COUNTY AGENDA REQUEST

Department:	Board of Commissioners	Presenter(s):	Commissioner Steve Brown
Meeting Date:	Thursday, March 26, 2015	Type of Request:	New Business

Wording for the Agenda:

Consideration of Commissioner Brown's request to revise the County Administrator's spending limit to $50,000.00, with said revision to include the sum total of any multi-year contracts, contingencies and possible options that create a scenario where more than $50,000.00 could be spent on a particular purchase or multi-year contractual arrangement.

Background/History/Details:

Commissioner Brown has written a memo asking for an official declaration to change the spending limits of the County Administrator to $50,000.00.

On April 25, 2013, based on direction received at the April 7, 2013 Retreat, the Board of Commissioners approved Consent Agenda #7: "Approval of staff's request to delegate the authority to amend the Human Resources policies and procedures to the County Administrator and the Human Resources Director, and to delegate the authority to amend Finance policies and procedures to the County Administrator and the Chief Financial Officer." The request passed on Consent 4-0-1 with Commissioner McCarty being absent (see "Exhibit B"). The approved request included Policy 250.01 (see "Exhibit C"). The policy includes the following language: "The Chairman or County Administrator is authorized to sign properly procured contracts that are less than $200,000 and budgeted (pg 7; H. Contracts.)

Commissioner Brown states that the Board of Commissioners is ultimately responsible for the tax revenue collected by the county government.

What action are you seeking from the Board of Commissioners?

Approval of Commissioner Brown's request to revise the County Administrator's spending limit to $50,000.00, with said revision to include the sum total of any multi-year contracts, contingencies and possible options that create a scenario where more than $50,000.00 could be spent on a particular purchase or multi-year contractual arrangement.

If this item requires funding, please describe:

Not Applicable.

Has this request been considered within the past two years?	No	If so, when?	
Is Audio-Visual Equipment Required for this Request?*	No	Backup Provided with Request?	Yes

**** All audio-visual material must be submitted to the County Clerk's Office no later than 48 hours prior to the meeting. It is also your department's responsibility to ensure all third-party audio-visual material is submitted at least 48 hours in advance.***

Approved by Finance	Not Applicable	Reviewed by Legal	
Approved by Purchasing	Not Applicable	County Clerk's Approval	Yes
Administrator's Approval			

Staff Notes:

EXHIBIT A

COMMISSIONER BROWN'S MEMO

Fayette County
"Where Quality Is a Lifestyle"
140 Stonewall Avenue West, Ste 100
Fayetteville, Georgia 30214
Phone: 770-305-5200
www.fayettecountyga.gov

MEMORANDUM

From: Commissioner Steve Brown

Date: March 6, 2015

To: Board of Commissioners

Cc: County Administrator

Subject: Official declaration to change the spending limits for the County Administrator (March 26, 2015 Board of Commissioners meeting agenda)

Chairman and Commissioners,

Previously, the Board of Commissioners granted the County Administrator the ability to enter into contracts, purchasing decisions and the like up to $200,000 per occurrence without an official vote of approval of the Board of Commissioners.

Several problems have arisen from this process. The willingness to execute such duties by the County Administrator is certainly appreciated, but the Board of Commissioners is ultimately responsible for the tax revenue collected by the county government and we do not want to raise fiduciary accountability issues.

I ask that we revise the spending limit without Board approval to $50,000 to promote both accountability and transparency. This limit should include the sum total of any multi-year contracts, contingencies and possible options that create a scenario where the more than $50,000 could be spent on a particular purchase or multi-year contractual arrangement.

EXHIBIT B

April 5, 2013 Board of Commissioners Minutes

Consent Agenda 7

Nonconforming Status (LNS) rezoning procedure. Commissioners Ognio and Barlow seconded the motion. No discussion followed. The motion passed 4-0 with Commissioner McCarty being absent. A copy of the request and Ordinance 2013-02, identified as "Attachment 5", follow these minutes and are made an official part hereof.

PUBLIC COMMENT:

Henry Dickerson: Mr. Dickerson submitted a written petition against the Stormwater fees to the Board, which was signed by many of the residents living near Lake Horton. He questioned the need for residents to pay Stormwater fees when their water runs into Lake Horton, questioned how the collected funds were being spent, and suggested that the Board would not be reelected since nobody in Fayette County was happy about receiving a Stormwater bill. A copy of the written petition, identified as "Attachment 6", follows these minutes and is made an official part hereof.

