

MINUTES OF THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF CHATHAM COUNTY, GEORGIA, HELD ON FRIDAY, APRIL 1, 2005, IN THE COMMISSION MEETING ROOM ON THE SECOND FLOOR OF THE CHATHAM COUNTY COURTHOUSE, LEGISLATIVE AND ADMINISTRATIVE BUILDING, 124 BULL STREET, SAVANNAH, GEORGIA.

I. CALL TO ORDER

Chairman Pete Liakakis called the meeting to order at 9:32 a.m., Friday, April 1, 2005.

=====

II. INVOCATION

Commissioner Helen Stone gave the invocation.

=====

III. PLEDGE OF ALLEGIANCE

All pledged allegiance to the flag of the United States of America.

=====

IV. ROLL CALL

The Clerk called the roll.

PRESENT: Pete Liakakis, Chairman
 Dr. Priscilla D. Thomas, Vice Chairman, District Eight
 B. Dean Kicklighter, Chairman Pro Tem, District Seven
 Helen L. Stone, District One
 James J. Holmes, District Two
 Patrick Shay, District Three
 Patrick K. Farrell, District Four
 Harris Odell, Jr., District Five
 David M. Gellatly, District Six

IN ATTENDANCE: R. E. Abolt, County Manager
 R. Jonathan Hart, County Attorney
 Sybil E. Tillman, County Clerk

=====

YOUTH COMMISSIONERS

Chairman Liakakis welcomed the following Youth Commissioners and asked that they introduce themselves: Jessica Morse, a Senior at Jenkins High School and Calvin Owens, a Sophomore at Groves High School.

=====

V. PROCLAMATIONS AND SPECIAL PRESENTATIONS

1. PRESENTATION ON YOUTH COMMISSION'S 2005 LEGISLATIVE TOUR.

Chairman Liakakis said, Van [Johnson], would you come forward and give us the information about your successful 2005 Youth Commission Tour.

Mr. Van Johnson said, absolutely. Mr. Chairman, thank you for the opportunity, members of the Board. Again, through the vision of Dr. Thomas and your support we were able to grant the youth of this community a life enhancing experience while placing Chatham County at the epicenter of youth empowerment and youth development. The Youth Commission is a gift

that keeps on giving. As has been Dr. Thomas' vision, we believe that if you change a child's experience, if you change a child's exposure, if you heighten their expectations, then you can positively affect their outcome, and the Annual Legislative Tour is one means by which we are able to change their exposure, change their experiences and hopefully change their outcome. Courtesy of our indebted report, Kim Angelastro, this year we had the opportunity to take you along for a couple of minutes on our magnificent journey. Now, if I can just work this it will be okay.

[NOTE: The following is a narration by Ms. Kim Angelastro taken from a videotape that was shown during the meeting to the Board of Commissioners.]

Ms. Kim Angelastro, WTOC News, said:

The Chatham County Youth Commissioners can truly say, "been there, done that," traveling to famous places, meeting famous people and even braving a blizzard, all within a five-day period. The real journey of the Chatham County Youth Commission started at midnight on March 6th loading the bus at the Civic Center and ten hours later pulling into Washington, DC.

The first stop the Museum of American History. From one eye-opening experience to the next. [A stop was made in front of the White House.] For the first time the students were speechless. From the Lincoln Memorial to the Vietnam Veterans Memorial to Arlington National Cemetery, the National Zoo to Center for Missing and Exploited Children and even the Liberty Bell in Philadelphia. The kids thought they had seen it all until New York City where the trip started with something unexpected. A mini blizzard. So, bundled up the group paid their respects to the men and women who died during the 9-11 attack, staring at the rubble and trying to see through the snow at what is being rebuilt. Even with the blizzard-like conditions, we made it to the USS Intrepid and survived through the night to make it on the CBS Early Show. And this wasn't their only run-in with fame. You see, sightseeing wasn't the only part of the tour. The real purpose of the trip was to show County Commissioners from all over the country what the Youth Commission is all about.

Not only are these students the only Youth Commission at the National Association of Counties in Washington, DC, each year, Chatham County formed the very first Youth Commission in the country. These students are so popular people stop to talk to them before they even walk in the door.

Then the Opening Ceremony. The students had a once in a lifetime opportunity to hear Attorney General Alberto Gonzalez and Senator John McCain speak in person. Afterwards, Senator McCain took some time to speak with them about the importance of their group.

The students attended the workshop asking questions, learning about other counties and speaking to people about our own Commission. Then it was back to Capitol Hill to tell another group of politicians all about their trip. They told Congressman Jack Kingston about NACo and asked him about many things including their concern that the Hope Scholarship Program remains intact.

Congressman Kingston said:

The Youth Commission is a great group for Chatham and Coastal Georgia because it teaches leadership skills to lots of them of our students and future leaders.

Ms. Angelastro said:

And those leadership skills were showcased up and down the Northeast Coast.

Youth Commissioner Morse said, good morning. Once again, my name is Jessica Morse. First, I would like to thank Dr. Thomas for founding a beautiful organization. The Youth Commission has opened many doors for me. To the County Commissioners, I take this time to express my gratitude to all of you for the support you have shown to Dr. Thomas, Alderman Johnson, and the Chatham County Youth Commission. This trip was an experience of a lifetime and will always be a vivid memory in my mind. Throughout this excursion I discovered more information in those four days than I was taught in the past three years. My ultimate joy was to be given the chance to meet and take pictures with our Congressman Jack Kingston on our nation's capitol. I always look forward to this particular part because of interest in this precious building. To sum up my experience with simple words, such as good, great or wonderful, will be an understatement to this educational adventure that your support allowed me and 40 other students to experience. Again, to Dr. Thomas, Alderman Johnson and the County Commissioners I say thank you.

Youth Commissioner Owens said, once again my name is Calvin Owens. I want to say thank you to the Board of Commissioners for allowing me to be a part of this 2005 Youth Commission Trip. I'd also like to thank Mr. Van Johnson and Dr. Thomas and their staff for the opportunity as well. The trip was very interesting, a once in a life experience and educational chances. I really enjoyed and for the most part I [inaudible] with the family. This three and a half day trip was an eyeopener to me because it's not every day that I'm allowed to do something like this. But, once again, thank you very much.

Mr. Johnson said, ladies and gentlemen, consider the numbers: 102 hours, 813 miles, 42 youth, 3 cities, 3 hotels, two national morning news shows: the FOX News Channel and the CBS Early Show, which we were on simultaneously, a temperature variance of 70° in the sun on Sunday and Monday to 25° degrees on Tuesday and 6° and ice on Wednesday. I thank our talented team of professionals who give of their own time and energy to energize our youth, Ms. Debra Allen, Ms. Sandra Smalls, Mr. Pete Nichols, who could not go with us this year and we missed him dearly, Ms. Bonnie Taylor and

the Human Resources and Services staff who maintained Command Central for us by fielding phone calls and inquiries, and I would like to also submit to you the Youth Commission is a microcosm of a much larger community of support. Certainly, our County Manager has always been extremely supportive of us, Mr. Kaigler, my supervisor, Kim Angelastro and WTOC, who I think she enjoyed the trip more than some of the kids did, WSAV, who gave us the early morning coverage on Coastal Sunrise, and WJCL, who also gave us daily coverage, Bill Edwards and WTKS, who gave us morning call-ins, Excursions Unlimited, Four Seasons Travel, Savannah Communications, AVR Resources, the Savannah Civic Center, and certainly Congressman Jack Kingston, who took time out of his busy schedule to meet with the young people, certainly all the principals, administrators and teachers who allowed these young people to journey with us and not mark them absent for their time while they were with us, and definitely and absolutely the parents of these young people who entrusted them to us, and certainly anybody who thought of us, prayed for us, thought well wishes for us or people who encouraged these young people after we got back or called and said, "Good job, we're proud of you." So we want to thank you again for the opportunity, thank you for investing in our youth, and I will tell you that on a national level, you all are being the frontrunners of youth empowerment and youth development and your colleagues all over the country are seeing that and they recognize that. Thank you.

