



Jawahn E. Ware
County Clerk/Procurement Manager

**DOUGHERTY COUNTY BOARD OF COMMISSIONERS
ADMINISTRATION**

Attention Viewers of www.dougherty.ga.us:

The following supplemental material pertains to the:

July 29, 2019 Work Session

Documents received after 12:00 p.m., July 26, 2019 are not included.

For questions or concerns pertaining to Commission related items, please call 229-431-2121.

Sincerely,

Jawahn E. Ware
County Clerk



WORK SESSION – JULY 29, 2019

Draft 3 jw

Albany-Dougherty Government Center
222 Pine Ave, Room 120, Albany, GA 31701

10 AM

AGENDA

A. CALL MEETING TO ORDER BY CHAIRMAN CHRISTOPHER COHILAS.

B. PUBLIC HEARING FOR THE PROPOSED TAX INCREASE OF 0.59% FOR THE COUNTY-WIDE DIGEST AND THE PROPOSED TAX INCREASE OF 0.13% FOR THE SPECIAL SERVICES DIGEST. *The millage rates remain the same as last year. The County-Wide millage rate is 15.569 and the Special Services millage rate is 9.1730. (Those wishing to speak for or against this item should sign the Sign Up sheet located on the table).*

C. DELEGATIONS (The Commission will hear comments on those items pertaining to Dougherty County for which a public hearing has not been held or scheduled. Please be brief, to the point, and considerate of time for others):

1. **Director of Recreation Joel Holmes** present to provide an update on recreation. **See Presentation.**

D. ITEMS FOR DISCUSSION FOR THE REGULAR MEETING SCHEDULED AUGUST 5, 2019:

1. Minutes of the July 1 Regular Meeting and July 8 Work Session. **See Minutes.**
2. **Recommendation to accept** the proposal to **replace and install a HVAC system** for the County owned building located at **1705 W Oakridge Dr.** (the Humane Society facility), **in the amount of \$155,113** to the U.S. General Service Administration (GSA) Contract holder, **Johnson Controls** (Albany, GA). Funding is available in **SPLOST VII- Animal Control Shelter Improvements**. County Administrator Michael McCoy will address. Facilities Management Director Heidi Minnick is present. **See Purchases #1.**
3. **Recommendation** to approve the **retainage payment** to **Ceres Environmental Services** in the **amount of \$166,209.42** for services rendered for **debris removal and disposal**. Funding will be paid from the **Special Services District Fund**. County Administrator Michael McCoy will address. Finance Director Martha Hendley is present.

<See Over>

4. **Recommendation** to approve the proposed **TSPLOST Project Priorities & Timeline**. Asst County Administrator Scott Addison will address. Public Works Director Larry Cook, Asst Director Chuck Mathis and Project Engineer Jeremy Brown are present. **See Presentation & Handouts.**
5. **Recommendation** to approve the proposed **County Parks Improvements**. Asst Public Works Director Chuck Mathis will address. Public Works Director Larry Cook and Project Engineer Jeremy Brown are present. **See Handouts.**
6. **Recommendation to approve** the annual **Agreement with Turner Job Corps Center** and Dougherty County outlining the assistance of the Dougherty County Police Department in performing law enforcement duties. DCP Chief Kenneth Johnson will address. **See Other #1.**
7. **Discussion** regarding the call of a referendum for **Sunday alcohol sales** in Dougherty County. County Attorney Spencer Lee will address.

E. ITEMS FROM THE COUNTY ADMINISTRATOR.

1. **REMINDER:** The **public hearings** regarding the proposed tax digest/millage rates will be **this evening, July 29 at 6 p.m.** and **Monday, August 5 at 10 a.m.** in Room 100.
2. **REMINDER:** The County's Annual **National Night Out** event will be held Wednesday, **July 31, 2019** from 5-8 p.m. at 2600 Radium Springs Rd.
3. **REMINDER-** The County **Commission Mid-Year Retreat** is scheduled for **Saturday, August 10, 2019** at the **Candy Room** (125 Pine Ave, Albany, GA).