Lee Hearn: Mr. Hearn questioned the Board's transparency in the following areas: 1) LOST renegotiations and agreements, 2) Approval of Cigna as the employees' new health insurance provider, 3) the Board "sticking it to the employees" by taking away health insurance benefits; 4) removing public safety personnel from the Pension Board, 5) not informing the citizens about how they want to address roads for Fayette County's future and potentially exposing Fayette County due to decisions made about the intersection of West Fayetteville Bypass and State Route 92, and 6) not maintaining the rural character of Fayette County by rezoning land for Pinewood Studios. Mr. Hearn closed saying his family has paid taxes into Fayette County for over 100 years, that he has a deep love for Fayette County, and that was why he would continue coming to the meetings.

Wayne Kendall: Mr. Kendall said he wanted to talk about Commissioner Ognio's item at the April 11, 2013 meeting concerning referring former County Attorney Scott Bennett to the State Court Solicitor Jamie Inagawa. He pointed out that Mr. Inagawa had previously sued Fayette County, and in doing so he had hired Mr. Richard P. Lindsey as his attorney. He said that Mr. Lindsey was the same attorney Mr. Bennett allegedly hired to sue Fayette County, so there could be a conflict of interest. Mr. Kendall suggested that the Board of Commissioners could call for a civil investigative grand jury to investigate several issues that he contended were still lingering. Mr. Kendall then enumerated those outstanding issues that he thought should be investigated. He then repeated that the Board could call for a civil investigative grand jury, and he explained how the process could work.

Frank Gardner: Mr. Gardner said at the last meeting he said something about the parking at Lake Horton. He publically thanked Water System Director Tony Parrott for calling him and explaining the situation to him. He said he had to admit that if he was sitting in Mr. Parrott's seat, he would likely make the same decision. He thought coming to the Board meeting and expressing his opinion and getting feedback was good, and he thanked the Board for that.

CONSENT AGENDA:

Commissioner Barlow moved to accept the Consent Agenda. Commissioner Ognio seconded the motion.

Captain Doug Morris, who has served as a Fayette County firefighter for 27 years, spoke in opposition to Consent Agenda Item 7. He specifically commented on the portion of the Consent Agenda pertaining to the loss of retirement benefits. His three main points were: 1) the benefit retirement was in existence before the Defined Benefit Plan was put into place, and it was part of the decision people used to switch to a Defined Benefit Plan, 2) removing the retirement benefit would specifically target long-term, loyal employees, and 3) this action would compel public safety workers to remain on the job until they were 65 years old, and that there were problems with having active police officers and firefighters who are that old. He implored the Board not to remove the retirement benefits.

County Administrator Steve Rapson largely agreed with Mr. Morris, but added that keeping the benefit in place created a large fiscal impact, and he explained the nature of fiscal impact.

Commissioner Oddo said he appreciated Mr. Morris' concerns, but that there were many things he wanted to have but could not afford to have. He said he wanted to do many things but did not have the funding to do so. He added that the Board has responsibility to the taxpayers and to the staff, but it also has a fiduciary responsibility that cannot be ignored.

Mr. Rapson spoke about two benefits the County has enacted to replace the outgoing benefit; namely, the ability for County employees to purchase family health insurance at the County's rates and to participate in a Health Savings Account (HSA).

Chairman Brown said there were no easy decisions, but that the County was in a real bind. He said the Board did not take pride in taking anything away from anybody. He said the County is in a really bad situation, and that the Board had opportunities to do things years ago when both he and Commissioner McCarty were on the Board, and those requests were voted down each time. He said the County is where it is, that the Board promised its constituents that it would provide a balanced budget, and that the County would do whatever it takes to get to the balanced budget. He said this action had nothing to do against anybody who is employed with the County but that the constituents are the number one responsibility.

The motion to approve the Consent Agenda passed 4-0 with Commissioner McCarty being absent.

5. Approval of Finance policy and procedure amendments as outlined during the April 5, 2013 Retreat. A copy of the request, identified as "Attachment 7", follows these minutes and is made an official part hereof.

6. Approval of Human Resource policy and procedure amendments as outlined during the April 5, 2013 Retreat. A copy of the request, identified as "Attachment 8", follows these minutes and is made an official part hereof.

7. Approval of staff's request to delegate the authority to amend Human Resources policies and procedures to the County Administrator and the Human Resources Director, and to delegate the authority to amend Finance policies and procedures to the County Administrator and the Chief Financial Officer. A copy of the request, identified as "Attachment 9", follows these minutes and is made an official part hereof.

8. Approval of staff's recommendation to award Bid #873- Grass Mowing Services to Star Valley Landscapes Solutions, BeautyScapes Management, Inc., and TrueGreen Landcare, LLC., at an aggregate amount of $83,390.80, and authorization for the Chairman to sign related contracts. A copy of the request, identified as "Attachment 10", follows these minutes and is made an official part hereof.

9. Approval of the April 5, 2013 Board of Commissioners Retreat Minutes and the April 11, 2013 Board of Commissioners Minutes.