Chairman Liakakis said, thank you, Van [Johnson]. Chairman Liakakis recognized Commissioner Odell.

Commissioner Odell said, thank you, Mr. Chair. Could we do a Commissioners' commendation to Kim Astro— Kim [Angelastro], I never get your name right. I'm sorry. Commissioner Thomas said, Angelastro. Commissioner Odell said, but could we get —, do a Commissioners' commendation for we acknowledge and give thanks to her support to the Youth Commission. Commissioner Thomas said, yes, yes. Commissioner Odell asked, is there general agreement?

Chairman Liakakis said, yes. What we can do, our County Clerk, Sybil [Tillman], if you could see about preparing that so that we could do that. You know, we get national attention at having the first Youth Commission in the entire country. You know, we're showing to other areas that Savannah's concerned about our youth. It has made a difference in a lot of the Youth Commission members over the years. We can see some of them that have graduated are successful in areas and it's something that's good for all of our youth. And, of course, to Jessica [Morse] and to Calvin [Owens], who you two are representing today, we thank you very much for your participation. And, of course, we've got to thank Commissioner Priscilla Thomas because she came up with the idea. The Commission came up, you know, and agreed with that and supported it over the years and it's important and it as —, has a good contribution to our community with our youth, and we hope that we can expand it even more so in the future. And again we thank WTOC Television for participating in this because it's important that we let our citizens know what's going on. So if you will, Sybil [Tillman], then see about preparing that so that we can present it at the next meeting.

Commissioner Odell said, and also if we could do that, Van [Johnson], if you could get the list for the Clerk, letters of appreciation for ever person that we came in contact with while in DC —. Mr. Johnson said, absolutely. Commissioner Odell said, — and if that could be over the Chairman's signature, and I'm not just including —, Jack [Kingston] is one of us so obviously we'd send to Representative Kingston, but we'd also send that the principals of the various schools that our Commissioners are from because we appreciate their cooperation. Mr. Johnson said, yes sir. Commissioner Odell said, and also one to the parents. It would be a big letter writing effort, but what it would do is that you have an excellent program and people who assist us, we need to say thank you. Don't you agree, Russ [Abolt]? County Manager Abolt said, yes sir.

Chairman Liakakis said, okay. Thank you, Van [Johnson]. Mr. Johnson said, thank you.

Commissioner Thomas asked, Mr. Chairman, can I just make one —? Chairman Liakakis said, yes, Commissioner, as soon as we do this —, the furniture. Commissioner Thomas said, thank you. I'll be very brief, and I just want to say a ditto thanks to Alderman Johnson for an excellent job. And let me tell you, this man here puts in more hours than I can recall and everything is on a voluntary basis and, let me tell you, I mean, we put in a lot of hours and he does a lot and I just want you all to know that. He takes up a lot of time with these young people. Some of these young people look to him, especially the male figures, they look up to him as a father in a sense because he provides a lot of that, and I don't want that to go unnoticed, the amount of hours that he puts in. Overtime, overtime. And I also would like to ditto to Kim Angelastro. She is a very professional reporter, very well respected by the children, did a superb job all the way. She said she did not know that our agenda was so intense because she didn't realize that she would have to get up by four or five o'clock in the mornings to get to the other destinations. I said, oh, yes. I mean, it's a very challenging agenda, but giving —, looking at it, we're just so pleased that we're able to do this and, again, we want to thank you for your continued support because without your support none of this could happen, and let's continue to empower our young people. You did an excellent job this morning and we're very proud of you. One other thing. They also held a meeting with the superintendent search company that's here, Pro-Act. That was two nights ago —. Youth Commissioner Owens said, Wednesday. Commissioner Thomas said, Wednesday night, and they all were there, and I tell you, they asked a lot of questions and they wanted to know what they thought about, you know, a superintendent and they gave them their opinion about those kinds of things. They told them everything that they thought they needed in a superintendent to come in here and make a difference. And so I just wanted to let you know that if you had been sitting there in that meeting on Tuesday night —, or Wednesday night, you would have been very proud of them.

Commissioner Thomas said, thank you.

=====

2. PROCLAMATION DECLARING THE MONTH OF APRIL CHILD ABUSE PREVENTION MONTH IN CHATHAM COUNTY – THE EXCHANGE CLUB.

Chairman Liakakis said, we have a proclamation and —, the Exchange Club. I was contacted by the Exchange Club because some of you and a lot of citizens know that they have been involved in many community activities over the years in our County and our cities and we do appreciate that because instead of government money, they're using their own personal monies and fund raisers that they have and they've done a lot in our community. And now I'd like to call on Commissioner Shay to present a proclamation and the Exchange Club is involved this month with child abuse prevention.

Commissioner Shay said, thank you, Mr. Chairman. Commissioner Shay read the following proclamation into the record:

WHEREAS, child abuse is a serious and growing problem affecting more than 3.2 million our nation's children annually and 1,264 of our children locally; and

WHEREAS, this societal malignancy called child abuse respects no racial, religious, class or geographic boundaries and in fact has been declared a national emergency; and

WHEREAS, the Exchange Club of Savannah and the Exchange Center through its support of parent aide programs, parenting classes, educational programs and community service activities, is making significant progress in stopping this crime against families and children.

NOW, THEREFORE, I, Pete Liakakis, Chairman, on behalf of the County Board of Commissioners, do hereby proclaim that the month of April 2005 be observed as:

CHILD ABUSE PREVENTION MONTH

in Chatham County and urge all citizens to use this time to better understand, recognize and respond to this grievous problem.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of Chatham County, Georgia to be affixed this the 1st day of April 2005.

Pete Liakakis, Chairman
Chatham County Commission

ATTEST:

Sybil E. Tillman, Clerk

Chairman Liakakis asked, would you care, you know, one of the representative or both of you, if you like, to speak out for the Exchange Club?

Mr. Bill Tompkins [phonetic] said, I'm Bill Tompkins, Past President, and our President's away so I'm stepping in for him today, but on behalf of the Exchange Club of Savannah I would like to thank the Commission for the proclamation and let you know that child prevention of child abuse is a national project of the Exchange Club, and here in Savannah we try to manifest it through the Quick Thinkathon Program that we do with the second grade classes in Chatham County schools. It is a growing problem, as you have heard in the news with children being abused or snatched and murdered and all kinds of evil things are happening to our kids, and we want to try to educate our children to try to stay out of trouble, try to keep from getting hurt, and that's what the Quick Think Game does in the second grade that we do here. Other clubs do other things, but we're in unity in trying to prevent child abuse. Thank you.

Commissioner Thomas said, that's great.

Chairman Liakakis said, thank you very much. We appreciate that.

=====

VI. CHAIRMAN'S ITEMS

1. NATIONAL NIGHT OUT 2005.

Chairman Liakakis said, all the Commissioners, if you'll remember, you had in your packet concerning National Night Out and what was recommended in there that came from the Police Department is that they would like to change some of the procedures that they had in years past and they felt that if they had one central location where everybody would come to and that they wanted the County Commissioners to participate in that too, and for the groups to go out in the different districts in the County and the City to let the citizens know that we're concerned about crime and crime prevention in our community. So that's basically what National Night Out, and I'd like to hear a motion if you approve that new concept that they have for National Night Out for the year 2005.

Commissioner Gellatly said, I'd like to make that motion. Commissioner Thomas said, second. Chairman Liakakis said, a motion has been made and seconded. All in favor, go on the board. The motion carried unanimously. Chairman Liakakis said, the motion passes.

ACTION OF THE BOARD:

Commissioner Gellatly moved that recommendations for the National Night Out for 2005 be approved as follows: The opening ceremony would be at a predesignated location (park or area with massive shade); the City Manager and County Manager would officially open the ceremonies then any one of the Aldermen or County Commissioners would speak; after each of the speeches each of the City's and County's politicians could mingle with thousands of the City's and County's residents on site who have set up neighborhood association displays, view new and innovative crime prevention exhibits, view the massive crime prevention measures available to the general public, and partake of the cool refreshments and food. Commissioner Thomas seconded the motion and it carried unanimously.