F. ITEMS FROM THE COUNTY ATTORNEY.

G. ITEMS FROM THE COUNTY COMMISSION.

H. ADJOURN.

Individuals with disabilities who require certain accommodations in order to allow them to observe and/or participate in this meeting, or who have questions regarding the accessibility of the meeting or the facilities are required to contact the ADA Coordinator at 229-431-2121 promptly to allow the County to make reasonable accommodations for those persons.

DOUGHERTY COUNTY COMMISSION

DRAFT

REGULAR MEETING MINUTES

July 01, 2019

The Dougherty County Commission met in Room 100 of the Albany-Dougherty Government Center on July 01, 2019. Chairman Christopher Cohilas presided. Commissioners present were Victor Edwards, Gloria Gaines, Russell Gray, Lamar Hudgins, Clinton Johnson and Anthony Jones. Also present were County Administrator Michael McCoy, Assistant County Administrator Scott Addison, County Clerk Jawahn Ware, and representatives of the media. County Attorney Spencer Lee was absent.

After the invocation and Pledge of Allegiance, the Chairman called for approval of the June 3 Regular Meeting and June 10 Work Session Minutes.

Commissioner Jones moved for approval. Upon a second by Commissioner Johnson, the motion passed unanimously.

The Chairman called for consideration of the resolution providing for the acceptance and execution of the Stormwater Facility Maintenance Agreement between Georgia-Pacific Wood Products, LLC and Dougherty County, Georgia.

Commissioner Johnson moved for approval. Upon a second by Commissioner Jones, the motion passed unanimously. Resolution 19-034 is entitled:

A RESOLUTION
ENTITLED

A RESOLUTION PROVIDING FOR THE ACCEPTANCE, EXECUTION AND RECORDING OF A STORMWATER FACILITY MAINTENANCE AGREEMENT BETWEEN GEORGIA-PACIFIC WOOD PRODUCTS, LLC AND DOUGHERTY COUNTY, GEORGIA; REPEALING RESOLUTIONS OR PARTS OF RESOLUTIONS IN CONFLICT HEREWITH; AND FOR OTHER PURPOSES.

The Chairman called for consideration of the resolution providing for the acceptance and execution of an Amended and Restated Utility Easement Agreement between Georgia-Pacific Wood Products LLC and Dougherty County, Georgia.

Commissioner Jones moved for approval. Upon a second by Commissioner Johnson, the motion passed unanimously. Resolution 19-035 is entitled:

A RESOLUTION
ENTITLED

A RESOLUTION PROVIDING FOR THE ACCEPTANCE, EXECUTION AND RECORDING OF AN AMENDED AND RESTATED UTILITY EASEMENT

AGREEMENT BETWEEN GEORGIA-PACIFIC WOOD PRODUCTS LLC AND
DOUGHERTY COUNTY, GEORGIA; REPEALING RESOLUTIONS OR PARTS OF
RESOLUTIONS IN CONFLICT HEREWITH; AND FOR OTHER PURPOSES.

The Chairman called for consideration of the confirmation of Commissioner Anthony Jones to serve as the County Voting Delegate at the 2019 NACO Annual Business Meeting on July 15, 2019 in Clark County, Nevada.

Commissioner Johnson moved for approval. Upon a second by Commissioner Edwards, the motion passed unanimously.

The Chairman called for consideration of the proposed board appointments. The following board appointments were made:

Upon nomination by Commissioner Johnson, applicant Arwena Jones (joint) was unanimously recommended to the City of Albany for ratification of appointment to the Joint Board of Adjustments & Appeals for an unexpired three-year term ending October 1, 2019.

Upon nomination by Commissioner Johnson, applicant Scott Carroll was unanimously appointed to the Keep Albany Dougherty Beautiful for an unexpired three-year term ending December 31, 2019.

The Chairman called for consideration of the selection of the new logo for Dougherty County, Ga.

There was a discussion at the beginning to clarify the options and the final motion was made by the Chairman for Option 2 (with the word Georgia added). Upon a second by Commissioner Jones, the motion passed unanimously.

