



November 01, 2016 9:00 am

1. Call to Order by Mayor Jan J. Moore
2. Invocation and Pledge of Allegiance by Councilman Sam Jones
3. Recognitions/Public Presentations
 - A) Recognition of Employee of the Quarter
 - B) Recognition of Employee Safety and Advisory Committee
4. Public Comments (Agenda Item):
5. Consideration of a Motion to approve the Consent Agenda
 - A) Approval of Minutes
 - a) 10-18-2016 Council Minutes
 - b) 10-25-2016 Called Council Minutes
6. Public Hearing and Consideration of a Motion to approve **Resolution 2016-37**: A Resolution to Abandon and Dispose of a Portion of Right of Way on American Way.
7. Consideration of a Motion to Approve **Resolution 2016-38**: A Resolution authorizing the opening of a separate bank account for the 2016 Community Development Block Grant.
8. Consideration of a Motion to approve **Resolution 2016-39**: A Resolution to hereby further amend the Classification and Compensation plan as follows, that the Administration administrative assistant position is hereby reclassified to an Executive Assistant position and that the Planning & Development Department is creating the position of Keep Statesboro- Bulloch Beautiful (KSBB) Coordinator.
9. Consideration of a Motion to award a Contract to Y-Delta Inc. in the amount of \$47,153.14 for the installation of the electrical and control components for the Burnett Liquid Lime System, as well as install equipment provided by others. The Project number is WWD-162 and is funded from Water/Sewer Income.
10. Consideration of a Motion to award a contract to Aqua-Aerobics Systems, Inc. in the amount of \$53,614.08 for a "Sole Source Purchase" of 324 Filter Cloth Socks and miscellaneous other parts to replace all filter fabric on four Filter Units. The Project number is WWD-160 with \$60,000.00 budgeted and is to be funded from Water/Sewer Operating Income.
11. Other Business from City Council

12. City Managers Comments

- A) A discussion regarding an ordinance amending Chapter 42 of the Statesboro Code of Ordinances (Fire Protection and Prevention).

13. Public Comments (General)

- A) Bobby Simmons request to speak with Council regarding storm water

14. Consideration of a Motion to enter into Executive Session to discuss “Personnel Matters” and/or “Potential Litigation” in accordance with **O.C.G.A. §50-14-3 (2012)**

15. Consideration of a Motion to Adjourn



**CITY OF STATESBORO
Council Minutes
October 18, 2016**

A regular meeting of the Statesboro City Council was held on October 18th, 2016 at 5:30p.m. in the Council Chambers at City Hall. Present were Mayor Jan J. Moore, Council Members: Phil Boyum, Sam Lee Jones, Jeff Yawn and John Riggs. Also present were City Manager Randy Wetmore, Deputy City Manager Robert Cheshire, City Clerk Sue Starling and City Attorney Alvin Leaphart. Councilman Travis Chance was absent.

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

The Invocation and Pledge of Allegiance was given by Councilman Phil Boyum

Public Comments (Agenda Item): None

Consideration of a Motion to Approve the Consent Agenda

- A) Approval of Minutes**
 - a) 09-28-2016 Called Council Minutes**
 - b) 10-04-2016 Council Minutes**

Councilman Yawn made a motion, seconded by Councilman Riggs to approve the consent agenda in its entirety. Councilman Boyum, Jones, Yawn and Riggs voted in favor of the motion. The motion carried by a 4-0 vote.

Mayor Moore asked Deputy City Manager Robert Cheshire to give an update on how the cleanup was going after Hurricane Matthew. She also wanted to thank all those who were there to assist during the storm. Mr. Cheshire stated it would take several months to completely get everything cleaned up and Bulloch County was awarded full FEMA Disaster Assistance. Interim Police Chief Rob Bryan complimented the Storm water department as there was no flooding visible in the areas that would usually flood.

Public Hearing and Consideration of a Motion to Approve Alcohol License Applications:

- A) Eagle Creek Brewing Company LLC**
 - John Franklin Dismuke**
 - 106 Savannah Avenue**
 - Statesboro, Ga.**

Councilman Riggs made a motion, seconded by Councilman Yawn to open the public hearing. Franklin Dismuke spoke in favor of the request. Police Captain James Winskey stated there were no objections to the request. No one spoke against the request.

Councilman Riggs made a motion, seconded by Councilman Yawn to open the public hearing. Councilman Riggs made a motion, seconded by Councilman Boyum to approve the application for Eagle Creek Brewing Company, LLC. Councilman Boyum, Jones, Yawn and Riggs voted in favor of the motion. The motion carried by a 4-0 vote.

B) Shenanigans
James Peery (New Owner)
1 University Plaza
Statesboro, Ga.

Councilman Yawn made a motion, seconded by Councilman Riggs to open the public hearing. James Peery and Attorney Wes Taulbee, representing Mr. Peery was present. Mr. Taulbee spoke in favor of the request. Fire Chief Time Grams and Director of Planning and Zoning Frank Neal had no objections to the request. Detective Winskey stated his concerns as Mr. Peery answered the questions regarding these concerns. Mr. Peery also stated the establishment has become a 21 years of age and up. No one spoke against the request.

Councilman Yawn made a motion, seconded by Councilman Boyum to close the public hearing. Councilman Riggs made a motion, seconded by Councilman Jones to approve the application for Shenanigans with the condition that the establishment is for age 21 and up. Councilman Boyum, Jones, Yawn and Riggs voted in favor of the motion. The motion carried by a 4-0 vote.

Public Hearing and Consideration of a Motion to Approve: APPLICATION # DSDA 16-09-001: First Baptist Church of Statesboro requests the demolition of a structure located at 24 East Olliff Street, a property located within the boundaries of the Downtown District. Article XXX Section 3003 of the Statesboro Zoning Ordinance requires a finding of necessity for the demolition of structures deemed worthy of preservation by City Council (Tax Parcel # S27 000045 000).

Councilman Jones made a motion, seconded by Councilman Yawn to open the public hearing. Councilman Boyum, Jones, Yawn and Riggs voted in favor of the motion. The motion carried by a 4-0 vote.

A representative from First Baptist Church spoke in favor of the request. No one spoke against the request.

Councilman Riggs made a motion, seconded by Councilman Yawn to close the public hearing. Councilman Boyum, Jones, Yawn and Riggs voted in favor of the motion. The motion carried by a 4-0 vote.

Councilman Boyum made a motion, seconded by Councilman Riggs to approve APPLICATION # DSDA 16-09-001: First Baptist Church of Statesboro requests the demolition of a structure located at 24 East Olliff Street, a property located within the boundaries of the Downtown District. Article XXX Section 3003 of the Statesboro Zoning Ordinance requires a finding of necessity for the demolition of structures deemed worthy of preservation by City Council (Tax Parcel # S27 000045 000). Councilman Boyum, Jones, Yawn and Riggs voted in favor of the motion. The motion carried by a 4-0 vote.

Public Hearing and Consideration of a Motion to Approve: APPLICATION # DSDA 16-09-002: First Baptist Church of Statesboro requests the demolition of a structure located at 206 Oak Street, a property located within the boundaries of the Downtown District. Article XXX Section 3003 of the Statesboro Zoning Ordinance requires a finding of necessity for the demolition of structures deemed worthy of preservation by City Council (Tax Parcel # S28 000001 000).

Councilman Riggs made a motion, seconded by Councilman Yawn to open the public hearing. Councilman Boyum, Jones, Yawn and Riggs voted in favor of the motion. The motion carried by a 4-0 vote.

No one spoke for or against the request.

Councilman Jones made a motion, seconded by Councilman Yawn to close the public hearing. Councilman Boyum, Jones, Yawn and Riggs voted in favor of the motion. The motion carried by a 4-0 vote.