=====

VII. COMMISSIONERS' ITEMS

1. CITIZENS TO DISCUSS PROBLEM WITH PIT BULLS ON NORWOOD AVENUE—NOT MORE THAN 5 MINUTES (COMMISSIONER STONE).

Chairman Liakakis said, we're asking the general public if you're here to discuss this animal ordinance or something concerning the dog ordinance, if you will please, you know, keep your comments as close to five minutes as you can so that we can listen to everybody and all of the Commissioners concerning this because we feel, you know, as you read in the paper and saw —, watched it on television that we had an individual in our community that had 128 pit bulls and there was some violations there and, of course, the Chatham-Savannah Metropolitan Police Department is doing a good job because they've been there several times since a judge has issued an order concerning those dogs and the caring of them. And this ordinance is really important. It has several facets to it. One of them, of course, is the important one is to protect our citizens in our community because we want to make sure that if a dog is declared as dangerous that we have procedures in there that will make sure, hopefully, that the dogs will not be loose on the public so that we have injuries and deaths, as have happened in our cities and County in the past years. And this is really important. And, of course, we like to have humane treatment for the animals also because that's not fair to the animals to be mistreated and have a, you know, they're out there suffering and some of them howling because of the way the owner is treating them and not feeding them and giving them water and the necessary right premises to be on and have a good sanitation area. So we're looking at this particular ordinance in many areas so that we can have an ordinance, a County ordinance that's good, that's going to protect our citizens and have some control over especially dangerous animals and how many dogs or particular pets that you can have in Chatham County.

Chairman Liakakis recognized Commissioner Stone.

Commissioner Stone said, thank you, Mr. Chairman. The only reason I brought this up is that it was brought to my attention about ten days ago that possibly there might be another situation similar to what Mr. —, Commissioner Gellatly was going through in his district with pit bulls being housed inappropriately. Hopefully, and I did have the opportunity and I appreciate the assistance of Animal Control in going out to visit the site. Hopefully, the purpose of this ordinance is not necessarily breed specific, but just to call attention to the fact that this type of behavior is going on throughout Chatham County and that it is time to revisit our ordinance and tighten up our ordinance and become more proactive in the event that inhumane treatment is going on, not necessarily just for the animals, but also for their surrounding neighbors. So I don't know if there are a couple of people that would like to speak on this. They have agreed to keep their comments brief. Like I said, the only reason this was put back on the agenda was to let the citizens of Chatham County know that this is not just confined to one area of Chatham County, this is going on in other places and that was the intent of bringing it forward today, Mr. Chairman.

Chairman Liakakis said, thank you. Any Commissioners? Chairman Liakakis recognized Commissioner Kicklighter.

Commissioner Kicklighter said, thank you, Mr. Chairman. Just for all of you to know, I received a call this morning on my way in. A woman is worried that she's not going to be able to keep her one loving pit bull, and I let her know that the discussions are not concerning people with one animal. One thought or suggestion while this ordinance is being created would be the possibility to keep in mind when we're thinking of a number of dogs that you can have that you may want to put an age maximum on there so you wouldn't actually exclude people that have their —, breed their animals, breed the dogs and sell them. You know, you may have two pit bulls that they're breeding and they have eight puppies or whatever, but as long as they're sold or gone before they're six months old or four months old, that wouldn't count towards the maximum, and that's just one suggestion to think about when we're thinking of creating this ordinance. We don't want to put people legitimate, you know, people that make a living out of a business when they come up with the litters.

Chairman Liakakis recognized Commissioner Thomas.

Commissioner Thomas said, I don't disagree with what you're saying, but I have a problem with —, I love animals and I think to me they're just like people. They really are. I had two Chihuahuas and —. Commissioner Kicklighter said, they're meaner than pit bulls. Commissioner Thomas said, you're right. You're right. But to me they're like humans and I, too, have received

a lot of correspondence and telephone calls and I do sympathize, and I think that we really need to do something by way of a, you know, strengthening the ordinance if we do not have one and make it very specific and make sure that we communicate this to all of our citizens so that everybody will be aware. I certainly will make it one of my priorities to assure that in the district that I serve that the people are aware of whatever we come up with and that they need to be taking heed in terms of following the ordinance once it has been established. But I do sympathize with the people that are going through this and 128 dogs I just can't understand why one person would want to have 128 dogs.

Chairman Liakakis said, okay. And one of the things I'd like to commend Chief Flynn with the Chatham-Savannah Metro Police Department because he's done a really good job to see to it that his department is monitoring what's happening over there at that location and making sure that the judge's orders are being followed out because that's really important and it's just not something that is off somewhere and is nothing is being done about it, but his department is doing an excellent job in monitoring that and hopefully we'll have all of that resolved in the not too distant future.

Chairman Liakakis recognized Commissioner Stone.

Commissioner Stone said, Mr. Chairman, Mr. Rob Lee, who is the Executive Director of the Humane Society is here and I know that he would comment that he's willing to assist, and he might want to speak himself, to aid us in the drafting of this ordinance.

Chairman Liakakis said, okay. Well, if we, you know, if anybody would like to comment from the audience right now concerning this ordinance, would you come forth please. Why doesn't everybody come up and as each one finishes, the other one can come up. And do, if you will so that everybody will hear you, come as close to the microphone as you can. We're tuning this up so that we can have a better audio system so everybody can hear better. Sir, identify yourself please.

Mr. Robert Lee said, Robert Lee, Executive Director of the Humane Society of Chatham-Savannah. Thank you Chairman Liakakis and members of the Commission. As Commissioner Stone just stated, the Humane Society would like to participate in the project of updating the ordinance. There are a number of measures that the County and the City can take that would do just as some of the Commissioners have already stated, both to help to protect the animals and equally as important, if not more important, is also to protect the rights of the citizens of the community as well as their health and safety. I want to be very brief. I want to point out one simple ordinance that exists in a number of cities and communities as just an example of a way to address this and a very brief comment following. The City of Louisville, Kentucky, and Jefferson County has a metropolitan form of government, the same as here, and their animal control ordinance in portion states:

It is prohibited to exclusively restrain a dog or puppy by a fixed point chain or tether. A fixed point restraint may be used temporarily, but not to exceed one hour in a 24-hour period.

Mr. Lee said, it sounds like a very simple fix to a problem, but I do want to make note that an ordinance itself will not have any effect without funding the agency responsible for its enforcement, provide the trained qualified personnel and adequate oversight to ensure that not only is it enforced properly, but also that it does not exceed its authority. And with that comment that's all I have to say at this point.

Chairman Liakakis said, thank you very much. I appreciate —. Commissioner Kicklighter asked, can I ask one question. Chairman Liakakis said, go ahead, Commissioner Kicklighter.

Commissioner Kicklighter said, thank you, Mr. Chairman. I received several calls from people concerned with the conditions of the County pound. You know, where when we pick up the animals we have to take them in, and I heard that the Humane Societies received like million dollar donations and all. Would it be possible for your organization to assist the County as far as the pound there to help us create some humane conditions for these animals that we catch and many of them have to, you know, at this point they're put to sleep and that's a controversial thing in itself, but the conditions of it really needs improvement, and you being the Humane Society it would be greatly appreciated from me, and I'm sure other people on this Board, because we really are scraping to add police out there, this, that and the other and do, and it's just hard to do everything great. And if you could consider with your organization somehow assisting the County to improve the conditions of the pound, it would be a wonderful, wonderful benefit for the County and for the way the animals are, I guess, housed until whatever happens.

Mr. Lee said, most definitely, and in that regard that's one of the things that we'd like to offer by way of this ordinance as well. There are a number of agencies across the country, animal control agencies, that not only enforce the ordinance, but they're also made responsible by being created as special revenue agencies for creating the funding to do that, and there are a number of measures the County could take to improve the funding for the animal control program without impacting the general revenue fund. We'd like to be part of the process and work on doing that and your comments about euthanasia we're very concerned about, and we participate with animal control by picking a number of the animals that are unclaimed and placing them for adoption in our facility. But, yes, we do and would like to work much more closely with the animal control shelter.