OLD BUSINESS:

NEW BUSINESS:

EXHIBIT C

Policy 250.01 (Attachment 7)

Refer to Page #7; Section H.- Contracts

ATTACHMENT 7

COUNTY DEPARTMENT AGENDA REQUEST

Department:	Administration	Presenter(s):	County Administrator Steve Rapson
Meeting Date:	April 25, 2013	Type of Request:	Consent

Wording for the Agenda:

Approval of Finance policy and procedure amendments as outlined during the April 5, 2013 Retreat.

Background/History/Details:

The following finance policy and procedure amendments were presented and discussed during the annual Fayette County Board of Commissioner Retreat.

a. 210.01 P-Card (Pages 1-3 of the backup)
b. 250.01 Purchasing Policy & Procedures (Pages 6-13 of the backup)
c. 300.09 Travel (Pages 14-26 of the backup)

These policy and procedure amendments are presented for your formal consideration and approval.

What action are you seeking from the Board of Commissioners?

Approval of Finance policy and procedure amendments as outlined.

If this item requires funding, please describe:

Not Applicable.

Has this issue come before the Commissioners in the past?	No	If so, when?	
Do you need audio-visual for the presentation?	No	Back-up Material Submitted?	No

STAFF USE ONLY

Approved by Finance	Yes	Reviewed by Legal	
Approved by Purchasing	Not Applicable	Approved by County Clerk	Yes
Administrator's Approval			

Staff Notes:

Purchasing – Procuring Goods / Services
Policy & Procedures
250.01

PURPOSE

~~The Fayette County Purchasing Department procures materials, supplies, equipment and services for county departments, ensuring quality, timely delivery and maximum dollar savings under the supervision of the Fayette County Board of Commissioners. One of the main functions of the Purchasing Department is saving taxpayer dollars~~.

~~The Purchasing Department strives to treat vendors and contractors fairly and equitably, while encouraging competition. The Purchasing Department ensures objectivity in awards to responsive and responsible bidders and provides assistance to all county departments in the planning and procurement process.~~

~~The Fayette County Purchasing Department handles surplus sales through auctions. This is usually a combined governmental auction that involves some other Fayette County governments. This information will be available on the Fayette County website prior to each auction.~~

The public sector purchasing function faces the dual challenges of observing laws created by legislation and by case law announced through judges' decisions, while responding to a changing, increasingly complex public service environment. Purchasing functions must go beyond the old model of process management, and provide support services for their departmental customers. This includes flexible processes that respond to the varied and changing needs of the departments, as well as administrative efficiencies that acknowledge the reality of demands outpacing revenues. The policy and procedures in this Section are designed to meet these challenges.

DEFINITIONS

- Originating department – The department for which a product or service is being purchased.
- Open market purchase – A purchase costing less than the formal procurement threshold for requiring competitive sealed bids or proposals.
- Formal procurement threshold – The dollar amount above which formal sealed bids or proposals are required.
- Quote – An offered price from a vendor for an open market purchase. A quote may be verbal or written, depending on the dollar amount involved. For purposes of obtaining the required number of quotes, a "no-bid" response or non-response may be counted as a quote.
- ITB – Invitation to bid. This results in selection of the lowest bid from a responsive, responsible bidder.
- RFP – Request for proposals. This results in selection of a winning proposal by evaluation of criteria specified in the RFP.

POLICY

~~There shall be a consistent and uniform process for the procurement of materials, supplies equipment and services for the Fayette County departments.~~

The Purchasing Department will partner with county departments, vendors, and stakeholders to achieve the following results:

- *County departments* will receive appropriate products and services in a timely manner,
- *Vendors* will have access to county business, opportunity to compete, and equity in their dealings with the county, and
- *Stakeholders*, including the Board of Commissioners, the County Administrator, and taxpayers, will realize the efficiencies, savings, and business transparency they require.

These results will be obtained by observance of the procedures listed below, and in other sections of the Policies and Procedures Manual.

Note: The policy and procedures herein do not apply to the Sheriff's Office or other elected officials when using a separate procurement system.

PROCEDURES

~~In addition to emergency requisitions which are processed just as soon as possible upon receipt, there are two other main methods of procuring goods and services, i.e. open market purchases and invitations for sealed bids / requests for proposals.~~

~~The open market method of purchase is used for those requisitions that total up to $19,999.99. They are handled informally in that quotes can be obtained, by fax, mail or verbally in some situations. These open market purchases do not require formal advertising, and they do not require additional approval by the Board of Commissioners.~~

A. Open-Market Purchases

Purchases that have a total cost of less than the formal procurement threshold of $200,000 are known as open-market purchases. Open market purchases are not required to go through a sealed bid or proposal process, nor do they require additional approval by the Board of Commissioners. The dollar value of an open-market purchase determines the procedures that apply:

- Purchases up to $5,000: Authority is delegated to departments to make purchases up to this amount, if they so choose. For a purchase above $500.00 the originating department must obtain a minimum of 3 documented verbal quotes or 3 written quotes, unless the purchase is made from an existing county or state contract. The originating department must send the quotes along with their invoice or other payment request to the Finance Department, where it will be made part of the payment file.