Councilman Boyum made a motion, seconded by Councilman Riggs to approve APPLICATION # DSDA 16-09-002: First Baptist Church of Statesboro requests the demolition of a structure located at 206 Oak Street, a property located within the boundaries of the Downtown District. Article XXX Section 3003 of the Statesboro Zoning Ordinance requires a finding of necessity for the demolition of structures deemed worthy of preservation by City Council (Tax Parcel # S28 000001 000). Councilman Boyum, Jones, Yawn and Riggs voted in favor of the motion. The motion carried by a 4-0 vote.

Public Hearing and Consideration of a Motion to Approve: APPLICATION # DSDA 16-09-003: The Downtown Statesboro Development Authority requests the demolition of a structure located at 9 West Inman Street (listed as 11 West Inman Street), a property located within the boundaries of the Downtown District. Article XXX Section 3003 of the Statesboro Zoning Ordinance requires a finding of necessity for the demolition of structures deemed worthy of preservation by City Council (Tax Parcel # S19 000040 000).

Councilman Yawn made a motion, seconded by Councilman Jones to open the public hearing. Councilman Boyum, Jones, Yawn and Riggs voted in favor of the motion. The motion carried by a 4-0 vote.

Director of the DSDA Allen Muldrew spoke in favor of the request. No one spoke against the request.

Councilman Yawn made a motion, seconded by Councilman Boyum to close the public hearing. Councilman Boyum, Jones, Yawn and Riggs voted in favor of the motion. The motion carried by a 4-0 vote.

Councilman Riggs made a motion, seconded by Councilman Yawn to approve APPLICATION # DSDA 16-09-003: The Downtown Statesboro Development Authority requests the demolition of a structure located at 9 West Inman Street (listed as 11 West Inman Street), a property located within the boundaries of the Downtown District. Article XXX Section 3003 of the Statesboro Zoning Ordinance requires a finding of necessity for the demolition of structures deemed worthy of preservation by City Council (Tax Parcel # S19 000040 000). Councilman Boyum, Jones, Yawn and Riggs voted in favor of the motion. The motion carried by a 4-0 vote.

Public Hearing and Consideration of a Motion to Approve: APPLICATION # CUV 16-08-01: Justine Taylor requests a conditional use variance from Article V of the Statesboro Zoning Ordinance for .34 acres of property located at 18 Carmel Drive to utilize the property as a community living arrangement facility (Tax Parcel # S51 000064A 000).

Councilman Riggs made a motion, seconded by Councilman Yawn to open the public hearing. Councilman Boyum, Jones, Yawn and Riggs voted in favor of the motion. The motion carried by a 4-0 vote.

Frances Johnson, on behalf of Justin Taylor, spoke in favor of the request.

No one spoke against the request.

Councilman Yawn made a motion, seconded by Councilman Riggs to close the public hearing. Councilman Boyum, Jones, Yawn and Riggs voted in favor of the motion. The motion carried by a 4-0 vote.

Councilman Yawn made a motion, seconded by Councilman Riggs to approve APPLICATION # CUV 16-08-01: Justine Taylor requests a conditional use variance from Article V of the Statesboro Zoning Ordinance for .34 acres of property located at 18 Carmel Drive to utilize the property as a community living arrangement facility (Tax Parcel # S51 000064A 000) with the conditions as recommended by the Planning Commission staff.

Public Hearing and Consideration of a Motion to Approve: APPLICATION # V 16-08-02: John Ray Hendley requests a variance from Article XV (Signs) Section 1509(C) Table 3 of the Statesboro Zoning Ordinance regarding the minimum 5' setback requirement for a sign located at 30 West Inman Street (Tax Parcel # S19 000050 000).

Councilman Boyum made a motion, seconded by Councilman Yawn to open the public hearing. Councilman Boyum, Jones, Yawn and Riggs voted in favor of the motion. The motion carried by a 4-0 vote.

Brian Davis, representing Hendley Properties, spoke in favor of the request. No one spoke against the request.

Councilman Riggs made a motion, seconded by Councilman Boyum to close the public hearing. Councilman Boyum, Jones, Yawn and Riggs voted in favor of the motion. The motion carried by a 4-0 vote.

Councilman Boyum made a motion, seconded by Councilman Riggs to approve APPLICATION # V 16-08-02: John Ray Hendley requests a variance from Article XV (Signs) Section 1509(C) Table 3 of the Statesboro Zoning Ordinance regarding the minimum 5' setback requirement for a sign located at 30 West Inman Street (Tax Parcel # S19 000050 000). Councilman Boyum, Jones, Yawn and Riggs voted in favor of the motion. The motion carried by a 4-0 vote.

Public Hearing and Consideration of a Motion to Approve: APPLICATION # SUB 16-09-01: RDJ, LLC requests preliminary plat approval for an 83-lot subdivision for phases II and III of the Whispering Pines subdivision (Tax Parcel # MS42 000008 000).

Councilman Riggs made a motion, seconded by Councilman Yawn to open the public hearing. Fire Chief Tim Grams stated his concern was having only one road to be used for entering and exiting the property. He stated if the road became blocked, there would be no other way to enter the property in case of an emergency. Ronnie Pope and Don Lanier, owners of the property, were present. Mr. Pope spoke in favor of the request. David Hendrix of Maxwell Reddick also spoke in favor of the request. Ronnie Shaw of the Statesboro Fire Department stated the entrance needed to be wider. He also stated the extension of the entrance doesn't necessarily have to be paved but does need to be wider to accommodate another vehicle such as the fire truck. Darla Elliott, a resident of the neighborhood, spoke in favor of the request. Fire Chief Time Grams stated he was not in favor of the request but would support a request to widen the existing entrance.

Councilman Boyum made a motion, seconded by Councilman Boyum to close the public hearing.

Councilman Yawn made a motion, seconded by Councilman Jones to approve APPLICATION # SUB 16-09-01: RDJ, LLC requests preliminary plat approval for an 83-lot subdivision for phases II and III of the Whispering Pines subdivision (Tax Parcel # MS42 000008 000) with the recommendations from the Planning Commission staff. Councilman Jones, Yawn and Riggs voted in favor of the motion. Councilman Boyum stated he was not against development but smart decisions have to be made for later down the road. The motion carried by a 4-1 vote. Councilman Boyum voted against the request.

Consideration of a Motion to Approve ORDINANCE 2016-09; An Ordinance regarding the water and sewer billing, termination of service for nonpayment, and billing adjustments. (Fee Credit for elderly/low income)

Councilman Jones made a motion, seconded by Councilman Boyum to approve ORDINANCE 2016-09; An Ordinance regarding water and sewer billing, termination of service for nonpayment, and billing adjustments. (Fee Credit for elderly/low income) Councilman Boyum, Jones, Yawn and Riggs voted in favor of the motion. The motion carried by a 4-0 vote. Councilman Boyum, Jones, Yawn and Riggs voted in favor of the motion. The motion carried by a 4-0 vote.

Consideration of a Motion to Approve ORDINANCE 2016-10: An Ordinance Amending Chapter 66 of the Statesboro Code of Ordinances (Solid Waste) (Fee Credit for elderly/low income)

Councilman Yawn made a motion, seconded by Councilman Jones to approve ORDINANCE 2016-10: An Ordinance Amending Chapter 66 of the Statesboro Code of Ordinances (Solid Waste) (Fee Credit for elderly/low income). Councilman Boyum, Jones, Yawn and Riggs voted in favor of the motion. The motion carried by a 4-0 vote.

Consideration of a Motion to Approve Ordinance 2016-11: An Ordinance Amending Article 2 (Authorities, Boards and Commissions) of Chapter 2 (Administration) of the Statesboro Code of Ordinances. (Keep Statesboro-Bulloch Beautiful Advisory Board)

Georgia House of Representative Jan Tankersley and Executive Director of the Keep Statesboro-Bulloch Beautiful Advisory Board presented a \$10,000.00 to the City for the “Keep Statesboro-Bulloch Beautiful” Committee.