Commissioner Kicklighter said, and I definitely understand that that concept goes against what, you know, that the part of just giving these animals a humane condition until whatever would be greatly appreciated if y'all could work with them. Is that something staff, Russ [Abolt], we could —, somehow you could coordinate a meeting with our Police Department that oversees that, Chief Flynn and this gentleman? County Manager Abolt said, there's no problem with that. I believe we've already taken the offer up with the Humane Society. As you know, and I remember the Chairman on many occasions has asked as one of your goals where he talks about the animal shelter that we address that specifically during the budget. So

this occasion today will be followed by many such occasions to coordinate with the Humane Society. And with that I'll ask Chief Flynn to contact you.

Chairman Liakakis said, and I've had discussions with our County Manager and he is working on that animal shelter out there because we understand that it's not up to par and we want to bring it up, and that's good that —, Mr. Lee, that you will bring that, you know, work with our County Manager or his designees so that we can have a better facility, and we thank you because your experience in these areas about animal control, the police departments that you have worked in and your history shows that you know a lot about it, and we're glad to have you in Chatham County as head of the Humane Society because you've made some difference since you've been here, and again we thank you for that. Mr. Lee said, that's what we've been primarily involved in up until just recently is basically getting our house in order before we, you know, reach out to the community, more the [inaudible] point now, and we'll be coming in more capable of doing that and we appreciate the opportunity.

Commissioner Thomas said, thank you.

Commissioner Odell said, before you go, just one point. You had mentioned revenue neutral ways to assist the County in producing revenue that would not impact our property owners here. Do you recall? Mr. Lee said, I didn't say it wouldn't impact our property owners. It wouldn't impact your general revenue fund. As a basic example, the animal license fees right now the County Tax Office handles that by transferring the license funds to make that part of animal control's function one to work with veterinarians in the community to ensure the licenses are issued and that the fees are collected and having those fees designated basically as a user fee to help support the animal control agency, which is the one charged with making sure that this works, would be one way of augmenting their funds to help them do their job better. There are a number of other things. Once you have personnel that are trained in how to do it, licensing and inspecting other animal agencies, public and private kennels, any number of things. We've done this in other communities, it works very well. It's not intrusive in that it ensures, as I said before, the public's general health and safety more so than being a punitive measure. Commissioner Odell said, I like your concept. Would it be an imposition if we were to ask you to just summarize those things pertaining to the revenues and explain it more in detail what you've just briefly gone over and providing a copy of that to the Commission? Mr. Lee asked, you mean just some general ideas to get the discussion started? Commissioner Odell said, general ideas, right. Mr. Lee said, I'd be more than happy to do that. Commissioner Odell said, okay, I'd appreciate it. Mr. Lee asked, you don't mean right this moment? Commissioner Odell said, oh, God, no. Unless you can.

Chairman Liakakis said, thank you very much. We appreciate it. All right, would somebody else come up to the microphone. Come as close to the microphone and identify yourself please.

Ms. Noreen Parker said, I'm Noreen Parker. I'm sure that you all have received letters from me about this situation and other situations I'm very, very concerned. I echo Rob's [Lee] speech exactly. Part of our problem, I think that Officer Bulwire at Animal Control has done an admirable job with what she has to work with. Unfortunately, she doesn't have enough. Five officers cannot handle a seven day a week, 24-hour a day job, and we need sworn officers, we need better trained personnel that can enforce these ordinances, enforce them seriously and strictly when they are completed and, of course, we need stricter ordinances. People that have six, eight, fifteen, fifty dogs go out of the realm of household pets and into the realm of breeders, sellers and kennels. They must have licenses. They must be checked. They must have facilities that are proper and humane for those animals, and we need at the County to be collecting fees and licenses for that and inspecting them, but it takes personnel and that's what we need, and that's what the animal community here is asking for. I'm a member of the group Friends of Animals. We're working with Save-A-Life, we're working with PALS, we work with the Humane Society also very closely, but we are monitoring the situation very closely and we're asking for your help because we must strengthen these ordinances and we must make a definition between household pets, kennels, breeders, and sellers, and if they choose to do those things, they must be governed and strictly and very tightly so that we don't have situations like the recent news media has brought to light. That's all I have to say.

Chairman Liakakis said, thank you.

Ms. Jean Capozzi said, my name is Jean Capozzi. I'm a Savannah resident and a concerned citizen. The task of the moral fiber of a society is the way in which it takes care of its most helpless members, and one does not need to have a degree in theology to know that this particular situation is blatantly wrong. But I would like to thank each member of the Commission for all of their efforts in attempting to enact stronger ordinances, and as you do so please consider incorporating harsh financial penalties for those who break the law and abuse animals. In addition, please consider giving the Animal Control officers greater enforcement capabilities. And on behalf of all of the defenseless animals and those of us who love animals, I thank you.

Chairman Liakakis said, thank you.

Ms. Paula Wagner said, my name is Paula Wagner. I'm past president of Savannah Dog Training Club, and a member of the Savannah Kennel Club, and I've been training dogs for 40 years and teaching classes. I am deeply concerned about the issue, yes. A number of years ago we had a [inaudible] that drafted out some legislation. Y'all enacted some of it. I anxiously awaited for it to appear on my yearly notice with my dog's vaccination. It never did. In 2004 it was rescinded and changed. It was never even given a chance. Okay, in the meantime I've been in touch with Mr. Abolt, who has been totally responsive to my questions, and I want to thank him. Regarding the proposals that you have into consideration, he sent me a notice as to what their thoughts are and what their considerations are. These are rather draconian. Several of them do not offer due process of law nor the owner a chance to have services of an attorney. We must obey these rights. It is a right to own an animal, it is our property. Other counties have —, they mentioned looking at other counties. From what I've been told, Gwinnett County in Georgia has what we call the gold standard for animal control legislation. It deserves to be looked at seriously. There are —, and he mentioned that they were obtaining information from People for the Ethical Treatment of

Animals. I don't know if you're aware of that, but that is not an animal welfare organization. That is an animal rights organization. Quite different. I brought for your attention a copy of an article I wrote after a lot of research for our newsletter explaining what animal rights movement really is. I'd love for you to take —, have them. I am offering my services, having drafted out a proposal to Mr. Abolt, a working proposal that offers both due process. As Mr. Lee said, user fees, a \$2.00 license tag now doesn't even cover the processing of it. We recommended back in '97 \$5.00. I would love to be a part and get our organization where we have multiple trainers there —, attorneys, you name it, we have it in our organization —, offer their services to help draft out legislation that can be effective, that can provide us with the joy of ownership of animals, protection of the owner to have these animals, and put the responsibility for the care of these animals where it belongs, on the owner not on Animal Control. They merely enforce what we have to do. We need to improve education of the public. We need to encourage the judges to enforce the laws already written. We need to work with the State and with me today I brought from Atlanta from the Georgia Canine Coalition, Gail LaBerge, who is — helps write legislation for the State and other counties, and I would love to offer her services if you could give her a moment. Chairman Liakakis said, thank you.

Ms. Gail LaBerge said, thank you, Mr. Chairman and Commissioners. I have to tell you it's hard to go back north after spending a day and night in Savannah. We are the Georgia Canine Coalition. My name is Gail LaBerge. That's L-a-B-e-r-g-e. I am the legislative specialist for this organization. We represent individual dog owners and the dog groups in the State of Georgia, in the local areas and the State. We have assisted a number of municipalities and the State itself in writing animal legislation. We had a lot to do with the Cruelty Bill in 2000 on the State level. We've had a lot to do with the Veterinarian Practice Act and we would very much like to assist you with this. I have looked at what was given out as your proposal. There are some good things in there and there are some things that are going to put you in conflict with the State law and where the [inaudible] is stronger than what your are proposing. I will be happy to leave my cards and my e-mail address and would very much like to assist you if possible.

Chairman Liakakis said, thank you very much. We appreciate that. If you will give our County Attorney your card because he has been working —, he's looking at other areas. He's drafted up some suggestions already. He's done a lot of research and if you will give him your card he can discuss things with you also, and we appreciate that because we're not just approaching this, you know, as a matter that we might take up six months from now. We're looking at protection of the public and the animals, so it's being worked on by the staff now and we appreciate you coming in and telling us that you would help us. Ms. LaBerge said, you're quite welcome. On the comment on Gwinnett, I do happen to know Gwinnett's ordinances are being used over all the United States as an example. You do have to tailor anything to fit your own personal locale, but that's a point. I can actually make those available if you would like, but thank you again for the time and thank you for addressing this problem.