The Purchasing Department will conduct an audit of purchases on an annual basis, for the purpose of ascertaining adherence to the policy of obtaining 3 quotes for each purchase. In the event that a department is found to not be in compliance, remedies will apply, including revocation of the department's delegated purchasing authority.

For any transaction in which a contract or other legal agreement is involved, the originating department must obtain immigration affidavits (E-Verify and SAVE programs) as required by Georgia statute. The originating department will forward the contract and the affidavits to the Purchasing Department. The Purchasing Department will file the immigration affidavits for reporting and audit purposes, and will forward the contract for authorized signature.

- P-Cards: Authorized employees may make purchases up to the amount established by Policy & Procedure 210.01, titled "P-CARD Program." Employees must follow procedures set forth in that Section.

- Store Accounts: The Purchasing Department may open store accounts on behalf of a department, with prior approval of the County Administrator. Store accounts may be authorized with departmental spending limits equal to the non-emergency limit for P-Card purchases.

Purchases over $5,000 must go through the Purchasing Department. The procedures that apply are dependent on the total value of the purchase:

- $5,000.01 - $50,000.00: Purchases within this range require a minimum of three documented verbal quotes, or three written quotes, unless made from an existing county or state contract.

- $50,000.01 - $200,000.00: These purchases require a minimum of three written quotes, unless made from an existing county or state contract.

Employees may not artificially subdivide a purchase to avoid any of the above requirements or limits.

B. Competitive Sealed Bids / Proposals

~~Invitations for sealed bids and requests for proposals are used when the purchase is for $20,000 or more. They require formal advertising in the county newspaper, public openings, and the Board of Commissioners makes the award based on information submitted by the requesting department and the Purchasing Department. Depending on the nature of the purchase, bonds may also be required.~~

~~The above policies are facilitated by using bidders list applications. A bidders list application contains 5 digit commodity codes that a company or individual can choose from. Each commodity code has a brief description, and when commodity codes are chosen by a company or individual that fills out the bidders list application, those commodity codes are entered into the computer by Purchasing Department staff using a separate vendor number for each company or individual. From this collection of information, a bidders list can be obtained for any commodity (goods or services) that~~

~~companies have indicated to the Purchasing Department that they sell by having filled out a bidders' list application.~~

~~The bidders' list application can be downloaded from the Fayette County website, or it may be obtained in the Purchasing Department at the front county in Suite 101.~~

Road Construction: The county will use the invitation to bid (ITB) or request for proposals (RFP) process for any road construction contract of $20,000 or more, as required by Georgia Code, Chapter 32-4. For this purpose, the term "contract" is defined in OCGA 32-4-60 to include construction, reconstruction or maintenance of a public road.

Public Works Construction Projects: The county will issue an ITB for any public works construction project costing $100,000 or more, as required by Georgia Code, Chapter 36-91.

Fuel: Due to the unique nature of the fuel distribution industry, fuel purchases will not follow the sealed bid process, unless and until such time as the county may choose to seek a contract for fuel delivery. The Director of Purchasing may approve fuel purchases up to $75,000. Any fuel purchase above that amount, and up to $200,000 may be approved by the County Administrator. Any fuel purchase over $200,000 must be approved by the Board of Commissioners.

Other Procurement: For other procurements, the Purchasing Department will issue an ITB or RFP when the total price is expected to be over $200,000. In such cases, the originating department will initiate the procurement process:

1. For an ITB, the originating department will develop product or service specifications.

2. For an RFP, the originating department will provide the following information, which will become part of the RFP:

    a. Objective
    b. Introduction
    c. Statement of Need
    d. Scope of Work
    e. Proposal Response Requirements
    f. Evaluation Plan
    g. Pricing Structure

3. The originating department will provide other information, such as quantity needed or estimated usage, suggested vendors (if any), or other essential or helpful information.

The Purchasing Department will prepare the terms and conditions, cover letter, immigration affidavits, and other documentation that completes the ITB or RFP.

Once the ITB or RFP package is completed, the Purchasing Department will notify vendors, using any of a variety of available methods, as appropriate. This may include, but is not limited to, the following:

- Bidders list: The Purchasing Department will maintain a bidders list of vendor names and addresses from which bids, proposals or quotations can be solicited.

- State bidders list: The Purchasing Department will use the state's Georgia Procurement Registry for solicitations, as deemed necessary or advantageous, to acquire enough bids to assure adequate price competition.