Commissioner Gaines inquired about the status of the updates per the Board Policy. County Clerk Jawahn Ware addressed and stated that she would resend the information to the Commission. Chairman Cohilas provided an update on recent legislative meetings, funding from HUD for Georgia, meetings with the US Chamber of Commerce and advocacy for the Marine Base. Also, he reminded the Commission that the initiative was headed by our Chamber and the County received a good briefing on the needs and vision for the Marine Corps Logistics Base (MCLB). Commissioner Gaines shared highlights from a recent event for Trent Brown, Superbowl Champion and highest paid offensive lineman in the NFL, held in the community. Chairman Cohilas confirmed that local recognition from the County for Trent Brown would be completed.

There being no further business, the Commission adjourned at 10:19 a.m.

ATTEST:

CHAIRMAN

COUNTY CLERK

DOUGHERTY COUNTY COMMISSION

DRAFT

WORK SESSION MINUTES

July 08, 2019

The Dougherty County Commission met in Room 120 of the Albany-Dougherty Government Center on July 08, 2019. Chairman Christopher Cohilas presided. Commissioners present were Victor Edwards, Gloria Gaines, Russell Gray, Lamar Hudgins, Clinton Johnson and Anthony Jones. Also present were County Administrator Michael McCoy, Assistant County Administrator Scott Addison, County Attorney Spencer Lee, Administrative Specialist Bristeria Clark Hope, and representatives of the media.

The Chairman recognized citizen Will Geer to discuss County expenditures. Mr. Geer wanted to gain clarity on the expenditures that the County was making for capital improvements with SPLOST funds. He also expressed his concern about information about SPLOST not being located on the Dougherty County's website. He requested for updated information regarding SPLOST funding to be displayed on the County's website so that the taxpayers would have an idea on where the funds were going. He stated that there were procedures in place for excess funds to be rolled into the General Fund.

The Chairman recognized Tax Director Shonna Josey and Chief Appraiser George Anderson to discuss the Certified 2019 Tax Digest for the Countywide M&O and Special Services District. Mrs. Josey shared that the 2019 Countywide M&O parcel count is 37,789 based on the 2018 millage rate of 15.569. The expected levy amount is \$31,002,928 plus \$214,191 for FLPA and \$1,952,503 for PILOT for a total taxes levied plus PILOT of \$33,169,622. The 2019 assessed value for gross personal property is \$419,830,894, less exemptions is the total net of \$287,961,023. The 2019 assessed value for real personal property is \$1,748,500,333 less exemptions is the total net of \$1,650,034,419. The net M&O for 2019 assessed value is \$1,991,324,316 and it was projected a slight increase of 1.81%. The 2019 Homestead and Property Exemptions total is \$230,335,785. The projected 2019 taxes to be levied is \$33,169,622, which is an increase of 0.03% from 2018. For the 2019 Tax Digest for the Special Services District, the parcel count is 9,269 based on the 2018 millage rate of 9.173. The expected levy amount is \$4,976,569 plus \$176,201 for FLPA and \$450,419 for PILOT (Procter & Gamble and BIO GREEN) for a total taxes levied plus PILOT of \$5,603,189. The 2019 assessed value for gross personal property is \$61,752,209, less exemptions for a net personal property M&O of \$41,208,608. The 2019 assessed value for real property is \$551,896,944, less exemptions for a net real property of \$484,423,437. The net M&O for 2019 assessed value is \$542,523,540 and a projected increase of 3.58%. For the 2019 Homestead and Property Exemptions, the total amount is \$88,017,108. The projected levied amount for 2019 is \$5,603,189. Mr. Anderson provided information on how FLPA varied and would change year to year. Commissioner Gray asked questions based on the adjustment of tax purpose for LOST sales. Mr. Lee referred Commissioner Gray to the Board of Assessors (BOA) and stated that Board would provide the most effective answer.