Chairman Liakakis recognized Commissioner Stone. Commissioner Stone said, I think Dean [Kicklighter] was first, Mr. Kicklighter.

Commissioner Kicklighter said, thank you. What about the possibility of creating with the understanding there would be a deadline and set it where there's not a floating committee that goes on for years here, and have the committee consist of, say, one person from Animal Control, a person from the Humane Society, a —, like a trainer like this young lady, and also have a victim on this panel. Have this committee overseen by the Chief, and that's a great mesh of people. You'll have the victim sitting there telling you why they should be, you'll have every other person there that's expert in their own field, and you bring all parties to the table, hash it out, get it over with there. When they can all compromise on an agreement, it's most likely going to be a pretty good agreement, and I think we could set a deadline, say, get this thing started, set it up that they will have something back to us within two months or whatever, and when it's done, it's done. And we'll have every involved party or every segment of the, you know, population there pretty much represented with the concern of animals.

Chairman Liakakis said, well, we need to, of course, have our County Attorney because he's done a lot of research —. Commissioner Kicklighter said, yeah, yeah. Whoever you think should be on there. Chairman Liakakis said, yeah, he needs to be involved in it, but to get this completed. Do we have —, Helen [Stone], you want to —?

Commissioner Stone said, well, I was just going to maybe make a suggestion. In light of the fact that I think we all agree that something needs to be done and something needs to be done as rapidly as possible, that perhaps from these organizations, rather than trying to get them to meet, that their comments could be submitted in writing for the County Attorney's review because having been part of trying to do this before, if you get too many people there and they meet and they meet and they meet, this could drag out and I really think we're under the gun here to do something to be proactive and get this done immediately because I don't want to witness things that I'm seeing any longer, and we need to take action now, and I think that possibly maybe the better move would be to have these comments, model ordinances submitted in writing and let's get something back to this Commission as rapidly as possible and, Mr. Attorney, maybe you could give us a time frame here, but that's why I brought this up today is really to expedite getting this brought forward to this Commission and not to wait around for another year or another six months.

Chairman Liakakis said, okay. Go ahead.

Commissioner Gellatly asked, my turn? Thank you, Mr. Chairman. I would like —, just a couple of comments. I wonder if we can for sure contact Mr. Lee. I was really interested in his knowledge of an ordinance I believe in Kentucky where —, that pertained to animals that were chained and under conditions they could be chained because it's been my personal experience in dealing with mean dogs that there's a commonality that whenever you deal with a mean dog, not too long before it bit someone, why, it had been chained up and all as opposed to one that was in a kennel or in a fenced in area. So I think that's something that we really need to take a look at. I agree with Commissioner Stone also. I have a concern that we, if we're not too careful, we're going to have a big huge committee that's going to go on forever and ever and create wishy-washy laws that can't be enforced. So I do think that everyone should have their input and we should pay very careful consideration on them, but I think we ought to have time frames and we ought to take a look at when we pass ordinances

that they in fact can be enforced and in fact that we have the staff that we need to enforce those ordinances. I was looking at one of the suggestions, comments or what have you that I would have had a problem with, and again this is something that they're just talking about. When you come up with the ordinances, why, you take a look at barking dogs, you know, and one of the suggestions would be that someone is going to listen to a barking dog for 30 minutes and then they're going to get five warnings before they finally go to court. Well, number one, we don't have the staff to do that. I would think that if you have a barking dog, we'd listen to it for a reasonable amount of time, give them a warning, and the second time they need to be in court over it. So what I'm hoping for is that we have some ordinances that we put together that are tough and fair, fair to people and fair to animals, and are in fact enforceable and then I would hope that our courts would take a good hard look at them and give sufficient penalties where it's necessary. Thank you.

Chairman Liakakis recognized County Attorney Hart.

County Attorney Hart said, yes. I appreciate all the comments, and we have met —, the County Attorney's office has met twice since the last Commission meeting with Animal Control and the Police Chief to go through as much of this stuff as we can. We've also accepted input from anybody that wishes to submit it. I very much appreciate the comments of Commissioner Stone in asking that these people who wish to comment not fax me a 500-page group of ordinances with no specific parts, just saying this is a great ordinance and this is a great ordinance and this is a great ordinance. That's extremely time-consuming to review and I'd much prefer receiving something saying, hey, this is a provision that you need to take a look at and we think it's good and this is the reason it is, and that's what we have tried to do. One of the suggestions we made is the suggestion that Mr. Lee had made in here a little earlier in one of our memos whether you wish to have a tethering law, and the problem you have is when you sit down and start making these rules there's always the exception to the rules. Now, what do you do in a close community that does not permit fences in it and for the most part everyone that has a dog outside has it on some type of tethered run. I submit that for example. On Skidaway Island that's quite prevalent. So, you know, I'm not for or against any of these things. I'm just saying, you know, the view is often from where you stand and a lot of different people stand in different positions on these issues. We are happy to draft any ordinance if we have direction as to what you want in it or not in it, and that's why we did not come back today with an ordinance, we came back with serious suggestions to mull over and say we don't want to go with number three, we do want to go with number four, we want to modify number five, but we will certainly be more than glad to accept written proposals from anybody, any group, any individual for consideration.

Chairman Liakakis recognized Commissioner Odell.

Commissioner Odell said, Mr. Chairman, we have [inaudible] for consideration like, I agree on your observation depends on your view. When we adopt an ordinance, does that complete ordinance run in the local paper? County Attorney Hart said, no sir, it doesn't. I mean, there's nothing that says you can't do that other than, you know, incurring the cost of doing it. Commissioner Odell said, I don't want to incur the cost. We have a station that we could run —, be running the ordinance on. We could have someone, in fact, read and go through it. I'm going to propose this, but we're not going to have an ordinance that's going to please everyone, but we can learn from the mistakes and the benefit of others. We come up with a proposed ordinance. We display that on our television station. We run just the times that the ordinance would appear in the paper, which ought to be relatively inexpensive. We asked for comments from —, Savannah's a very diverse community. You had mentioned the islands, but there are other communities that will be impacted by this also, and rather than our having to redo it, before we bake the cake and finalize it, let's get all of the input we can prior to our having to vote on it. I agree with Commissioner Stone, I think we need to do something relatively quickly, but I want to make certain that as much leg work and residing potential issues, that we can do that as part of this ordinance rather than coming back and having to do amendments.

County Attorney Hart said, I have no problem if y'all want to set a deadline for anybody that wishes to submit anything to the County Attorney's office for consideration to do so in the next two weeks, and then that will get us an open point and stopping point as far as gathering information, and I can assure you that those in the Police Department and those in Animal Control will meet at any time, any place, any where to try to work through this process. It's not as simple as it looks, but if we get direction about what you want, we can draw an ordinance.

Commissioner Odell said, what I think, Jon [Hart], might be good is for us to run on our station, on our television station program information that the ordinance currently being amended and seeking input and giving a deadline, and that any of the various organizations like Animal Control, PALS and some others, that we send them notice of request for input and request that that input be very particular specific. I agree, if you get 500 pages of ordinance from Canada to Eastern Europe, you have to spend the time to go through it and search through it. If they have a particular item that they think is a good thing for this locale, if they could summarize that and send it to you in summary form, that probably would be more productive. Do you agree? County Attorney Hart said, absolutely. Commissioner Odell asked, could you outline how your —, how you would request the information to be submitted? Not now, but to run on the station? County Attorney Hart said, sure. We can do a public notice of that. I invite any group or individual that wishes to have comments on what they think needs to be in the ordinance to make a short statement as to what they think needs to be in there, and if they have another ordinance that they have that language in there, we would certainly appreciate the language. We don't want to reinvent the wheel is somebody else has good language. Commissioner Odell said, and after we do the proposed ordinance, we will have a first reading, true, and then a second where we will notify everyone this is an opportunity and maybe we can have a second review period. That's it, I yield.

