

STATE OF GEORGIA

COUNTY OF CLAYTON

RESOLUTION NO. 2013 - 36

A RESOLUTION AUTHORIZING THE COUNTY TO TERMINATE ITS AGREEMENT WITH HARRIS WARD & WEBB ELLISON FUNERAL HOME, LLC, PROVIDING FOR THE TERMS AND CONDITIONS UNDER WHICH THE TRANSPORTATION SERVICES OF PERSONS DECEASED TO AN APPROPRIATE FACILITY WILL BE RENDERED TO CLAYTON COUNTY; TO AUTHORIZE THE CHAIRMAN TO EXECUTE ANY NECESSARY DOCUMENTS AND OTHERWISE TO PERFORM ALL ACTS NECESSARY TO ACCOMPLISH THE INTENT OF THIS RESOLUTION; TO PROVIDE AN EFFECTIVE DATE OF THIS RESOLUTION; FOR OTHER PURPOSES.

WHEREAS, Clayton County (the "County") entered into an Agreement (the "Agreement"), with Harris Ward & Webb Ellison Funeral Home, LLC ("HWWE") as the transportation provider of persons deceased to an appropriate facility rendered to Clayton County; and

WHEREAS, said Agreement was authorized by the Board via Resolution No. 2007-116 and was subsequently amended by the Board on August 7, 2007; and

WHEREAS, the County renewed its Agreement with HWWE on February 1, 2012; and

WHEREAS, the County has received numerous complaints from the Georgia Bureau of Investigations (the "GBI") of HWWE's default in the performance of the terms of the Agreement including:

- HWWE's repeated failure to respond to calls within thirty minutes or less from the time a call is received.
- HWWE's arrival at a scene to retrieve a deceased person with a child in attendance.
- HWWE's entrance onto an active crime scene despite the GBI's directive not to do so at the risk of contaminating the crime scene.

WHEREAS, the Board now desires to terminate its agreement with Harris Ward & Webb Ellison Funeral Home, LLC, for the reasons stated herein.


NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF
CLAYTON COUNTY, GEORGIA, AND IT IS HEREBY RESOLVED

Section 1. The Board of Commissioners hereby authorizes Clayton County to terminate its Agreement with Harris Ward & Webb Ellison Funeral Home, LLC, which provided for the terms and conditions under which transportation services of persons deceased to an appropriate facility will be rendered to Clayton County. The Board authorizes the Chairman to execute written notice of the termination and to perform all other acts necessary to accomplish the intent of this Resolution.

Section 2. This Resolution shall be effective on the date of its approval by the Board of Commissioners.


SO RESOLVED, this the 5th day of February, 2013.


CLAYTON COUNTY BOARD OF COMMISSIONERS


JEFFREY E. TURNER, CHAIRMAN


MICHAEL EDMONDSON, VICE CHAIRMAN


SONNA SINGLETON, COMMISSIONER


GAIL B. HAMBRICK, COMMISSIONER


SHANA M. ROOKS, COMMISSIONER

ATTEST:


SHELBY D. HAYWOOD, CLERK