The Chairman recognized Financial Advisor Edmund Wall present to discuss the 2019 property tax millage rate. He provided information with the suggestion of keeping the same millage rate of 15.569 mills versus lowering the millage rate to 15.477 mills. He stated that this would allow growth in the tax digest by not having to raise it in the future. He added by lowering the millage rate, it could “choke off” additional revenues from the tax digest growth and could force a property tax increase in the future. Commissioner Gaines asked how much would the County lose if we do not roll back the tax millage rate and Mr. Wall clarified a loss of \$184,468 for Countywide Services and \$6,510 for Special Services.

The Chairman asked the Commission to review the minutes of the June 17 Regular Meeting, June 24 Work Session and June 24 Special Called Meeting.

The Chairman called for a discussion of a recommendation to accept the bid for Perimeter Fencing for the Radium Springs Greenspace from the lowest bidder meeting specifications, Dixie Fence & Kennel, Inc. (Douglas, GA) in the amount of \$53,125. Three bids were received with the highest bid being \$66,385. Funding is available in SPLOST V – Fencing Perimeter. Assistant County Administrator Scott Addison addressed. Public Works Director Larry Cook, Project Engineer Jeremy Brown and City of Albany Central Services Buyer Kimberly Allen were present.

The Chairman called for a discussion of a recommendation to accept the change order for the West Parking Deck for Facilities Management from the current vendor, Metro Waterproofing, Inc. (Scottsdale, GA) in the amount of \$197,811. This change order will apply an upper level traffic coating system in the west deck. Funding is available in SPLOST VII – Central Square Complex Improvements. Assistant County Administrator Scott Addison and Facilities Management Director Heidi Minnick addressed. Mr. Addison said that the upgrade for the traffic coating system had a life expectation of 5 years. He added that it would make the West Parking Deck area more waterproof and weatherproof and should last for about 10 years before any necessary maintenance.

The Chairman called for a discussion of a recommendation to approve Tetra Tech Task Order No. MSA 19-029-T03-HMGPApp for preparation of 2018 Hurricane Michael FEMA Hazard Mitigation Grant Program Applications in an amount not to exceed \$48,021. County Administrator Michael McCoy addressed.

The Chairman called for a discussion of a recommendation to declare the listed vehicles and equipment as surplus and authorizing the sale of same via an online auction (Govdeals.com or Big Truck Bid, LLC) or disposal by appropriate means. Assistant County Administrator Scott Addison addressed.

The Chairman called for a discussion of a recommendation to approve an application for a one-day Alcoholic Beverages License for Rose Palazzolo for a South Georgia Council Boys Scouts of America fundraiser at the Potters Community Center, 2621 Wildfair Road, on October 22, 2019. The Albany-Dougherty Marshal’s Office recommended approval. Chief Anthony Donaldson, Business and License Support Department addressed.

The Chairman called for discussion of the following proposed board appointments. Administrative Specialist Bristeria Clark Hope addressed.

Albany-Dougherty Land Bank – There are two County appointments to fill a two–year term ending July 31, 2021. Incumbents Thelma Adams-Johnson and Larry Thomas desire reappointment. There are no new applicants.

Department of Family & Children Services – There are two appointments to fill a five–year term ending June 30, 2024. Incumbents Norma Kay Gaines Heath and Henry Mathis desire reappointment. There are two new applicants: Asa K. Smith and Ronald Smith.

Economic Development Commission – There is one appointment to fill a two–year term ending June 30, 2021. Incumbent Chris Hatcher desires reappointment. There is one new applicant: Ronald Smith. There is one appointment to fill a two–year term ending June 30, 2021. This position must be filled by a Commissioner. Incumbent Commissioner Clinton Johnson desires reappointment.