Chairman Liakakis recognized Commissioner Kicklighter.

Commissioner Kicklighter said, I think that's a excellent idea and basically I'm going to support Commissioners Gellatly and Stone because they're the ones with the million pit bulls in their districts. Commissioner Gellatly said, you might get a phone call [inaudible]. Commissioner Kicklighter said, what I —, I think that's excellent if Jonathan Hart can get with these two and whoever else on this Commission wants to, post on the web what y'all think as soon as possible is a good ordinance,

and put on there on the web possible, you know, animal control ordinance or whatever, and from that point —, I mean, do that as soon as you can come together and agree, just y'all, and whoever else, like I said on here, wants to do it. Put it on there, let it run and then we can gather —, because you already have information from all these other groups, then we can have the comments and hopefully approve something at a meeting really soon.

Commissioner Odell said, [inaudible] on their, Dean [Kicklighter]. We've got one approved. We can put that one on there now. Commissioner Kicklighter said, yeah, and, you know, and go from that.

Chairman Liakakis recognized Commissioner Thomas.

Commissioner Thomas said, thank you. I think the comments are very well taken and in addition to putting the information on the government channel, I would hope and trust that we can get the support of all of our television stations as well as the Morning News. We do have a reporter sitting here and we would like to get their support in helping us to get the information out to the people so that they will have an opportunity to respond any suggestions that they may have before we do the ordinance. If you could help us with that it would be very helpful.

Chairman Liakakis recognized Commissioner Holmes.

Commissioner Holmes said, Mr. Hart. County Attorney Hart said, yes sir. Commissioner Holmes said, what all —, what was said so far, where are we at with that ordinance and how long would it take? County Attorney Hart said, well, Item 3 for Individual Action is a memorandum that I prepared as a result of having several meetings with Animal Control staff outlining 17 proposals and options under some of those proposals and just asking some simple questions is how many is enough, you know, five, six dogs? Does it apply to cats? You know, there are fundamental questions that until somebody wants to make a policy decision on them, you know, we're not going to be able to move forward and draft the ordinance. Do we want our ordinance to deal with horses and pigs and swine or do we want to exclude them from the County? Do we want to have tether law, as raised in here? Do we want to preclude people from treating animals of others that are not on their property for the safe of sustenance of a stray dog or cat and to encourage that conduct? Some people will say yes, some people will say no. There's a —, ultimately somebody's going to have to tell us which way to go on the ordinance.

Commissioner Kicklighter said, Mr. Chairman. Commissioner Holmes said, I want to —. Commissioner Kicklighter said, oh, I'm sorry. Commissioner Holmes said, I want to speed it up but I'm in accord with what Commissioner David [Gellatly] said. You know, we speed something up and not carefully look at the language, how are we going to enforce? I heard the young lady say just now that she's on demand so far as who's going to enforce some of these codes that we put in. You know, I don't want us to rush through this thing and —, just to get it out there, and we not fine tune it in the language that it's going to be and who's going to enforce it and who's actually going to work with it, and can you give us some sort of time frame now? County Attorney Hart said, that want to get comments in in the next two weeks and that will give us two weeks to try to come up with a proposed ordinance. I'm going to be perfectly honest with you, we're going to give you a pretty long hodgepodge ordinance and you're going to have to tell me whether you want it to apply to cats, you're going to have to tell me if you want dogs included or excluded, do you want horses to be regulated, do you want to change your fees, do you want a tether law? I mean, these are just things that, you know, ultimately they're either in or they're out and it's not my place to make that decisions. Commissioner Odell said, it scares me that someone might have a Bengal Tiger in my neighborhood. County Attorney Hart said, and in going through, in our meeting we had that very discussion. What's an exotic animal and how do you define it specifically enough so that if you have somebody you allege a violation of that you can enforce it. I think Commissioner Gellatly raised a great question about dogs barking, okay. When you first read that, it sounds rather silly, okay, but if you go and read the case law under that and your moving to make that dog a nuisance so that you can abate the nuisance, you know, there's pretty good case law under there saying 30 minutes continuously or 10 minutes intermittently for 30 minutes. You know, I mean —, so that's why some of those odd sounding languages appear because they have been proven to be enforceable. We don't claim to have the knowledge of what the policy needs to be, but we can tell you what the various policies have been in various communities and obviously we need to decide what we want to do.

Chairman Liakakis recognized Commissioner Shay.

Commissioner Shay said, one of those communities is the City of Savannah, right? County Attorney Hart said, correct. Commissioner Shay asked, and doesn't the City of Savannah have some of these ordinances that regulate these things in place? County Attorney Hart said, yes sir. They have an ordinance and one of the suggestions in my memo to you was in the redrafting process to try to bring the County ordinance in line with as many provisions of the City ordinance as possible for simplicity of enforcement for the Animal Control people. At the same time we need to recognize that the County is moving towards being urban, but it's less urban than the City and some of the decisions that —, the provisions don't necessarily apply as well as they would in something like the City. So there's always going to be some variances, but as much as possible it would be the strong recommendation to try to make them parallel. Commissioner Shay said, because I represent, and I know many of the Commissioners do, neighborhoods that are in the City of Savannah or other municipalities and in the unincorporated area, and it's very complicated when you go to a neighborhood association meeting and you're trying to explain to somebody, well, if you live on the east side of Jasmine Avenue, dogs can't bark for very long, but if you live on the west side of Jasmine Avenue if they bark for very long, we can send over an Animal Control officer. It's just hard. I mention that.

County Attorney Hart said, and then you get into provisions like do you want a poop-and-scoop law, okay. Does it apply to private property, public property or where? I mean, you know, there's five different versions of that if you start looking at the ordinances and somebody's going to have to say how far do we want to extend that rule or not extend it.

Chairman Liakakis said, one of the things too is that memo that you sent us concerning the ordinance and the City you made recommendations to add something to it because that would be better, you know, in our ordinance. Well, one of the things,

once we agree on this, then let's go to the City and discuss it with them so that the Chief is not perplexed and they have so many, you know, something's different in the City, something's different in the County, so when the officer goes there, you know, if you've got one particular ordinance that's both the City and the County, that will help us in the, you know, in the enforcement and we won't have confusion, you know, in that matter. So if we can get with the City and make a suggestion to them with that also. And, if you will, then the two weeks that we have been talking about, let's see about, you know, put that on the government web site and the, you know, on the television, our government channel, to request within two weeks for people to make comments and then, of course, our staff would work with Mr. Lee, you know, and get information so that we can come to a conclusion on this in the very near future, if we can do it in 30 days or if it takes another week or something like that, so that we can have a good ordinance that can be enforced and adopt that and move on from there.

Commissioner Stone said, one last thing. I would ask if my fellow Commissioners have the opportunity, do ride out and look at our Animal Control facility. We do need to make some improvements there, we really do. Commissioner Thomas said, I've been there. Commissioner Stone said, I mean, if we're addressing our ordinance and now it's time to make the conditions better there. It is extremely depressing.

Chairman Liakakis said, well, the County Manager, I can tell you this, is working on something right now. He understands the comment from some of the Commissioners, myself also about, you know, upgrading the Animal Control facility because we don't want them to suffer out there also, you know, because it's concrete and we can do a better job out there. So he'll be bringing that to us in the very near future.

Commissioner Odell said, and can —, Jon [Hart], you're going to get to us, you're going to obviously get us before we have to come to a vote, you're going to get us our ordinance, you're going to get us the City of Savannah ordinance, you're going to do a summary delineating the difference between the two. County Attorney Hart said, what I'm going to try to do is go down the City ordinance. A lot of our provisions are very similar, they're just in different areas, and I'm going to try to go through and keep the ones that are in common and put them in some kind of form or format that parallels that of the City's and, for example, a lot of the —, we used a lot of the dangerous dog language out of the City. We made some modifications to it at the suggestion of Animal Control personnel because they thought it would improve the ordinance and, you know, at some point, like I said in my memo, perhaps when we come back with that, the City might want to consider some of those provisions. Commissioner Odell asked, can you also —, the ordinance from Gwinnett, I'd like to have a —. County Attorney Hart said, sure. Commissioner Odell said, you're going to get a copy of it. I don't know if anyone else would like to have a full copy of the ordinance, I'd like to personally read it. But on the paragraphs that you're going to be recommending, it would be helpful to me if you said this is supported by Animal Control out on the side of that so that we know what's supported by groups who are involved in the various —, in those activities, what provisions they support. It might help us [inaudible]. County Attorney Hart said, we will try to the extent we have that knowledge. Commissioner Odell said, yeah.