Councilman Boyum made a motion, seconded by Councilman Riggs to approve Ordinance 2016-11: An Ordinance Amending Article 2 (Authorities, Boards and Commissions) of Chapter 2 (Administration) of the Statesboro Code of Ordinances (Keep Statesboro-Bulloch Beautiful Advisory Board). Councilman Boyum, Jones, Yawn and Riggs voted in favor of the motion. The motion carried by a 4-0 vote.

Consideration of a Motion to Approve an Intergovernmental Agreement between the City and the DSDA for the use of a city vehicle

Councilman Riggs made a motion, seconded by Councilman Yawn to approve an Intergovernmental Agreement between the City and the DSDA for the use of a city vehicle. Councilman Boyum, Jones, Yawn and Riggs voted in favor of the motion. The motion carried by a 4-0 vote.

Other Business from City Council

Councilman Riggs restated his appreciation for all the efforts by everyone during the storm.

City Managers Comments

Interim Police Chief Rob Bryan updated Council regarding the body cameras for the Police Officers. The program should be in operation by mid-December.

Director of Human Resource Jeff Grant updated Council on the Police Chief position. He stated that 2 search firms have been chosen as finalists. A Called Council Meeting will be held on October 25, 2016 at 4:00 pm for Mayor and Council Members to hear their proposals.

Public Comments (General): None

Consideration of a Motion to Adjourn

Councilman Riggs made a motion, seconded by Councilman Yawn to adjourn the meeting. Councilman Boyum, Jones, Yawn and Riggs voted in favor of the motion. The motion carried by a 4-0 vote.

The meeting was adjourned at 7:40 pm.



**CITY OF STATESBORO
Called Council Minutes
November 25, 2016**

A Called Meeting of the Statesboro City Council was held on November 25th, 2016 at 4:00p.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 City Manager Randy Wetmore, Deputy City Manager Robert Cheshire, City Clerk Sue Starling and City Attorney Alvin Leaphart.

Councilman Boyum joined the meeting at 4:30 pm.

The meeting was called to order by Mayor Jan Moore

Presentation of Proposals for the Evaluation and Recruitment of Police Chief

Director of Human Resource Jeff Grant updated Council on the process for selecting a search firm for recruiting a Police Chief. Mr. Grant stated there were 2 finalists chosen from the 7 applications that were received in response to the RP's. The finalists were Development Associates LLC and Waters & Company, a Springsted Company.

Stephen Strauss with Development Associates LLC presented his proposal thru skype since he could not attend the meeting in person. Miguel Ozuna, an Associate representing the Waters and Company presented the proposal.

Councilman Sam Jones left the meeting at 5:15 pm.

Councilman Chance made a motion, seconded by Councilman Yawn to authorize the Mayor to negotiate and execute a contract with Developmental Associates LLC for the purpose of recruiting candidates for the City of Statesboro Police Chief in an amount not to exceed \$30,000.00. Councilman Boyum, Yawn, Riggs and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

Consideration of a Motion to Adjourn

Councilman Chance made a motion, seconded by Councilman Riggs to adjourn the meeting. Councilman Boyum, Yawn, Riggs and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

The meeting was adjourned at 5:20 pm.



MEMORANDUM

To: Alvin Leaphart, City Attorney
From: Brad Deal, P.E., City Engineer
Re: **Consideration of a Request to Abandon a Portion of Right of Way on American Way**
Date: October 24, 2016

Attached for further handling and submittal to City Council is a plat and site layout which illustrates a portion of right of way within the segment of American Way that has not been constructed yet. This portion of right of way (highlighted in yellow on the site layout) was intended to be used for a “hammerhead” turnaround at the proposed terminus of American Way. During the public hearing for a variance request by the developer of the adjoining property at the October 20, 2015 City Council Meeting, Council expressed the desire to not construct a hammerhead at this location. As a result, the developer designed the terminus of American Way so that traffic can turn around through the proposed parking lot. This should give traffic a way to turn around, similar to the terminus of Merchants Way, and negates the need for the hammerhead portion of right of way. This proposed configuration should adequately serve the needs of the traveling public. I have checked with the Water/Wastewater and Natural Gas Departments, and no utilities are present or planned to be installed in the referenced area to be abandoned.

For the reasons stated above, I recommend that the City should consider formally abandoning the referenced portion of right of way, in accordance with O.C.G.A. § 32-7-3, and offer it to the adjoining property owner in accordance with O.C.G.A. § 32-7-4.

CC: Jason Boyles, Director of Public Works and Engineering
Robert Cheshire, P.E., Deputy City Manager
Randy Wetmore, City Manager

Attachments: Plat, Site Layout Drawing, and Council Resolution

RESOLUTION #2016-37:

A RESOLUTION TO ABANDON AND DISPOSE OF A PORTION OF RIGHT OF WAY ON AMERICAN WAY

THAT WHEREAS, OCGA §32-7-3 vests the Mayor and City Council of Statesboro authority to abandon and dispose of property no longer needed for public road purposes.

WHEREAS, the property in the right of way of American Way identified as “R/W TO BE ABANDONED BY THE CITY OF STATESBORO, GA” shown on the attached Exhibit A, is the subject of this resolution.

WHEREAS, a public hearing on this matter was held on November 1, 2016 before the Mayor and City Council;

NOW THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Statesboro, Georgia as follows:

Section 1. The Mayor and City Council make the following findings of fact based on the evidence presented at the Public Hearing that was held on November 1, 2016. The Mayor and City Council agree with the City Engineer’s analysis. Due to the configuration of the proposed parking lot that is part of the development located at the proposed terminus of American Way, the portion of right of way identified as “R/W TO BE ABANDONED BY THE CITY OF STATESBORO, GA” which was intended to be used as a “hammerhead turnaround” will not be required. No City utilities are present on the identified property. The proposed terminus of American Way will instead tie in to the proposed parking lot where traffic will be able to turn around.

Section 2. Based on the above finding of fact the Mayor and City Council finds that abandoning the portion of right of way identified as “R/W TO BE ABANDONED BY THE CITY OF STATESBORO, GA” shown on the attached Exhibit A is for the benefit of the public at large and hereby authorize the Mayor to execute any documents necessary to convey the City’s remaining interests in the property to the adjoining landowner in accordance with OCGA § 32-7-4.

Section 3. That this Resolution shall be and remain effective from and after its date of adoption.

Adopted this 1st day of November, 2016.

CITY OF STATESBORO, GEORGIA

By: _____
Jan J. Moore, Mayor

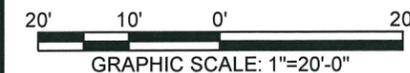
Attest: _____
Sue Starling, City Clerk

Exhibit A



ALBANY, ATLANTA, AUGUSTA, BRUNSWICK,
 COLUMBUS, SAVANNAH, STATESBORO & VALDOSTA

BOUNDARY PLAT
0.037 ACRES OF RW TO BE ABANDONED
 1209th G. M. DISTRICT
 STATESBORO, BULLOCH COUNTY, GEORGIA
 Prepared for:
BPR BRAMPTON, LLC



PROJECT NO.:	16-9999
DRAWN BY:	SAC
DESIGNED BY:	-
SURVEYED BY:	CC
SURVEY DATE:	08/06/2015
CHECKED BY:	WPW
SCALE:	1" = 20'
DATE:	09/29/2016