- Other communications: The Purchasing Department will use other means available to (1) assure that interested vendors have an opportunity to compete, and (2) to generate adequate price competition among vendors. This may include, but not be limited to, Internet, public access cable television, and printed media notifications.

Public Bid / Proposal Openings: The Purchasing Department shall open bids and proposals in public view, at the established time and place, with at least one witness. For bids, the opening employee will disclose each vendor and the price(s) bid. For proposals, the opening employee will disclose only each vendor.

Bid opened in error: If a county employee inadvertently opens a bid or proposal in error before the established bid opening date and time, upon discovering the error the employee shall reseal the bid, and write on it "Opened in Error." The employee shall ask another employee to witness the re-sealing. One employee shall note the time and date on the envelope, and both employees shall sign it. This action will allow the bid or proposal to maintain its status as a sealed bid.

Mistakes in bids: When a mistake is discovered in a bid, the bidder may be allowed an opportunity to correct or withdraw the bid in some circumstances. This must be done in a manner that does not confer upon the bidder an unfair advantage, and in a way that will not prejudice the interests of the public:

- A bidder may modify or withdraw a bid at any time before the bid opening. An authorized representative of the bidder must request the modification or withdrawal of the bid in writing.
- If a mistake is discovered after the bid opening but before award, the Director of Purchasing may allow the bidder to withdraw the bid. The Director may waive a mistake, or permit the bidder to correct it, if the mistake is minor and the true intent of the bid is obvious from the bid document itself.
- After award of a contract, relief for a mistake that is discovered must be considered in light of the circumstances. There may be extenuating considerations, such as an error so substantial that refusal to grant relief would be unconscionable. In less severe cases, the winning bidder may be held to the bid, at the discretion of the county.

After a bid or proposal opening, the originating department will conduct an evaluation. This may be done by an individual or an evaluation committee, depending on considerations such as the size and complexity of the bid or proposal.

After evaluation is complete, the originating department will provide written recommendations to the Director of Purchasing. For bids, the originating department

must include justification or explanations when recommending other than the lowest bid. For proposals, the originating department must provide the evaluation criteria, evaluations, and scores to the Purchasing Department.

Although bids or proposals are required only for procurements over $200,000 sometimes a recommended price may be lower than anticipated. In addition, it may be in the best interest of the county to issue invitations to bid or requests for proposals for certain procurements under $200,000 such as those of a highly technical nature. For recommendations up to $50,000 authority is given to the Director of Purchasing to approve the department's recommendations. For recommendations over $50,000 and up to $200,000 the Director of Purchasing will present the recommendations to the County Administrator for final decision.

After reviewing a recommendation over $200,000 the Director of Purchasing will notify the originating department. The originating department will complete a Board agenda request and forward it for inclusion on the agenda. The Purchasing Department will provide backup data concerning the bid or proposal process.

C. Sole Source Procurement

The term "sole source" refers to the source, not the product or service. This can, but does not necessarily, refer to the fact that literally only one vendor provides the product or service. Circumstances may define a sole source situation, such as a need for immediate delivery or repairs at a particular location, when there is only one vendor that can accommodate. The decision to sole-source a procurement may be based on a lack of competition, proprietary technology, copyright, or a supplier's unique capability. Sometimes procurement can be sole source in the short term, but not in the long term.

In the event of a need for sole source procurement, the originating department must explain in writing to the Director of Purchasing the situation and the need for a sole source purchase or contract. This requirement will apply to all sole source procurements, whether carried out through the Purchasing Department of by the originating department.

D. Proprietary Procurement

A proprietary product or service is one that some person or company has exclusive right to manufacture and/or sell. It may be protected by a patent, copyright, trademark or other exclusive right. This is different from a sole source situation, in that there may be competing vendors with comparable goods or services.

In the event of a need for a proprietary procurement, the originating department must explain in writing to the Director of Purchasing the situation and the need for a non-competitive purchase or contract.

E. Professional Services

At times, the county will need to enter into contracts for services that require special skills, that specify certain products or services, or present other circumstances in which bids or proposals might not produce the best outcomes. In these instances when it is in the county's best interest, a professional services contract may be negotiated, unless in conflict with existing laws, rules, or regulations.

F. Purchases from State Contracts

Purchases may be made through State of Georgia purchasing contracts, inasmuch as they have previously gone through a sealed bid process at the state level. Prior approval from the Board of Commissioners will not be needed, except for purchases over $200,000 or purchases to be made from funds that were not previously budgeted.

G. Internet Purchases

Various forms of on-line procurement are available, and others may be anticipated in the future. Purchasing and other departments may consider and use these procurement methods as appropriate, if they do not conflict with state law, county ordinance, or provisions of the Policy and Procedures Manual.