The Chairman called for a discussion of the eviction set outs in the unincorporated area of Dougherty County and the City of Albany (COA). County Attorney Spencer Lee addressed. KADB Judy Bowles, Code Enforcement Chief Robert Carter and Sheriff’s Office Major Pamela Johnson were also present. Mr. Lee explained the process that takes place with eviction set-outs and mentioned the COA code of ordinance. He added that Dougherty County does not have a code of ordinance for the unincorporated areas. According to the COA code of ordinance, during a lawful eviction, it is the responsibility of the landlord or agent acting on behalf of the landlord on the day of the eviction to either move the property themselves or place the property outside in a container and have the container moved within two days. Commissioner Edwards requested to have an ordinance for the unincorporated areas in Dougherty County with a container on site. Commissioner Jones requested to designate someone to monitor a tenant for a certain amount of hours. This would give the tenant an opportunity to collect their belongings. After a lengthy conversation, the Commission agreed that a consensus to have an ordinance was a good idea. Mr. Lee recommended that the County adopt the City of Albany code of ordinance for eviction set outs.

After there was no further business to come before the Commission, the meeting adjourned at 11:38 a.m.

CHAIRMAN

ATTEST:

COUNTY CLERK



Johnson Controls, Inc.
1144 US Highway 19 South
Leesburg Ga.
(866)- 283-6739

July 8, 2019

DOCO
219 North Washington Street
Albany, GA 31702
Heidi Minnick/ Don Hood

SUBJECT: Humane Society 1705 Oakridge

Dear Heidi,

Johnson Controls, Inc. is pleased to offer the following proposal for your consideration. The products and services included in this proposal will give you a more cohesive HVAC system that utilizes updated technology. This could lead to energy saving as well as better temperature control.

As previously discussed, we propose to provide Dedicated Outdoor Air System through a task order under a GSA Multiple Award Schedule (MAS) contract between the U.S. General Services Administration and Johnson Controls. By purchasing through GSA Multiple Award Schedules, your agency benefits from streamlined acquisition and reduced administrative burden, as well as faster delivery of the goods and services at competitive, pre-negotiated prices. Johnson Controls is a qualified contract holder for the relevant Schedule for this project, including: **Schedule 84** (Contract # GS-07F-190CA)

Scope of Work

The scope of work to be performed under this proposal is as follows below:

- The existing Hastings unit is well beyond its useful life cycle. This unit has been piece milled through the years. What started out with swamp cooler at some point was retrofitted to DX cooling. The existing unit utilizes single phase power, which is not an option going forward, Therefore after much research we have chosen the following system

- We propose to replace the existing Hastings unit to a DOAS unit with the ability the heat, cool and dehumidify.

We also factored in the fact this DOAS unit will fit on the existing slab.

- Relocate Tank less water heater, if left in place accessibly will be hindered due to supply duct location on new unit
- Temporary cooling will be provided during the installation removal and re installation process.
- The old unit will be disconnected and disposed of as per EPA standards.

July 8, 2019, 2019



- Install new DOAS unit and make duct mods as needed to tie into existing ductwork.
- Make up new electrical connections from customer supplied 3 phase service.
- Install new thermostat/humidistat and/or zones sensors as needed.
- Start up and check unit for proper operation.
- This proposal does not include upgrading the incoming power to 3 phase.
- JCI will perform this work during our normal working hours Monday through Friday.
- Warranty - 5 year on compressors, 5 year on IG furnace, 1 year on motors and components

Exclusions:

1. Labor or material not specifically included in the "Scope of Work" section above is excluded from this proposal.
2. Any and all overtime labor is excluded from this proposal.
3. Incoming power upgrades
4. Controls upgrades

Pricing:

The price for this project was developed based on Johnson Control’s Multiple Award Schedule (MAS) contract(s) referenced above. An itemization of the goods and services included in the price is shown in the table below, including both GSA Schedule items and open market items not included in our GSA Schedule contract(s).

Labor: GSA Schedule Contract Items						
GSA-JCI Contract Number	Special Item # (SIN)	Labor Category/ JCI Part Number	Description	Quantity	Unit Price	Proposed Price
GS-07F-190CA		Technical Resource	JCI Tech Labor			
Total GSA Labor						\$18,893.52
Materials: GSA Schedule Contract Items						
GS-07F-190CA		Dedicated Outdoor Air System	DOAS Unit			
		Plenum Curb	Plenum Curb			
Total GSA Materials						\$99,533.33
Subcontracts and Materials: Open Market Items						
Metro Power		Electrical				
Walker Heating and Cooling		Duct work Modifications				
Metro plumbing		Plumbing				
South way		Hoisting and Rigging				
Total Open Market Materials						
Total Materials						\$36,686.15
Total Proposed Price						\$155,113



The total price to perform the above scope of work is..... \$155,113.00

Execution and payment for the work provided under this proposal will be governed by the terms and conditions outlined in the GSA Multiple Award Schedule contract referenced above.