SHEET

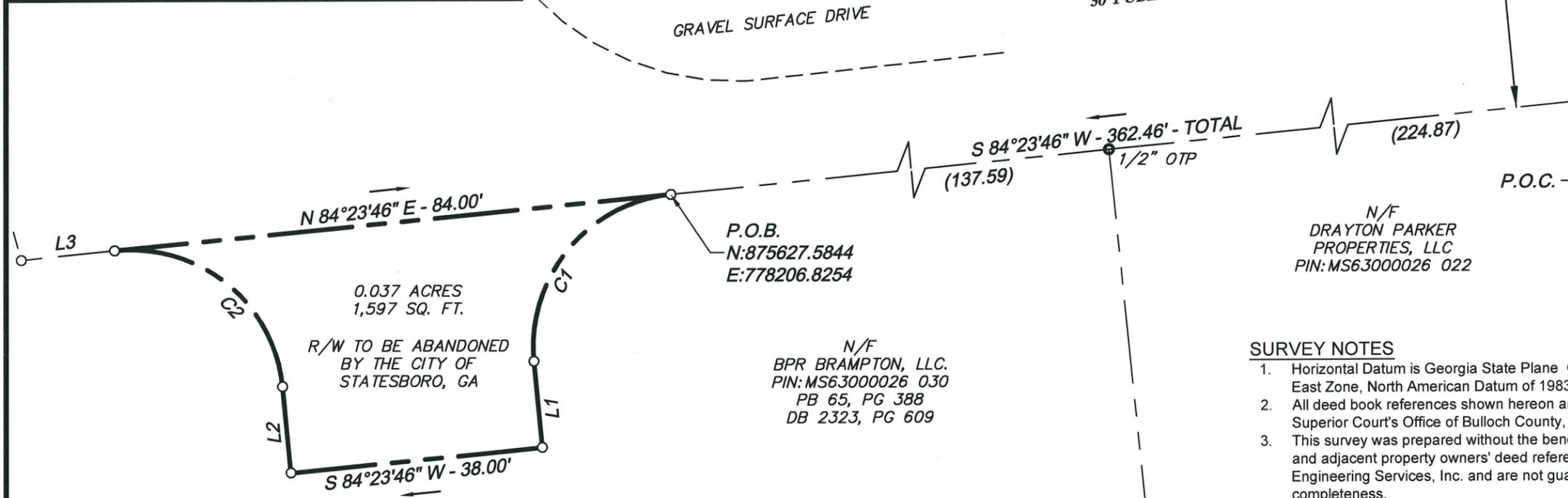
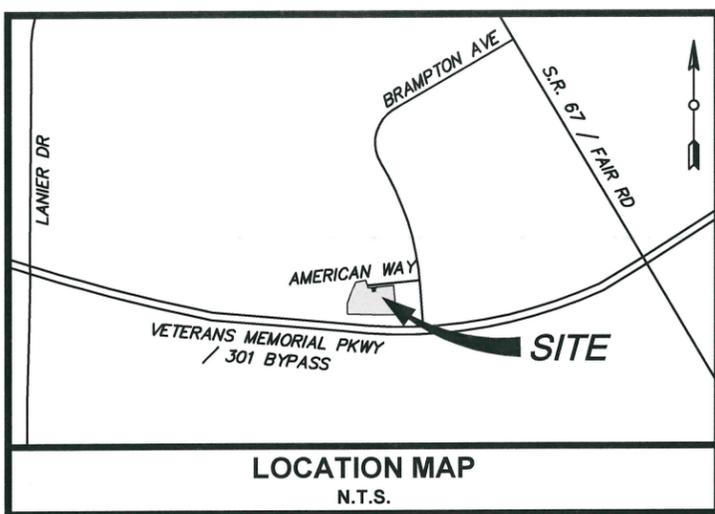
1

OF

1

LINE TABLE		
LINE#	DIRECTION	LENGTH
L1	S05° 35' 14"E	13.06
L2	N05° 35' 14"W	13.05
L3	N84° 23' 46"E	14.02

CURVE TABLE				
CURVE #	BEARING	CHORD	RADIUS	ARC
C1	S39° 24' 16"W	32.52	23.00	36.12
C2	N50° 35' 44"W	32.53	23.00	36.13



SURVEY NOTES

- Horizontal Datum is Georgia State Plane Coordinate System of 1985, East Zone, North American Datum of 1983 (NAD83).
- All deed book references shown hereon are recorded in the Clerk of Superior Court's Office of Bulloch County, Georgia.
- This survey was prepared without the benefit of an abstract of title. Subject and adjacent property owners' deed references were provided by EMC Engineering Services, Inc. and are not guaranteed as to accuracy or completeness.
- Structures visible on the date of survey are shown hereon.
- Locations are accurate only where dimensioned.
- This property is located in Zone X, not a Special Flood Hazard Area per the Federal Emergency Management Agency's Flood Insurance Rate Map No. 13031C 0217D; Effective Date: August 5, 2010.
- No person may copy, reproduce, distribute or alter this plat in whole or in part without the written permission of EMC Engineering Services, Inc.
- The term "Certification" as used in Rule 180-6-.09 (2) and (3) and relating to professional engineering or land surveying services, as defined in O.C.G.A. 43-15-2 (6) and (11), shall mean a signed statement based upon facts and knowledge known to the registrant at the time of the survey and is not a guarantee or warranty, either expressed or implied.
- This survey is valid only if print has the original signature of the surveyor.

SURVEY DATA

Total Area:	0.037 Acres (1,597 Square Feet)
Plat Closure:	1 in 47,580
Field Closure:	1 in 45,947
Angular Error:	00.50" per angle point
Adjusted by:	Compass Rule
Equipment used:	Topcon ES 103/Topcon PS 103A Champion TKO GPS/eGPS Network
Field Work Completed on:	September 27, 2016

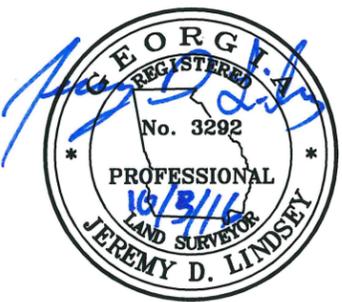
REFERENCES

PB 65, PG 388 DB 2323, PG 609 PB 65, PG 518

LEGEND

PROPERTY BOUNDARY	— — — — —
PROPERTY LINE	— — — — —
METES AND BOUNDS	N 47°45'54" E - 497.06'
1/2" OPEN TOP PIPE FOUND	○ 1/2" OTP
"X" SCRIBE FOUND	○ XF
COMPUTED POINT	○
POINT OF BEGINNING	P.O.B.
POINT OF COMMENCING	P.O.C.
PROPERTY ID NUMBER	PIN
NOW OR FORMERLY	N/F
RIGHT-OF-WAY	R/W

TO THE BEST OF MY KNOWLEDGE AND BELIEF THIS PLAT WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 180-7 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT O.C.G.A. 15-6-67.



JEREMY D. LINDSEY
 GA. REG. L.S. LIC. NO. 003292
 LAND SURVEY FIRM # 000051

O:\2015\15-2139 Brampton Hotel ALTA(dwg)\15-2139V_B01 Brampton Ave Hotel RW Abandon.dwg, 10/3/2016 2:05:01 PM

RESOLUTION #2016-38: A RESOLUTION AUTHORIZING THE OPENING OF A
SEPARATE BANK ACCOUNT FOR THE 2016 COMMUNITY DEVELOPMENT
BLOCK GRANT

WHEREAS, the City Council accepted the award of the 2016 Community
Development Block Grant; and

WHEREAS, upon the acceptance of this grant, it is required that the recipient
establish a separate bank account, that may not be an interest-bearing account;

NOW THEREFORE, BE IT RESOLVED by the Mayor and City Council of the
City of Statesboro, Georgia this 1st day of November, 2016 that the City Manager and
Director of Finance are hereby authorized and directed to open a new bank account at
BB&T for the City of Statesboro's 2016 Community Development Block Grant.

BE IT FURTHER RESOLVED that any Resolution or parts of a Resolution in
conflict herewith are hereby rescinded.

