constitution of the State of Georgia. The Mayor and City Council shall entertain any and all evidence relevant to this matter without regard to evidentiary rules regarding hearsay. The licensee has the right to be represented by counsel at his expense, present evidence, and cross-examine the evidence presented against him. The standard for action by the City Council against the licensee shall be a preponderance of this evidence.

THIS 15TH DAY OF MARCH, 2016 IN STATESBORO, GEORGIA.


Sue Starling, City Clerk

If you would like to discuss possible resolution of this matter prior to this hearing please email Detective Lieutenant James L. Winskey with the Statesboro Police Department at james.winskey@statesboroga.gov.

COUNCIL
Phil Boyum, District 1
Sam Lee Jones, District 2
Jeff Yawn, District 3
John Riggs, District 4
Travis L. Chance, District 5



Jan J. Moore, Mayor
Robert Cheshire, Acting City Manager
Sue Starling, City Clerk
J. Alvin Leaphart, City Attorney

City of Statesboro

50 East Main Street P.O. Box 348
Statesboro, Georgia 30459

MAYOR AND CITY OF COUNCIL OF STATESBORO NOTICE OF HEARING

VIA CERTIFIED MAIL NO: 7014 0150 0000 4289 2522
RETURN RECEIPT REQUESTED
AND VIA REGULAR MAIL TO:

Robert B Demere III as
owner of Enmark Stations Inc
DBA Enmark Stations Inc #849
2298 Northside Drive West
Statesboro Ga 30458

YOU ARE HEREBY PROVIDED NOTICE that an administrative hearing will be conducted by the Mayor and City Council at the regular scheduled council meeting in the Council Chambers on the Second Floor of City Hall located at 50 East Main Street, Statesboro, Georgia 30458 on the 5th of April, 2016 at 9:00a.m.

The Mayor and City Council shall hear evidence as to whether the alcohol beverage license issued to Robert B Demere III for the operation of the convenience store known as Enmark Stations Inc #849 at 2298 Northside Drive West, Statesboro, Georgia should be suspended or revoked due to violations of Chapter 6 of the Code of Ordinances of the City of Statesboro that governs the sale of alcoholic beverages.

The date and nature of the allegations are as follows:

1. Whether on or about March 4, 2016 the licensee, his agents or employees furnished alcohol to persons under 21 years of age in violation of Section 6-86, and if so, how many violations of Section 6-86 occurred.

The Mayor and City Council shall generally conduct this hearing in accordance with the Requirements of due process as required by the United States Constitution and the Constitution of the State of Georgia. The Mayor and City Council shall entertain any and all evidence relevant to this matter without regard to evidentiary rules regarding hearsay. The licensee has the right to be represented by counsel at his expense, present evidence, and cross-examine the evidence presented against him. The standard for action by the City Council against the licensee shall be a preponderance of this evidence.

THIS 15TH DAY OF MARCH, 2016 IN STATESBORO, GEORGIA.


Sue Starling, City Clerk

If you would like to discuss possible resolution of this matter prior to this hearing please email Detective Lieutenant James L. Winskey with the Statesboro Police Department at james.winskey@statesboroga.gov.

COUNCIL
Phil Boyum, District 1
Sam Lee Jones, District 2
Jeff Yawn, District 3
John Riggs, District 4
Travis L. Chance, District 5



Jan J. Moore, Mayor
Robert Cheshire, Acting City Manager
Sue Starling, City Clerk
J. Alvin Leaphart, City Attorney

City of Statesboro

50 East Main Street P.O. Box 348
Statesboro, Georgia 30459

MAYOR AND CITY OF COUNCIL OF STATESBORO NOTICE OF HEARING

VIA CERTIFIED MAIL NO: 7014 0150 0000 4288 9379
RETURN RECEIPT REQUESTED
AND VIA REGULAR MAIL TO:

Clyde Woolard as
owner of Coastal Area Stores Inc
DBA Clyde's Market #76
17874 Highway 67
Statesboro Ga 30458

YOU ARE HEREBY PROVIDED NOTICE that an administrative hearing will be conducted by the Mayor and City Council at the regular scheduled council meeting in the Council Chambers on the Second Floor of City Hall located at 50 East Main Street, Statesboro, Georgia 30458 on the 5th of April, 2016 at 9:00a.m.

The Mayor and City Council shall hear evidence as to whether the alcohol beverage license issued to Clyde Woolard for the operation of the convenience store known as Clyde's Market #76 at 17874 Highway 67, Statesboro, Georgia should be suspended or revoked due to violations of Chapter 6 of the Code of Ordinances of the City of Statesboro that governs the sale of alcoholic beverages.