H. Contracts

The Purchasing Department will obtain approval of the Board of Commissioners prior to executing contracts in the following situations:

- If the total price of the contract is over $200,000 or;
- If funds to pay the contractor are not budgeted

The Chairman or County Administrator is authorized to sign properly procured contracts that are less than $200,000 and budgeted.

The Purchasing Department will assure that all contracts comply with state immigration laws at Georgia Code Title 13 (E-Verify) and Title 50 (Systematic Alien Verification for Eligibility or SAVE), prior to execution.

Contracts must comply with Georgia law for public works bidding and contracting as provided in Georgia Code Chapter 36-91, and for road bidding and contracts as provided in Georgia Code Chapter 32-4.

I. Emergency Procurement

In times of emergency, the need for expediency outweighs the desire for price competition. These procedures address two levels of emergency, as described below:

1. A state of emergency may be declared by the Governor, or determined to exist by the county governing authority. During times of declared emergency, procedures for emergency procurement will be in effect, as authorized in the Policy and Procedures Manual or other official documents.

2. An emergency may be caused by an unexpected and urgent situation, but which does not rise to the level of the above-described declared state of emergency. For procurement purposes, this level of emergency is described as an unexpected situation which requires rapid response outside of established purchasing procedures. It may involve danger to health, life or property. It may involve an unexpected delay in delivery, depleted inventory, or an unusually high volume of work, depending on the situation *{however, care must be taken that adequate planning is done so that these situations do not occur when avoidable}*. In event of such a situation, the Director of Purchasing shall have the authority to make necessary purchases, while adhering to established policies and procedures as closely as circumstances allow. If the emergency occurs outside of normal business hours, on weekends, or on holidays, and the Director of Purchasing is unavailable, the Director of the department in question shall have the same authority as the Director of Purchasing. Documentation is to be

submitted to the Purchasing Department as soon as possible following the emergency.

This exception does not apply to a condition in which an emergency situation might potentially occur in the future. It applies to situations in which there is an imminent need such that it is important to disregard normal procedures.

J. Maintenance and Support Agreements

It is important that departments give procurement of maintenance or support agreements the same considerations as other purchases. While many agreements are proprietary, they may not necessarily be sole source services, or the most competitively priced.

Maintenance or support agreements constitute legally binding contracts which require the signature of the Board Chairman or another legally empowered official. They may require one or more immigration affidavits, in compliance with Georgia Code.

Departments must process maintenance or support agreements using the same thresholds as outlined in this policy. All contracts or agreements should be sent to the Purchasing Department for obtaining authorized signatures, along with immigration affidavits and legally authorized identification documents. Contracts or agreements in excess of the formal procurement threshold of $200,000 must be placed on the Board agenda for consideration.

K. Purchases Using Federal Funds

For procurements using federal funds, the county must follow federal rules, including the Federal Common Rule. The county must also follow any additional rules or conditions imposed by a pass-through or administering organization, such as a state agency. Instructions for these circumstances are provided elsewhere in the Policies and Procedures Manual.

L. Budget Availability

The originating department is responsible for assuring that funds are budgeted before initiating any procurement.

M. Unauthorized Purchases

No purchase of materials, supplies, equipment, or services shall be made in the name of the county, or through its purchasing department, except such as are required for official use by the county or one of its departments. Purchases in the name of the county or a department for personal use by an individual or for other than official use are prohibited, and not county funds will be expended or advanced for such purpose.

Floyd Jones

From: Steve Brown <stevebrownptc@outlook.com>
Sent: Tuesday, March 17, 2015 6:22 PM
To: Floyd Jones
Subject: Aaron Schock resigns after new questions about mileage expenses

http://www.politico.com/story/2015/03/aaron-schock-resigns-116153.html

Floyd,

Please print the attachment and include it in the March 26 agenda item on the $200,000 spending threshold.

Thanks.

Steve Brown

POLITICO

Getty

Aaron Schock resigns after new questions about mileage expenses

By **JAKE SHERMAN**, **ANNA PALMER** and **JOHN BRESNAHAN** | 3/17/15 2:08 PM EDT | Updated 3/17/15 4:28 PM EDT

Illinois Rep. Aaron Schock resigned Tuesday, less than 12 hours after POLITICO raised questions about tens of thousands of dollars in mileage reimbursements he received for his personal vehicle.

Schock billed the federal government and his campaign for logging roughly 170,000 miles on his personal car from January 2010 through July 2014. But when he sold that Chevrolet Tahoe in July 2014, it had roughly 80,000 miles on the odometer, according to public records obtained by POLITICO under Illinois open records laws. The documents, in other words, indicate he was reimbursed for 90,000 miles more than his car was driven.