City of Statesboro, Georgia

Jan J. Moore, Mayor

Sue Starling, City Clerk

**RESOLUTION 2016-39: A RESOLUTION AMENDING THE JOB
POSITION 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 Mayor and City Council previously have adopted a new Job Position Classification and Compensation Plan on April 5th, 2016; and

WHEREAS, the City Manager has made a recommendation to reclassify an Administrative Assistant position, and create a Keep Statesboro-Bulloch Beautiful Coordinator position;

NOW THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Statesboro, Georgia in regular session assembled this 1st day of November, 2016 as follows:

Section 1. That the Job Position Classification and Compensation Plan, which includes a list of job titles and pay grades; a pay grade and range assignments; and written job descriptions for each position with City government, previously adopted on April 5th, 2016, and as subsequently amended, is hereby further amended as follows:

- That the City Manager Department is reclassifying the Administrative Assistant position classification is hereby amended by reclassifying the position to an Executive Assistant at the pay grade 110; Job description attached;**
- That the Planning & Development Department is creating the position classification of Keep Statesboro-Bulloch Beautiful Coordinator at the pay grade of 107; Job description attached;**

Section 2. That this Resolution shall be and remain in full force and effect from and after its date of adoption.

Passed and adopted this 1st day of November 2016.

CITY OF STATESBORO, GEORGIA

By: _____
Jan J. Moore, Mayor

Attest: _____
Sue Starling, City Clerk



City of Statesboro, GA

JOB DESCRIPTION

To perform this job successfully, an individual must be able to perform the essential job functions satisfactorily. Reasonable accommodations may be made to enable individuals with disabilities to perform the primary job functions herein described. Since every duty associated with this position may not be described herein, employees may be required to perform duties not specifically spelled out in the job description, but which may be reasonably considered to be incidental in the performing of their duties just as though they were actually written out in this job description.

Executive Assistant

Department: City Manager

Pay Grade: 110

FLSA Status: Non-Exempt

JOB SUMMARY

The Executive Assistant is responsible for providing highly responsible administrative support to Administration, including the City Manager, the Deputy City Manager, the City Attorney and Director of Human Resources. This position is distinguished by the high level complexity of assignments and broad scope of responsibility working with sensitive and confidential matters. Assignments require independent judgment and involve interactions with executive management, department heads, elected officials and citizens.

ESSENTIAL JOB FUNCTIONS:

- Provides executive level support to the City Manager, Deputy City Manager, City Attorney & Director of Human Resources in order to facilitate daily operations of Administration;
- Prepare reports and provides verbal and written correspondence on behalf of the City Manager, the Deputy City Manager, the City Attorney and Director of Human Resources dealing with issues and subject matter in ways that frequently require considerable sensitivity, discretion, strong sense of urgency, judgment, or negotiation in replying to inquiries, and/or presenting or requesting information;
- Manages the City Manager, Deputy City Manager, City Attorney and Director of Human Resources' schedules, travel arrangements and the coordination of meetings and events;
- Prepares specialized investigative and analytical work in researching administrative systems, policies and procedures, ordinances related to City and department operations for use in policy development and evaluation of existing programs and initiatives;
- Analyzes, interprets and prepares oral and written reports and presentations on research findings;

- Coordinates the work of city committees and ensures all resulting work and information is accurately and expediently communicated to applicable persons, groups, or agencies;
- Builds effective working relationships with Elected Officials, City Leaders, Department Heads, Community Representatives and other City staff;
- Responds to calls from the public by finding answers to questions and/or referring queries to appropriate department or City employee; follows-up to ensure issue has been appropriately addressed;
- Assists City Manager, Deputy City Manager and administration staff with strategic planning and issues relating to specific departments;
- Ensures accurate and timely information flow between the City Manager, the Deputy City Manager, administration staff, Elected Officials and other City departments;
- May represent Administration at community meetings to take minutes, analyze needs, listen and respond to specific concerns, identify possible solutions, conduct feasibility or impact analysis;
- Assists with planning, coordinating and monitoring of new programs, existing programs or special projects initiated by City Leaders;
- Communicates and coordinates regularly with departments to maximize the effectiveness and efficiency of interdepartmental operations and activities;
- Coordinate and direct office services such as records, and monitoring annual budgets, including tracking all expenses, justifying monthly budget reports, preparing purchase orders, requisitions, invoices, and quotes for supplies and equipment as necessary;
- Review operating practices and procedures to determine whether improvements can be made in areas such as work flow, reporting procedures, office organization;
- Interpret administrative and operating policies and procedures for employees;
- Serves as support to HR staff;
- Performs other assigned duties;

MINIMUM REQUIREMENTS TO PERFORM WORK:

- Associates Degree in Business or related field;
- Three (3) years of experience in administrative office management, to include excellent written and oral communications skills and experience with confidential and highly sensitive materials;
- Or any equivalent combination of education, training, and experience;
- Valid State of Georgia Driver's License.

PREFERRED REQUIREMENTS TO PERFORM WORK:

- Bachelor's degree in business or related field;
- Experience providing high level support to senior leadership;
- Notary Public certification;

Knowledge, Skills and Abilities:

- Knowledge of modern c-level executive office etiquette, practices and procedures;
- Knowledge of basic bookkeeping and mathematics;
- Knowledge of Microsoft Office Suite;
- Skilled in the use of small office equipment, including copy machines or multi-telephone systems;
- Skilled in using computers for data entry;

- Skilled in using computers for word processing and/or accounting purposes;
- Advanced Skills in Microsoft PowerPoint and Excel;
- Skilled to deal tactfully with people and resolve conflicts;
- Skilled to exercise resourcefulness in addressing problems;
- Ability to learn city policies and ordinances;
- Ability to learn department policies and procedures;
- Ability to maintain a professional demeanor and an orientation towards customer service;
- Ability to work in a team environment under stressful conditions;
- Ability to explain complex problems and situations in an understandable manner;
- Ability to present information clearly and in an interesting manner, both verbally and in writing, for various audiences;
- Ability to listen well and communicate effectively orally and in writing with the public and employees having varied educational backgrounds and values in face-to-face, one-on-one settings, in group settings, email and using a telephone;
- Ability to form a high level of trust with members of the Council, Department Heads and top management staff;
- Ability to approach tasks and activities in a flexible manner;
- Ability to work independently and perform tasks involving numerous details;
- Ability to communicate orally in the English language with customers, clients, and the public in face-to-face, one-on-one settings, in group settings, and using a telephone;
- Ability to produce written documents in the English language with clearly-organized thoughts with proper sentence construction, punctuation, and grammar;
- Ability to develop creative solutions to complex problems;
- Ability to prepare and present accurate and reliable reports containing finds and recommendations;
- Ability to quickly learn and put to use new skills and knowledge brought about by rapidly changing information and/or technology;
- Ability to perform a wide variety of duties and responsibilities with accuracy and speed under the pressure of time-sensitive deadlines;
- Ability to demonstrate integrity, ingenuity and inventiveness in the performance of assigned tasks;
- Ability to Operate a motor vehicle;
- Ability operate a personal computer using program applications appropriate to assigned duties;

PHYSICAL DEMANDS:

The work is typically performed while sitting at a desk or table, with intermittent standing or stooping. The employee must occasionally lift light objects. The employee must occasionally go outdoors for some events and activities (i.e. running city events etc.)

WORK ENVIRONMENT:

The work is typically performed in an office

The City has the right to revise this position description at any time, and does not represent in any way a contract of employment.

Employee Signature

Date

Supervisor (or HR) Signature

Date



City of Statesboro, GA

JOB DESCRIPTION

To perform this job successfully, an individual must be able to perform the essential job functions satisfactorily. Reasonable accommodations may be made to enable individuals with disabilities to perform the primary job functions herein described. Since every duty associated with this position may not be described herein, employees may be required to perform duties not specifically spelled out in the job description, but which may be reasonably considered to be incidental in the performing of their duties just as though they were actually written out in this job description.

Keep Statesboro-Bulloch Beautiful Coordinator

Department: Planning & Development

Pay Grade: 107

FLSA Status: Non-Exempt

JOB SUMMARY

The Keep Statesboro-Bulloch Beautiful Coordinator is responsible for administering and coordinating all programs, financial, public relations, fundraising, and volunteer or personnel activities for the organization and is responsible for the administrative affairs of Keep Statesboro-Bulloch Beautiful. This is a part-time position and reports to the Director of Planning & Development.