The date and nature of the allegations are as follows:

1. Whether on or about March 4, 2016 the licensee, his agents or employees furnished alcohol to persons under 21 years of age in violation of Section 6-86, and if so, how many violations of Section 6-86 occurred.

The Mayor and City Council shall generally conduct this hearing in accordance with the Requirements of due process as required by the United States Constitution and the Constitution of the State of Georgia. The Mayor and City Council shall entertain any and all evidence relevant to this matter without regard to evidentiary rules regarding hearsay. The licensee has the right to be represented by counsel at his expense, present evidence, and cross-examine the evidence presented against him. The standard for action by the City Council against the licensee shall be a preponderance of this evidence.

THIS 15TH DAY OF MARCH, 2016 IN STATESBORO, GEORGIA.


Sue Starling, City Clerk

If you would like to discuss possible resolution of this matter prior to this hearing please email Detective Lieutenant James L. Winskey with the Statesboro Police Department at james.winskey@statesboroga.gov.

**RESOLUTION 2016-17: A RESOLUTION TO ADOPT A NEW
CLASSIFICATION AND COMPENSATION PLAN**

THAT WHEREAS, it is essential to have qualified municipal employees in order to provide reliable services to the citizens of Statesboro; and

WHEREAS, in order to accomplish this the City Manager has made a recommendation to adopt a new Classification and Compensation Plan;

NOW THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Statesboro, Georgia in regular session assembled this 5th day of April, 2016 as follows:

Section 1. That the recommendations to implement a new Classification and Compensation Plan provided by Evergreen Solutions Inc., which includes a list of job titles, pay grades, pay ranges, guidelines for administration and written job descriptions for each position with City government is hereby adopted as follows:

- That the recommendations for the classification plan are adopted;
- That the recommendations for system administration are adopted;
- That the recommendations for the compensation plan are implemented as follows:
 - Phase I – Bring applicable Employees to the Proposed Minimum Salary, Fiscal Year 2016;
 - Phase II – 50% of the Comp-Ratio - Move to Market option, Fiscal Year 2017 pending funding availability and council approval;
 - Phase III – 50% of the remaining Comp-Ratio - Move to Market option, Fiscal Year 2018 pending funding availability and council approval;

Section 2. That the previously adopted Classification and Compensation Plan on June 20, 2006 is no longer in effect after the 12th day of April, 2016.

Section 3. That this Resolution shall be passed and adopted this 5th day of April, 2016 and take effect the 13th day of April 2016

CITY OF STATESBORO, GEORGIA

By: _____
Jan J. Moore, Mayor

Attest: _____
Sue Starling, City Clerk



MEMORANDUM

To: Robert Cheshire, P.E., Deputy City Manager
Jason Boyles, Director of Public Works and Engineering
From: Brad Deal, P.E., City Engineer
Re: Recommendation of Low Bidder for “City of Statesboro Municipal Court Parking Lot”
Date: March 28, 2016

During the recent renovations to the old Police Department Building which now houses the Municipal Court, Information Technology Department, and City gym, City staff identified several needed improvements to the parking lot for the site. The parking lot has deteriorating asphalt that has not been overlaid in many years, large potholes, drainage problems, and no striping for parking spaces. As a result, on days when court is in session, approximately 40 vehicles park in a disorganized manner throughout the parking lot. The City Engineering Division designed improvements to the parking lot which include paving, striping, and driveway modifications, in addition to some landscaping that can be performed by City personnel.

Bids for the project were received on March 23, 2016. The bid results, based on unit price extensions, are as follows:

Ellis Wood Contracting	\$54,136.25
Sikes Brothers	\$64,285.00

The low bidder, Ellis Wood Contracting, meets the requirements of the bid package and submitted an acceptable bid bond. Ellis Wood has completed numerous construction and paving projects for the City of Statesboro with satisfactory results and is well qualified to perform the work included in this contract.

Ellis Wood’s bid of \$54,136.25 is below the City’s estimate of \$65,530.00. **The Engineering Division recommends awarding the contract for “City of Statesboro Municipal Court Parking Lot” to Ellis Wood Contracting in the amount of \$54,136.25, and to give the Engineering Division authority to extend unit prices for performing repairs and improvements to the driveway/rear parking area behind the building, up to the original estimated project amount of \$65,530. This project is proposed to be funded by 2013 SPLOST funds under ENG-101 Installation of Traffic Calming Measures. This account was intended to be used for funding the installation of the pedestrian hybrid beacon on South Main Street at Parrish Drive. However, Georgia Department of Transportation ended up funding this work. \$100,000 was budgeted to this account for FY 2016 and the City has only spent \$2,000 out of this account.**

Copy: Darren Prather, Director of Central Services