The discrepancy added to a growing wave of ethical and legal problems for the 33-year-old politician.

ALSO ON POLITICO
Investigators contact Schock associates
JAKE SHERMAN, ANNA PALMER and JOHN BRESNAHAN

"[T]he constant questions over the last six weeks have proven a great distraction that has made it too difficult for me to serve the people of the 18th District with the high standards that they deserve and which I have set for myself," Schock said in a surprise statement on Tuesday. "I have always sought to do what's best for my constituents, and I thank them for the opportunity to serve."

Later Tuesday, a spokesman for Schock added, "In an effort to remove any questions and out of an abundance of caution, Congressman Schock has reimbursed all monies received for official mileage since his election to Congress."

Schock's resignation marks a swift downfall of one of the GOP's most promising young stars and prolific fundraisers. The former state legislator was elected to Congress in 2008 and shot through the ranks of the House GOP. At one point gracing the cover of Men's Health magazine, he was a fresh face in a party eager to modernize its image.

But as his prominence grew Schock adopted an expensive lifestyle — stays in luxury hotels, dining at pricey restaurants, flights on private jets. Mounting questions about how he paid for it eventually caught up with him.

The congressman's vehicle history was pieced together from dozens of pages of Illinois vehicle records.

When Schock transferred the SUV to an Illinois dealership in 2014, it had 81,860 miles on the odometer, the documents show. However, from January 2010 to the end of July 2014, he billed the federal government for 123,131 miles on his personal vehicle. During the same period, the Republican billed his "Schock for Congress" campaign account and GOP Generation Y Fund, his leadership political action committee, for an additional 49,388 miles.

Altogether, Schock sought reimbursement for 172,520 miles on his car, despite the fact that he signed documents that certified the vehicle traveled less than half that distance.

Schock had no other vehicles registered in his name at the time, according to state public records. Multiple sources familiar with his office operations say he only drove the Tahoe during this period.

In November 2009, less than a year after Schock took his seat in Congress, the lawmaker bought the 2010 Tahoe from Green Chevrolet in Peoria. The dealership is owned by Jeff Green, a contributor to Schock who has flown the congressman around his district in his airplane and helicopter.

When Schock purchased the new car, it had four miles on it, according to publicly available automobile transaction documents.

On July 19, 2014, Schock transferred the car back to Green Chevrolet with 81,860 miles on it, according to a transfer document that Schock signed.

On that same day in 2014, Schock bought a black 2015 Chevrolet Tahoe with 10 miles on it. Schock's campaign spent nearly $75,000 on the car, according to campaign filings, but the congressman registered the car in his own name. The SUV sports congressional license plates with the number "18" — the number of Schock's congressional district.

Between 2010 and 2014, the government mileage reimbursements requests were filed by Schock on a near-monthly basis. Members of Congress and staffers are permitted to bill the government and campaign for use of a personal vehicle, and, generally speaking, do not have to keep logs to record the miles they drive.

When asked about the mileage several weeks ago, Schock's office said the congressman spends a lot of time in automobiles and chartering private jets between events in his central Illinois district. His office also raised the possibility that staffers were driving his vehicle and weren't sure if it was permissible under the rules.

During the past month, Schock repaid the government $40,000 after spending money from his official office budget to redecorate his office to resemble the set of PBS's "Downton Abbey," an English historical drama. He also reimbursed taxpayers more than $1,200 after using his office account to pay to fly on a private plane to a Chicago Bears football game.

Separately, on a campaign-finance document, Schock labeled the cost of a November flight on a private plane as a software purchase. He has failed to report trips abroad, as required. And he held a fundraiser at a golf course without reporting paying for its use.

In an interview with POLITICO last week in Peoria, Schock could not say with certainty that he had not broken the law.

"I certainly hope not," Schock said. The Illinois Republican added that he was not an attorney, and therefore could not know whether he broke the law or ethics rules. Schock

also declined to directly answer whether he had accepted improper gifts as a member of Congress.

News reports by POLITICO and the Chicago Sun-Times raised a series of questions about Schock's spending and record-keeping. The Office of Congressional Ethics opened an investigation of the lawmaker on Feb. 28 and has begun contacting his associates about appearing before the independent panel behind closed doors. The OCE probe —and any potential Ethics Committee investigation —will disappear with Schock's resignation. However, federal law enforcement could still look into Schock's actions. Schock has two attorneys, former Federal Election Commission commissioner Don McGahn and criminal defense attorney William McGinley, both of Jones Day. Ron Bonjean and Brian Walsh, two longtime GOP communications aides, are handling his press strategy.