ESSENTIAL JOB FUNCTIONS:

- Oversee grassroots community program to promote litter prevention, beautification, community involvement and solid waste minimization and manage the day-to-day operations of the organization.
- Maintain and train Advisory Board for continued operation of non-profit organization.
- Assist in the development and implementation of strategic plans.
- Develop relationships with government agencies, school districts, businesses, civic organizations, and media in order to encourage participation in community events.
- Represent the organization and its committees at meetings, forums and workshops.
- Develop and interpret policies and procedures for programs and events.
- Develop programs for public awareness, fund development, education, and special events.
- Oversee the administration of the annual budget including grants and contracts.
- Responsible for all aspects of human resources including payroll and benefits of employees.
- Coordinate and promote relevant Keep America Beautiful programs.
- Prepare annual and semi-annual reports to maintain certification in local, state and national programs including conducting annual cost/benefit analysis and litter index.

- Maintain knowledge of and relationships with industries and associations to be responsive to emerging trends that impact the organization.
- Perform other duties as assigned.

MINIMUM REQUIREMENTS TO PERFORM WORK:

- Associate's degree in business administration or a closely related field;
- Two (2) years of experience in a related field;
- Or any equivalent training, education, and/or experience; and
- Valid State of Georgia Driver's License.

Knowledge, Skills and Abilities:

- Knowledge of principles, practices, methods and equipment applicable to modern solid waste management; thorough knowledge of applicable federal, state, and local policies, laws, and regulations affecting solid waste activities.
- Knowledge of current state and local laws and programs focused on litter, community beautification, community forestry and waste reduction.
- Knowledge of or ability to learn the department's rules, regulations, policies, and procedures;
- Knowledge of or ability to learn and interpret applicable codes and ordinances of the City, especially the zoning ordinance;
- Knowledge of modern office practices, procedures, and equipment;
- Knowledge of brochure or newsletter production;
- Knowledge of website postings;
- Skilled in using computers for data entry;
- Skilled in using computers for word processing and/or accounting purposes;
- Ability to establish effective working relationships with other City employees, City officials, customers, and the general public;
- Ability to independently develop and maintain a schedule of projects;
- Ability to understand and follow complex oral and written instructions;
- Ability to process information, applications and forms requiring accuracy, thoroughness, timeliness, and attention to detail;
- Ability to meet and deal tactfully and courteously with property owners, citizens, developers, builders, City officials, fellow staff, and the public;
- Ability to drive and operate assigned vehicles in a safe and efficient manner;
- Ability to work independently under general supervision;
- ability to prepare professional correspondence, reports, grant filings, and public information releases;
- Ability to produce brochures, newsletters, websites, presentations, and reports that are professional in appearance and include a variety of written materials, pictures, charts, graphs, and maps;
- Skilled in the use small office equipment, including copy machines or multi-line telephone systems;
- Ability to maintain a professional demeanor and an orientation towards customer service;
- Ability to supervise, organize, and communicate effectively;
- Ability to maintain constructive and cooperative working relationships with others; and
- Ability to cooperate with fellow employees as a team member.

PHYSICAL DEMANDS & WORK ENVIRONMENT:

The work is sometimes performed in an office; however, a portion of the day may be spent outdoors.

WORK ENVIRONMENT:

The work is typically performed while sitting at a desk and table, inside an office; however, a portion of the day may be spent outdoors.

The City has the right to revise this position description at any time, and does not represent in any way a contract of employment.

Employee Signature

Date

Supervisor (or HR) Signature

Date

Memorandum

To: Robert Cheshire, Deputy City Manager

CC: Randy Wetmore, City Manager
Darren Prather, Director of Central Services
Cindy West, Finance Director

From: Van H. Collins, Director of Water & Wastewater *V.H.C.*

Date: 10/21/2016

Re: Consideration for a Motion to award a Contract to Y-Delta Inc. in the amount of \$47,153.14 for the installation of the electrical and control components for the Burnett Liquid Lime System, as well as install equipment provided by others. The Project number is WWD-162 and is funded from Water/Sewer Income.

Bids were received and opened on October 19, 2016 for the electrical portion of the Liquid Lime Feed System.

Bids are as follows:

Y-Delta Inc.	\$47,153.14
H.A. Sack Co., Inc.	\$78,730.00

This will be the last component needed to complete this project and will allow the Plant to go from manual dosing of Liquid Lime to automatic dosing. This system will be calibrated to automatically increase or decrease the dosing amount of Liquid Lime based on flow or pH values in the influent waste stream, as well as in the Primary Clarifiers. There will be two pH meters installed, one at a point prior to dosing and one on the primary clarifiers after through mixing has taken place. Once we determine the best and most beneficial method of dosing, rather it be based on flow or pH, we should see a significant savings on the Liquid Lime costs over time.

This being said, it is my recommendation that Mayor and Council consider awarding a contract to Y-Delta, Inc. in the amount of \$47,153.15 for the installation of the Electrical and Automated portion for the Burnett Liquid Lime Slurry System.

As always, I appreciate any consideration given to my request.



October 20, 2016

Mr. Van H. Collins
Director of Water and Wastewater
City of Statesboro
302 Briarwood Road
Statesboro, Georgia 30458

**RE: WASTEWATER TREATMENT PLANT
LIME SYSTEM ADDITION
STATESBORO, GA**

Dear Mr. Collins:

Bids were received October 19, 2016 for the above referenced project.

Y-Delta, Inc.	\$47,153.14
H.A. Sack Co., Inc.	\$78,730.00

As indicated, the low bid was submitted by Y-Delta, Inc. It is recommended they be awarded a contract in the amount of \$47,153.14. The successful bidder has the resources to successfully prosecute the work.

Also enclosed are three (3) copies of the Abstract of Bids for your use.

Sincerely,

HUSSEY GAY BELL

C. J. CHANCE, P.E.

Enclosures

cc w/enclosure: Robert Cheshire, P.E.
Estella Roberson
Gary Mosely

ABSTRACT OF BIDS
Wastewater Treatment Plant Lime System Addition
Statesboro, Georgia

Bids Received: October 19, 2016

ITEM NO.	DESCRIPTION	ESTIMATED QUANTITY	Y-Delta, Inc. Statesboro, GA		H.A. Sack Co., Inc. Statesboro, GA	
			UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
1.	Electrical - all material, labor and required to complete the electrical work described on Sheets E1 and E2 of the Plans, in compliance with the and coordination of SCADA work provided by Revere Controls as described in the Specifications Appendix B.	1 LS	\$47,153.14	\$47,153.14	\$78,730.00	\$78,730.00
TOTAL				\$47,153.14	\$78,730.00	
Bid Bond				5%	5%	

I certify that this is a correct Abstract of Bids received October 19, 2016



 C. J. Chance
 HUSSEY GAY BELL
 CONSULTING ENGINEERS
 SAVANNAH, GEORGIA

Memorandum

To: Robert Cheshire, Deputy City Manager

CC: Randy Wetmore, City Manager
Darren Prather, Director of Central Services
Cindy West, Director of Finance
Gary Mosley, Wastewater Superintendent

From: Van H. Collins, Director of Water & Wastewater *V.H.C.*

Date: 10/24/2016

Re: Consideration of a Motion to award a contract to Aqua-Aerobic Systems, Inc. in the amount of \$53,614.08 for a "Sole Source Purchase" of 324 Filter Cloth Socks and miscellaneous other parts to replace all filter fabric on four Filter Units. The Project number is WWD-160 with \$60,000.00 budgeted and is to be funded from Water/Sewer Operating Income.