Chairman Liakakis recognized Commissioner Kicklighter.

Commissioner Kicklighter said, Jonathan Hart here, I think, is very —, he stated something a minute ago that we just kind of went past. When I was mayor out in Garden City and we annexed all of that land, it was mainly undeveloped land, and all of a sudden our ordinances applied to that area. We need to listen to him on that issue. What he stated there is the fact that these ordinances, they're going to apply throughout the entire unincorporated area and you're going to run into people that they have a thousand acres and they're sitting in the middle of it with their residence and they've got their animals, they've got horses, cows, whatever, and whatever we pass, it's going to pass to those people too. Commissioner Thomas said, exactly. Commissioner Kicklighter said, and we tackled some of that Garden City with —, and I'll give you another example when we dive in it, pot bellied pigs. People bought them as these cute little pets so be careful on this part of it too. They turned into 500-pound animals that these people still love like a family member because they're intelligent and when you get into that, you're also you're talking someone's family member away. I mean, it's roosters, chickens. There was a man that had a pet chicken that sat in his lap and on his wife's lap every night, and the rooster crowed in the morning and he had the thing for years and finally one neighbor got mad and called and the rooster had to go. This was the man's pet, and we somehow figured out a way for him to keep it but this is just —. County Attorney Hart said, you raise a good point. Reading the material that was referred to as the Easter chicken problem. Chicks grow up to be chickens. Commissioner Kicklighter said, Helen Stone started out and she really hadn't had any controversial issues, so I'd like for her and Dave [Gellatly] to just come up with this ordinance and let us all take a look at it.

Chairman Liakakis said, okay. All right, our staff, our attorney and everybody that was here knows what's going on. Right now we'll move on to the next item. You've got your charge, staff, and we'll take the next item.

ACTION OF THE BOARD:

The County Attorney's office was directed to place on the County's web site and on the government channel a notice to all interested parties to send to the County Attorney's office within the next two-week period any suggested wording for the Animal Control ordinance for use in preparing a proposed ordinance to be presented in the near future to the County Commission.

=====

2. POTENTIAL LANDFILL CONTAMINANTS (COMMISSIONER KICKLIGHTER).

Chairman Liakakis recognized Commissioner Kicklighter.

Commissioner Kicklighter said, thank you, Mr. Chairman. I will ask if there's anyone in the audience here today to talk on this subject to keep their comments down to like a minute apiece on this and I'll explain why. I put this item on here because Commissioner Stone and myself, we've been working with staff to gather information concerning the safety of building resident or commercial developments on landfills. Dr. Thomas has also been researching this topic and actually I believe the majority of the questions are related to the Weatherwood Landfill with the understanding that any ordinance concerning the ability to build on a landfill would apply to all the landfills throughout, you know, the entire unincorporated area of Chatham County. We feel that placement on here today will expedite the information gathering process and at that point I believe that we will be prepared to present a detailed presentation of everything that we've found. I'm really, really proud of the effort and the things being done right now by Commissioner Stone. She's been out taking pictures, she's been meeting with people, she's been really gathering some important information, and speaking with her last night on the phone, I believe that she has obtained knowledge but will be receiving in writing and be able to present at a later time some information that's mind boggling, it's very pertinent to —, site specific to the Weatherwood situation as well as information that's going to be big on any future possibilities of developing on landfills. She's doing a very good job gathering information without bias, and I appreciate her efforts, and what I'd like to do now is I really would just like to ask staff a few questions here, and I'd like them available and I'll tell you what I would appreciate. First, I want it to be known that the staff has already answered one of my questions that they really don't know if chlorides were ever tested on the site. So that's kind of a scary thing. We don't know if they've ever tested for really anything other than, you know, the gases is my understanding right now. But —, and there's many things, airborne chlorides could be in the area. You know, there's all kinds of stuff that possibly has not been tested for at this, you know, particular site, but what I want to know is a few things, and again I'm going to keep it brief because I know Commissioner Stone has a few questions that she would like to answer —, have answered before the next meeting before we prepare a detailed presentations here. But does staff or anyone have any idea of the types of biodegradable products that are buried in that landfill? And do you have any idea of what types of biodegradable products that may be buried in the landfill? County Manager Abolt said, hearing the questions for the first time and only using recall of about 12 years ago, the primary biodegradable material, you know, was Mother Nature. There were stumps or residue from the marsh, what have you. I want to set forward, I think as we did in the memo to you all, the relationship going forward, and when there was this consensus of the Board to be developed, regardless of whether you adopt it, you know, in a few weeks, few months, whatever, the type of questions you'll be asking will be answered appropriately by the State of Georgia because there's no one on County staff that has a —, maybe some do as a hobby —, but there's not —, we don't have biologists, we don't have chemists. We defer to the State of Georgia, so when it comes to all these issues of the evils and concerns on what's underground, we will go to the DNR and say, okay, if the DNR says it's okay, then it's okay for that. When it comes to the actual structure being built over the site, then that would rest on the stamp of the engineer, the architect, whomever, that designs it. But we would never assume nor did I think you applied in your comments that if you wished to go this way that you'd want staff to duplicate what the State already has or more importantly and on point you addressed this repeatedly when you had the applicant before you, it's not going to be Mr. Bungard's engineering stamp, it's not going to be Mr. Anderson's any type of okay, it's going to rest with the ability and integrity of the private person that in that profession says this is okay.

Commissioner Kicklighter said, okay. What I'm trying to do at this point is gather information. I'm not working on an ordinance. I just want information for the possibility of some type of future ordinance if that should come to fruition there. I don't —, I'm not working on an ordinance right now, I'm —. County Manager Abolt said, I suggest you're —, I want my answer to be responsive to you in every way I can today, but I'm going to defer if you get too much more scientific and say we'll invite somebody from DNR to be up here —. Commissioner Kicklighter said, okay. County Manager Abolt said, — and answer questions. Commissioner Kicklighter said, Russ [Abolt], I don't even want an answer for any of these questions today. I'm stating it that I would like, because y'all have been great in answering anything that we've requested, I'd like an answer in the future in writing. Also, having state that with the biodegradable products under there, I'd like an estimate from someone somewhere, whether it come from the State, how long it takes for certain specific stumps to degrade, you know, to disintegrate and different increments, different sizes, so we'll have an idea of, you know, when these things will disappear and the ground could crash possibly. I would also like to know through research what exactly has been tested on that site. I'd like to know if Chatham County was ever sued for anything pertaining this site. If so, I want the results from the lawsuit. I want the settlement or whatever took place. I would also request, and I understand this could be thousands of pages so I'd like one copy, I'd request that everything that has ever been in writing concerning this particular project, this particular Weatherwood, from the time it was possibly first cited for being an illegal dump to the building permit, all the way through today. Copied, one copy sitting in the County chambers for all of us to review at least by the Monday before a presentation at the Commission meeting. Yes sir? County Manager Abolt said, we have this already, and Commissioner Thomas will remember, we embarked upon a very extensive, time-consuming audit, and we have somewhere in the archives of the County —, you said thousands —, it stacks up. It's —, I will contact Mr. White and we'll find out where it is, but the depth of research and investigation was exhaustive and the volume of material produced is —, I'm not exaggerating —, it is tables full of stuff. Commissioner Kicklighter said, well, that —, I'd love to see it stacked up and that will make a great statement all on itself when we take a look at it, and I would also request that the documents be present within, if the meeting's on a Friday, I'd like to see them at least by the Monday morning before that Commission meeting. County Manager Abolt said, they're available at any time if I can find out where they are. Commissioner Kicklighter said, okay, well that's good. County Manager Abolt said, the only thing I would ask there is that we'd have somebody control —, not control, but you don't want to go to the expense of duplicating. We have one copy and I think we'd want to say that they are available in this room and we'd have an auditor —. Commissioner Kicklighter said, that's what I'm saying, I don't want to duplicate anything. I want it just, you know, set where we can take a look at it because I know it would be unbelievable. Commissioner Thomas said, it is.