Sincerely,
Johnson Controls, Inc.
Andy Dukes
Account Executive

PROPOSAL PRICING AND SCHEDULE VALID FOR (90) DAYS

**COOPERATIVE AGREEMENT BETWEEN
TURNER JOB CORPS CENTER
OPERATED BY MANAGEMENT AND TRAINING CORPORATION
AND
DOUGHERTY COUNTY GEORGIA**

Job Corps Centers located on property under concurrent Federal-State jurisdiction "must establish agreements with Federal, State and local law enforcement agencies to enforce criminal laws." per 20 CFR 670.940(b). The Department of Labor's Policy and Requirements Handbook ("PRH") section 5.4 requires that every Job Corps Center "develop and maintain written cooperative agreements with its nearest local law enforcement agency."

This Cooperative Agreement hereinafter referred to as the "Agreement," is entered into by and between the Turner Job Corps Center (hereinafter referred to as ("Job Corps") operated by Management & Training Corporation for the Department of Labor, and the DCP, hereinafter referred to as "Agency." This Agreement will be effective from the date of signature from representatives from both parties and will expire on **June 30, Annually** unless modifications are made and agreed to by both parties as described in section XIII Review of Agreement below

I. RESPONSIBILITIES

- A. Agency and Job Corps have a mutual interest in maintaining a positive and collaborative working relationship in order to achieve their respective responsibilities. This includes the prevention of crime; the investigation of alleged crime; assurance of the safety, security and rights of Job Corps students, staff and visitors on Job Corps property; the protection of the Job Corps facilities and property; and a mutual understanding, respect and desire to jointly carry out their policies, procedures and obligations under federal, state, local law.
- B. The Job Corps Center Director has the primary responsibility for the safety and security of students, staff and visitors on the Job Corps grounds and facilities for use by the Job Corps Program under the U.S. Department of Labor guidelines and Federal Regulations. This includes the determination of which visitors may come onto the Job Corps grounds and facilities and under what conditions.

II. REPORTING OF POSSIBLE CRIMES

- A. Job Corps Security Department shall immediately notify Agency via Agency Dispatch of any known or reported serious (i.e., homicide, theft of vehicle or other significant government owned property, assault/battery, riot, sexual assault, rape, etc.) criminal activity taking place on Job Corps property. Agency shall determine whether criminal investigation or enforcement is required.
- B. Students and staff may exercise their right to independently report known or suspected criminal activity and request issuance of a criminal complaint or request the assistance of any law enforcement agency having jurisdiction where the alleged offense occurred.

- C. The Center Director or Security Department shall be responsible for reporting known or suspected criminal activity on behalf of the Job Corps. Should such reports be made by any other party, Agency will notify the Security Department for purposes of collaboration and exchange of information.

III. REPORTING EMERGENCY SITUATIONS

- A. Emergency contingencies such as active shooter, riot, fire, flood, bomb threats and any other potential high risk emergency occurring at Job Corps will be reported to Agency Dispatch as soon as is safe to do so in compliance with the Job Corps' Emergency Action Plan.

IV. REPORTING

- A. Agency will notify the Center Director through the Security Department of any arrests or criminal cases pending against a Job Corps student.

V. REPORTING RUNAWAY JUVENILES

- A. Job Corps will notify Agency when it becomes aware a minor aged student is absent from the Job Corps Program without authorization. Minor aged Job Corps students reported to Agency as absent from the Job Corps Program without authorization are considered a Runaway Juvenile.

VI. REPORTING A MISSING PERSON

- A. Job Corps will file a Missing Person report with Agency when a minor, or adult, student is suspected to be missing. Job Corps will request that the suspected missing person be entered into the National Crime Information Center (NCIC) system.