In 2013, the 6 existing Davco Sand Filters were replaced with 4 new Aqua-Aerobic Cloth Media Filters. The Cloth on these filters was designed to last for 5 to 7 years, but has been failing over the last year. Even though staff has followed the best cleaning practices, as per Manufacturer specifications, the fabric is ripping at the seams and allowing solids to pass through to the effluent, although the Plant has maintained Permit compliance for solids. I, as well as my key Maintenance and Operations personnel have met on several occasions and communicated in several conference calls over the last year with representatives from Aqua-Aerobics Systems, Inc. and the Manufacturer Representative, Jon Baker with Templeton and Associates to try and come to some resolve to this issue and have the fabric replaced. I advised them that we expected a "Good Faith" effort by Aqua-Aerobics Systems, Inc. to negotiate a proposal that would be beneficial to the City.

Sherry Pike, Customer Service Representative, with Aqua-Aerobic Systems, Inc. recently sent a proposal to resolve the issue that I am comfortable in accepting. The proposal is actually more than I was expecting from them. The proposal, which is attached, allows for a one time "Good Will Discount" of 50% against all parts required to change the backwash shoes and cloth for all 4 filters. I also requested that they allow the discount for 36 additional filter cloths for spare replacements, which they honored.

With this being said, it is my recommendation that Mayor and Council consider awarding a contract to Aqua-Aerobics Systems, Inc. in the amount of \$53,614.08 for a "Sole Source Purchase" of 324 Filter Cloth Socks and miscellaneous other parts to replace all filter fabric on four Filter Units.

As always, I appreciate any consideration given to my request.



AFTERMARKET PROPOSAL # 42925

TO: STATESBORO WWTP
302 BRIARWOOD ROAD
STATESBORO
GEORGIA 30458
USA

PROJECT: STATESBORO WWTP GA
STATESBORO
GA
USA-MUN

PROPOSAL DATE: October 21, 2016

ATN: VAN COLLINS

CC:

If billing and/or shipping address is different, please advise.

Qty	Description	Unit Price	Total Price
	<p>We are pleased to quote, for acceptance within 60 days of this date, prices and terms on equipment and service listed below. Shipment of equipment will be completed per agreed schedule, after receipt of purchase order with mutually acceptable terms and conditions, subject to credit approval.</p> <p>Service will be scheduled, and confirmed, after receipt of purchase order. Our Field Service schedule is running 4 weeks out. Scheduling is also dependent on the equipment shipment. All purchased parts must be on site prior to the Field Service Specialist arrival.</p> <p>Actual shipment is dependent on equipment availability at the time of receipt of order.</p>		
324	Filter Cloth Sock Type 2 (Open Back) OptiFiberPES-14 Polyester type Chlorine resistant Part number 2966912	\$299.00	\$96,876.00
96	BACKWASH SHOE, ADF-54 (CLASSIC), 8MM Part number 2520671	\$78.00	\$7,488.00
768	BHMS 1/4-20 X 0.75 316S (8) needed per backwash shoe Part number 2610700	\$1.42	\$1,090.56
768	WASHR FLT 1/4 316 SS (8) needed per Backwash shoe Part number 2600224	\$0.08	\$61.44
768	NUT HEX NLK 1/4-20 316SS Part number 2610701	\$0.10	\$76.80
12	RTV SILICONE SEALANT 10.1 OZ Part number 2606859	\$7.93	\$95.16

OPTIONAL HARDWARE LISTED BELOW:

You may want to consider purchasing a small amount of replacement hardware, to have on hand during cloth change out. Existing hardware can be reused. There is always the possibility the existing hardware, may get damaged during the cloth change out.

10	Retainer bar - side (1) needed per frame New Part number 2519224	\$16.00	\$160.00
10	Retainer bar - notch (1) Needed per frame Part number 2506165	\$16.00	\$160.00
10	Retainer bar - tab (1) needed per frame Part number 2506166	\$16.00	\$160.00
90	Flat washer 5/16, 316 stainless (9) needed per frame Part number 2600951	\$0.14	\$12.60
90	Hex Screw HHCS 5/16"-18 UNC x 1.25 316SS (9) needed per frame Part number 2609821	\$0.44	\$39.60

GOOD WILL DISCOUNT:

Aqua-Aerobic Systems agrees to provide a onetime discount of 50% against all parts required to change the backwash shoes and cloth. This discount will be deducted at the time of purchase from the prices shown on this proposal.

Notes:

1. Freight to jobsite is included, FOB Loves Park, Illinois as included in the Pricing Summary, below.
2. Startup supervision is not included.
3. Payable net 30 days from date of shipment subject to credit review, no retainage allowed.
4. State and/or local taxes will be charged unless we receive a valid resale/exemption certificate.

Pricing Summary:

Equipment and/or Accessories:

Discount:

Freight:

\$106,220.16

-\$53,110.08

\$504.00

Total Job Price:

\$53,614.08

Material and/or services not specifically listed in this proposal are not included in the quoted TOTAL JOB PRICE and are to be supplied by others.

Goods quoted above will be sold subject to the terms and conditions of sale set forth on the face hereof and the following pages entitled "Terms and Conditions of Aqua-Aerobic Systems, Inc. (A Metawater Company)": Any different or additional terms are hereby objected to.

TERMS AND CONDITIONS OF AQUA-AEROBIC SYSTEMS, INC.

Page 1 of 2

This offer and all of the goods and sales of Aqua-Aerobic Systems, Inc. are subject only to the following terms and conditions. The acceptance of any order resulting from this proposal is based on the express condition that the Buyer agrees to all the terms and conditions herein contained. Any terms and conditions in any order, which are in addition to or inconsistent with the following, shall not be binding upon Aqua-Aerobic Systems, Inc. This proposal and any contract resulting therefrom, shall be governed by and construed in accordance with the laws of the State of Illinois, without regard to conflicts of laws principles.

PAYMENT

Unless specifically stated otherwise, quoted terms are Net 30 Days from shipping date. Past-due charges are 1.5% per month and will apply only on any past-due balance. Aqua-Aerobic Systems, Inc. does not allow retainage of any invoice amount, unless authorized in writing by an authorized representative of our Loves Park, Illinois office.

DURATION OF QUOTATION

This proposal of Aqua-Aerobic Systems, Inc. shall in no event be effective more than 30 days from date thereof, unless specifically stated otherwise, and is subject to change at any time prior to acceptance.

SHIPMENT

Shipping dates are not a guarantee of a particular day of shipment and are approximate, being based upon present production information, and are subject to change per the production schedules existing at time of receipt of purchase order. Aqua-Aerobic Systems, Inc. shall not be responsible for any delay in shipment for causes beyond its control including, but not limited to, war, riots, strikes, labor trouble causing interruption of work, fires, other casualties, transportation delays, modification of order, any act of governmental authorities or acts of God. Quoted shipment dates in this proposal are approximate dates goods will be shipped and, unless agreed to in writing by Aqua-Aerobic Systems, Inc., Buyer may not postpone or delay the dates of shipment of goods from our plant or from our supplier's plants beyond the dates set forth in this proposal.

TITLE AND RISK OF LOSS

All prices and all shipments of goods are F.O.B. Aqua-Aerobic Systems, Inc.'s plant at Loves Park, Illinois unless specifically stated otherwise. Delivery of the goods sold hereunder to the carrier shall be deemed delivery to the Buyer, and upon such delivery, title to such goods and risk of loss or damage shall be upon Buyer.

TAXES

Prices quoted do not include any taxes, customs duties, or import fees. Buyer shall pay any and all use, sales, privilege or other tax or customs duties or import fees levied by any governmental authority with respect to the sale or transportation of any goods covered hereby. If Aqua-Aerobic Systems, Inc. is required by any taxing authority to collect or to pay any such tax, duty or fee, the Buyer shall be separately billed at such time for the amounts Aqua-Aerobic Systems, Inc. is required to pay.

INSURANCE

Unless the goods are sold on a CIF basis, the Buyer shall provide marine insurance for all risks, including war and general coverage.