Schock will remain in Congress until March 31.

http://www.11alive.com/story/news/local/decatur/2014/08/25/elaine-boyer-dekalb-commissioner-resigns/14588079/

Ex-DeKalb Commissioner pleads guilty to criminal charges

11Alive Staff, WXIA*6:40 p.m. EDT September 3, 2014*

DEKALB COUNTY, Ga. -- A former DeKalb County Commissioner pleaded guilty to federal criminal charges of mail fraud conspiracy and wire fraud on Wednesday.

Elaine Boyer, who had to pay the county back for thousands of dollars in unauthorized charges on her county-issued credit card, resigned in August.

As 11Alive reported in March, a review of Elaine Boyer's spending found charges for airline tickets, car rentals and other items unrelated to any official county business.

In newly-released court documents, prosecutors allege that Boyer took part in a scheme to defraud DeKalb County and obtain money under false pretenses.**(READ THE DOCUMENTS HERE)**

Federal prosecutors said the case against Boyer is part of a larger investigation into corruption in DeKalb County government.

Prosecutors say Boyer stole more than $90,000 from the county treasury. They say she set up a kickback scheme with a bogus contractor, paying him $78,000 in county funds, then getting $58,000 of it kicked back to her personal bank account.

Boyer is also accused of using her county credit card for some $15,000 worth of personal purchases.

"She accepts full responsibility for the decisions that she's made and she has acknowledged that she has abused the trust of the folks of DeKalb County," said Jeff Brickman, Boyer's attorney.

Boyer will be sentenced on December 3. She faces the possibility of up to 20 years in prison for each of the the two counts.

Prosecutors say Boyer is cooperating in her case and recommend a sentence at the bottom of the guideline. However, U.S. Attorney Sally Yates also said last week she wants to see Boyer get jail time.

Boyer sent her letter of resignation to Gov, Nathan Deal on August 25.

In it she said "I want to express my heartfelt gratitude for the opportunity to have served in this capacity for the last twenty-two years and want to thank my constituents for their years of support. I wish the citizens of this county and my colleagues all the best."

She gave no specifics of why she stepped down in the letter.

Interim DeKalb County CEO Lee May issued a statement about the case:

"Recent news stories notwithstanding, Elaine Boyer has faithfully served the constituents of District 1 and DeKalb County for over 20 years. It is my sincere hope that her resignation will allow the healing process to begin and open the door for a new voice on the Board of Commissioners. I wish her the best."

Former Gwinnett County commissioner sentenced on bribery charges

Read more: http://www.cbs46.com/story/19459142/former-gwinnett-county-commisioner-to-be-sentenced-on-bribery-charges#ixzz3UgYwf8V6

Posted: Sep 05, 2012 7:48 AM EDTUpdated: Oct 03, 2012 4:53 PM EDT

GWINNETT COUNTY, GA (CBS46) -

A federal judge sentenced Gwinnett County Commissioner Shirley Lasseter to 33 months in prison on Wednesday.

"Almost from the moment she took office as a Gwinnett County Commissioner, she began betraying the trust of the citizens of Gwinnett County," said U.S. Attorney Sally Yates.

Lasseter pleaded guilty in May to a federal bribery charge. She admitted that she agreed to sell her vote on a real estate deal to an undercover FBI agent who posed as a businessman.

Lasseter received a lesser sentence because she helped prosecutors bring bribery charges against Gwinnett County businessman Mark Gary.

"Mark Gary can't say anything today. We expect that Mark will be in court in the next day or two, or perhaps next week to enter a plea of guilty," said Gary's attorney Paul Kish.

Gary also appeared before a federal judge Wednesday. He waived his rights to an indictment and told the judge he plans to plead guilty to bribery.

According to court documents, Gary paid Lasseter, 64, and her son, John Fanning, $30,000 in exchange for Lasseter's Commission vote to approve an

application Gary submitted to the county to develop a $4 million solid waste transfer station.

In April 2009, Lasseter voted to approve Gary's pending application. In June 2009, Gary paid Fanning $30,000 worth of gambling chips at an out-of-state casino.

"There's corruption in Gwinnett County. Mark Gary is not the problem. An honest developer can't do business in Gwinnett County," Kish said.

Federal prosecutors said Fanning gave some of the money to Lasseter and used the remainder for his and Lasseter's personal benefit, which included buying a vehicle.

Lasseter's son, Fanning, and Hall County businessman Carl 'Skip' Cain pleaded guilty to the bribery scheme and also to drug charges.

Fanning and Cain acted as couriers delivering what they believed to be cocaine and what they believed to be drug money.

They will be sentenced on Sept. 18.

"I hope it sends the message that if you are a corrupt public officials. If you take payoffs and betray the public trust, you will be held accountable," Yates said.

Lasseter was Duluth's mayor for 14 years. She was elected to the county commission in 2009 and took her seat in 2010.

She is expected to be in the federal prison system within six weeks.

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