VII. SEARCHES BY JOB CORPS PERSONNEL

- A. Should evidence of criminal activity be found by Job Corps personnel conducting a search as permitted by the PRH, Job Corps will notify Agency via Agency Dispatch of the alleged criminal activity and possible evidence.

VIII. DISPOSAL OF ILLEGAL DRUGS, ILLEGAL WEAPONS, JOB CORPS UNAUTHORIZED GOODS

A. Illegal Drugs:

- 1. Job Corps will notify Agency when illegal drugs are found on center. Job Corps will secure confiscated illegal drugs as directed by Agency until such time that Agency arrives on center to confiscate the illegal drugs or directs the Job Corps center to dispose of the drugs in accordance with state and local law.

B. Weapons:

- 1. Weapons, potentially dangerous items and other unauthorized goods are not permitted on a Job Corps center except as permitted by the PRH. Upon discovery of weapons, potentially dangerous items or other unauthorized goods as defined PRH, Job Corps will notify Agency and if possible, secure the unauthorized goods as

directed by Agency until such time that Agency arrives on center. Agency shall verify whether a student may legally own the weapons, potentially dangerous items or other unauthorized goods. If it is determined by the Agency that a student may not legally own the weapon, potentially dangerous item or other unauthorized goods the Agency shall determine the disposition of the weapon or potentially dangerous item.

2. Weapons or potentially dangerous items or other unauthorized goods (as defined by the PRH) that a student may legally own but is not permitted to possess on a Job Corps center must be returned to the student in accordance with the Job Corps Policy and Requirements Handbook unless a student does not want the item returned or does not provide an address for return, in which case the item shall be considered abandoned property and Job Corps will dispose of it in accordance with the procedures outlines in Section VIII B (1) above.

IX. AGENCY RESPONSIBILITIES

Agency will determine if a crime has been committed, investigate the matter and take appropriate law enforcement action. This may include:

- A. Gathering and collecting evidence, securing the crime scene, conducting interviews and making arrests.
- B. Responding and assisting in the event of a mass disturbance involving Job Corps students.

X. JOB CORPS STUDENTS INVOLVED IN CRIMINAL OFFENSES

When Job Corps students are involved in a criminal offense, they may be subject to disciplinary action by the Job Corps Program which may include termination from the Job Corps Program. Such Job Corps Program discipline has no bearing on the Agency investigation and/or responsibilities of Agency. Agency understands that Job Corps is not responsible for ensuring current, or former, student participation in the legal process which includes, but is not limited to, attending all court appearances.

XI. CENTER DUTY OFFICER DEFINED

The Center Duty Officer (CDO) is defined as the individual designated as the acting Job Corps Center Director in the absence of the Center Director or Deputy Center Director.

XII. INDEMNIFICATION

Each party agrees to indemnify and save and hold the other party harmless from any and all claims, causes of action or liability arising directly from such party's negligence or wrongful misconduct during the performance of the Agreement.


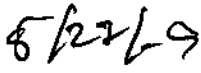
XIII. REVIEW OF AGREEMENT

The Agreement may be reviewed on an as needed basis or terminated at the request of either party. Such a request for review or termination shall be in writing and shall be delivered by facsimile or regular mail as follows:

Attention:	Management & Training Corporation
Address:	Attention: Corporate Procurement
Phone:	500 N. Marketplace Drive
Email:	Centerville, UT 84075
Fax:	Phone: (801) 693-2600
	Fax: (801) 693-2900

Once notice has been given, the parties agree to meet within 30 days and discuss possible modifications to the Agreement. If the parties cannot agree to mutually modify the Agreement, either party may unilaterally terminate its participation in the Agreement without cause by sending the other party written notice of termination. That party's termination shall take effect 30 days after service of notice.

XIV. SIGNATURES

	
_____	_____
Center Director Turner Job Corps Center	Date

_____	_____
Chair or Designee-Dougherty County Commission Dougherty County, Georgia	Date

_____	_____
Vice President Management & Training Corporation	Date