SECURITY

If at any time the financial responsibility of the Buyer becomes unsatisfactory to Aqua-Aerobic Systems, Inc., or Aqua-Aerobic Systems, Inc. otherwise deems itself insecure as to receipt of full payment of the purchase price from Buyer hereunder, Aqua-Aerobic Systems, Inc. reserves the right to require payment in advance or security or guarantee satisfactory to Aqua-Aerobic Systems, Inc. of payment in full of the purchase price.

LIMITATION OF ACTION

No action shall be brought against Aqua-Aerobic Systems, Inc. for any breach of its contract of sale more than two years after the accrual of the cause of action thereof, and, in no event, unless the Buyer shall first have given written notice to Aqua-Aerobic Systems, Inc., of any claim of breach of contract within 30 days after the discovery thereof.

CANCELLATION CLAUSE

No acceptance of this proposal, by purchase order or otherwise, may be modified except by written consent of Aqua-Aerobic Systems, Inc. nor may it be cancelled except by prior payment to Aqua-Aerobic Systems, Inc. the following sums as liquidated damages therefor: 1) If cancellation is prior to commencement of production and prior to the assumption of any obligations by Aqua-Aerobic Systems, Inc. for any materials or component parts, a sum equal to 15% of the total purchase price; 2) If cancellation is after the commencement of production or after the assumption of any obligations by Aqua-Aerobic Systems, Inc. for any materials or component parts, a sum equal to the total of the direct, out-of-pocket expenses incurred to the date of cancellation for labor, machine time, materials and any charges made to us by suppliers for cancellation, plus 30% of the total purchase price. All charges and expenses shall be as determined by Aqua-Aerobic Systems, Inc. In the event any items are used by Aqua-Aerobic Systems, Inc. to fill a subsequent order, then upon receipt of payment for such order, Aqua-Aerobic Systems, Inc. shall pay the Buyer a sum equal to the direct out-of-pocket expenses previously charged and received from Buyer.

PROPRIETARY INFORMATION

This proposal, including all descriptive data, drawings, material, information and know-how disclosed by Aqua-Aerobic Systems, Inc. to Buyer in relation hereto is confidential information intended solely for the confidential use of Buyer, shall remain the property of Aqua-Aerobic Systems, Inc. and shall not be disclosed or otherwise used to the disadvantage or detriment of Aqua-Aerobic Systems, Inc. in any manner.

TERMS AND CONDITIONS OF AQUA-AEROBIC SYSTEMS, INC.

Page 2 of 2

QUALIFIED ACCEPTANCE AND INDEMNITY

In the event the acceptance of this proposal by Buyer either is contingent upon or subject to the approval by any third party such as, but not limited to, a consulting engineer, with respect to goods, parts, materials, descriptive data, drawings, calculations, or any other matter, then upon such approval by any third party, Aqua-Aerobic Systems, Inc. shall have no liability to Buyer or to any third party so long as the goods sold and delivered by Aqua-Aerobic Systems, Inc. conform to this proposal. In the event any such third party requires modifications in the proposal prior to the approval thereof, Aqua-Aerobic Systems, Inc. may at its sole option and without liability to any party elect to cancel this proposal or return the purchase order to Buyer. In the event Aqua-Aerobic Systems, Inc. elects to modify this proposal to conform to the requirements for approval by any third party, Aqua-Aerobic Systems, Inc. in such event shall have no liability to Buyer or to any third party so long as the goods sold and delivered by Aqua-Aerobic Systems, Inc. conform to this proposal as modified.

Buyer agrees to indemnify and save harmless Aqua-Aerobic Systems, Inc. from and against all costs and expenses and liability of any kind whatsoever arising out of or in connection with claims by third parties so long as the goods sold hereunder conform to the requirements of this proposal as approved by any third party.

WARRANTY; LIMITATION OF LIABILITY; AND DISCLAIMER

In return for purchase and full payment for Aqua-Aerobic Systems, Inc. goods, we warrant new goods provided by us to be free from defects in materials and workmanship under normal conditions and use for a period of one year from the date the goods are put into service, or eighteen months from date of shipment (whichever first occurs). If the goods include an "Endura Series" motor, the complete Endura Series unit shall be warranted by Aqua to be free from defects in materials and workmanship under normal conditions and use for three years from the date the product is put into service or 42 months from the date of shipment (whichever occurs first).

OUR OBLIGATION UNDER THIS WARRANTY IS EXPRESSLY AND EXCLUSIVELY LIMITED to replacing or repairing (at our factory at Loves Park, Illinois) any part or parts returned to our factory with transportation charges prepaid, and which our examination shall show to have been defective. Prior to return of any goods or its parts to our factory, Buyer shall notify Aqua-Aerobic Systems, Inc. of claimed defect, and Aqua-Aerobic Systems, Inc. shall have the privilege of examining the goods at Buyer's place of business at or where the goods have otherwise been placed in service. In the event this examination discloses no defect, Buyer shall have no authority to return the goods or parts to our factory for the further examination or repair. All goods or parts shall be returned to Buyer, F.O.B. Loves Park, Illinois. This warranty shall not apply to any goods or part which has been repaired or altered outside our factory, or applied, operated or installed contrary to our instruction, or subjected to misuse, chemical attack/degradation, negligence or accident. This warranty and any warranty and guaranty of process or performance shall no longer be applicable or valid if any product, including any software program, supplied by Aqua-Aerobic Systems, Inc., is modified or altered without the written approval of Aqua-Aerobic Systems, Inc. Our warranty on accessories and component parts not manufactured by us is expressly limited to that of the manufacturer thereof.

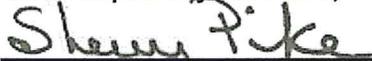
THE FOREGOING WARRANTY IS MADE IN LIEU OF ALL OTHER WARRANTIES, EXPRESS OR IMPLIED, AND OF ALL OTHER LIABILITIES AND OBLIGATIONS ON OUR PART, INCLUDING ANY LIABILITY FOR NEGLIGENCE, STRICT LIABILITY, OR OTHERWISE; AND ANY IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE IS EXPRESSLY DISCLAIMED; AND WE EXPRESSLY DENY THE RIGHT OF ANY OTHER PERSON TO INCUR OR ASSUME FOR US ANY OTHER LIABILITY IN CONNECTION WITH THE SALE OF ANY GOODS PROVIDED BY US. THERE ARE NO WARRANTIES OR GUARANTEES OF PERFORMANCE UNLESS SPECIFICALLY STATED OTHERWISE.

UNDER NO CIRCUMSTANCES, INCLUDING ANY CLAIM OF NEGLIGENCE, STRICT LIABILITY, OR OTHERWISE, SHALL AQUA-AEROBIC SYSTEMS, INC. BE LIABLE FOR ANY INCIDENTAL OR CONSEQUENTIAL DAMAGES, COSTS OF CONNECTING, DISCONNECTING, OR ANY LOSS OR DAMAGE RESULTING FROM A DEFECT IN THE GOODS. LIMIT OF LIABILITY: AQUA-AEROBIC SYSTEMS, INC.'S TOTAL LIABILITY UNDER THE ABOVE WARRANTY IS LIMITED TO THE REPAIR OR REPLACEMENT OF ANY DEFECTIVE PART. THE REMEDIES SET FORTH HEREIN ARE EXCLUSIVE, AND OUR LIABILITY WITH RESPECT TO ANY CONTRACT OR SALE, OR ANYTHING DONE IN CONNECTION THEREWITH, WHETHER IN CONTRACT, IN TORT, UNDER ANY WARRANTY, OR OTHERWISE, SHALL NOT, IN ANY CASE, EXCEED THE PRICE OF THE GOODS UPON WHICH SUCH LIABILITY IS BASED.

Final acceptance of this proposal must be given to Aqua-Aerobic Systems, Inc. at their office in Loves Park, Illinois. Please acknowledge acceptance by signing the proposal and returning it to Aqua-Aerobic Systems, Inc.

Accepted by:

Offer Respectfully Submitted,



Sherry Pike, Customer Service Representative
Aqua-Aerobic Systems, Inc.

By: _____ Date: _____