Commissioner Kicklighter said, I would —, having said that, that's all I'm going to say. We will be prepared at a future point to move further. Commissioner Stone has done some outstanding work. I would like to throw it over to her and again with the understanding that she's going to limit her topics today because she still has a good ways to go to gather everything that she's wanting to have, and it will be presented at a future date, and at that point I would really like the full input from everyone, but I would appreciate the time, and I'm sure the Commission up here would appreciate the time to just be able

to research and follow through without bombardment of comment right at this point. If so, I would ask that things come in writing, either in e-mail, you know, and especially if you have things to offer, direct knowledge of anything pertaining to a landfill.

Chairman Liakakis recognized Commissioner Thomas.

Commissioner Thomas said, thank you. I have no problems with what Commissioner Kicklighter is asking, but first let me reiterate the fact that this was not a done deal, as I have read and have gotten a lot of phone calls and e-mails and so forth. We simply was giving the opportunity for further research and better understanding because the majority of you that are sitting up here now was not present at that particular time and we wanted to provide that courtesy, not only to you, but also to give the purchaser an opportunity to tell us why, you know, we should move forward with this. I have done a lot of work myself and I, too, am prepared at a later date. I have volumes right now that I have already done, but I will not take the time to do that today, but I will be prepared to share with you when that time comes as to whether we should go forward or whether we just say simply no, and I'm going to leave it right at that.

Chairman Liakakis recognized Commissioner Stone.

Commissioner Stone said, well, first of all, I would like to thank the citizens who have taken the time to call and to e-mail me with their concerns. I have spent the last couple of weeks gathering information and compiling a record of their comments and I would like to just for the record today share a couple of questions and one concern that I have, and I agree that this is not the time, we're not ready yet to go into all this, and I would like to thank my fellow Commissioners for working with me on this as well. I would like to know what type of a landfill this is, whether it's a construction or cleaning debris or is it dry trash. I don't —, I'm not aware of what type of a landfill was under there. And then are any current testings or inspections being done to the existing residents? I mean, to say if they've had any problems up to this point. Do we know how deep this landfill is and if it is problematic, is the developer willing to excavate the entire site and refill it with the proper fill dirt. This would be for their protection as well as for future homeowners. And the last thing that I would have —, well, a couple of other concerns. One is that to be very careful in that when we come back with the drafting for something, an amendment or overlay for the ordinance, that this is countywide. This would not be site specific, this would affect us countywide and I just want to be extremely careful, and to know also at that time, Mr. Attorney, whether we would just be addressing residential or whether this would apply to commercial as well. And my last comment was in going out to the site, as of yesterday, and I realize that —, and this was yesterday morning so we hadn't had any rain in about four days —, there is still standing water on Tiana, I guess that's how it's pronounced, Circle and in some places that water was actually gurgling or bubbling, and that really made me worry. I don't know why it was, but there were pockets of air and I just want that to go on the record. I'm not sure what is causing that.

Chairman Liakakis said, one of the things I'd like to state is I had a large number of phone calls, I got a few pieces of mail, and people thought from what they read in the newspaper and watched on television that we had approved that site. We did not approve it. I hope that the news media will put out there that we have not approved anything over there. What we did was request information to come back to us for the protection of homeowners, further information about any kind of chemicals, all of those kind of things was covered there, but the phone calls —, I mean, I couldn't even get a word for about eight or nine minutes in on one of those conversations where they were saying some not so nice things about the County Commission for us approving that site over there, and finally, you know, when they finished talking then I explained to them the County Commission has not approved anything as far as allowing anything to be built over there. We requested all kinds of information to come back to us. So please advise the general public on that so, you know —, I got another little note yesterday, but that situation was quite negative for a number of citizens in our County and City.

Chairman Liakakis said, okay, you've got the information, Mr. County Manager and Mr. County Attorney, so that —. Commissioner Kicklighter said, Mr. Chairman. Chairman Liakakis said, excuse me. Chairman Liakakis recognized Commissioner Kicklighter.

Commissioner Kicklighter said, I think it can almost be resolved super easy, just like that. If somebody wants a landfill and they want to build on it, if they excavate every single thing out of there, dig it all up, haul up and it's tested for every toxin and everything and they pass all those tests, and they refill with good dirt, build anywhere there used to be a landfill, but everything that was ever there that was toxic that's scooped up and gone from that site if this group chooses to let people build where a landfill once was, because in that case there wouldn't be a landfill because it would be gone. And, to me, that should be the only option that we ever face with a landfill is if we're going to let somebody build, scoop it up, dig it all out, excavate it, haul it off, and once it tests great for everything, there's no toxins, then if, and I still wouldn't like that, but if this group chooses to do it, I think once it's a dump, it's a dump and, you know, but I'll hush, and that's all.

Chairman Liakakis recognized Commissioner Shay.

Commissioner Shay said, I just want to point out a significant part of my district is Hutchinson Island and the whole island would fail that standard, so we have to be care, you know. Certainly if somebody volunteered to do that, I think it would be a great thing because you would be removing all the bad stuff and putting in the good stuff. There's a huge part of Boston that's called Back Bay and it's because it used to be under water and then it was a dump and now it's a city. So I think, you know, let's take a look at what it would mean countywide. I agree with you that a situation at the site that made this come to our attention that would be a great thing if they volunteered to do that, but we have to be careful about making sort of one size fits all determinations because I for one would like to see Hutchinson Island developed. Commissioner Odell said, I would too.

Chairman Liakakis said, all right. Let's move on to Item #3.

ACTION OF THE BOARD:

Commissioner Kicklighter and Commissioner Stone presented questions to be responded to by staff regarding the type of landfill that existed at Weatherwood and the tests performed at that landfill and requested that one copy of any and all written materials regarding the Weatherwood situation be made available for review.

=====

**3. REQUEST TO ADD ITEM TO THE AGENDA (COMMISSIONER KICKLIGHTER).
REQUEST FROM THOMAS AND HUTTON, ENGINEER FOR THE DEVELOPER, GENESIS
DESIGNER HOMES, TO APPROVE CONSTRUCTION, INITIATE THE WARRANTY PERIOD FOR
STONELAKE TOWNHOMES, PHASE 3, AND REDUCE THE FINANCIAL GUARANTEE.
[DISTRICT 7.]**

Chairman Liakakis said, Commissioner Kicklighter, that's under your district.

Commissioner Kicklighter said, thank you, sir. I make a motion to approve. County Manager Abolt said, no. Commissioner Odell asked, what are we approving? County Manager Abolt said, excuse me, Mr. Chairman. Do you make a motion to put it on your agenda actually under Action Calendar so then later on when you move the Action Calendar, you're adopting it.

Commissioner Kicklighter said, okay. I make a motion to put this on the Action Calendar. Commissioner Farrell said, I'll second that.

Chairman Liakakis said, all in —, well, let's see what item we —, let me get the number on that. We'll add that as Item #16 there. Commissioner Kicklighter said, 16 and as discuss, Russ [Abolt], can someone tell Harris [Odell] what exactly this does then.

Commissioner Odell said, no, let Harris [Odell] ask his question. Harris' question is to reduce the financial guarantee, that impacts what? County Manager Abolt said, just the responsibility of the developer to make sure certain public improvements are —, this is boilerplate. Staff did not get it done in time. It's like you have on your agenda fairly regularly, you see, you're saying, okay, the bond can be reduced or the money on deposit can be reduced because we've tested what they've put in —. Commissioner Odell said, they've done everything as far as the —. Commissioner Farrell said, substantial completion. Commissioner Odell said, substantial completion and we lose nothing by doing this. It's not like we're increasing an exposure to the County? County Manager Abolt said, no sir. Normally, had it been put in the right part of the agenda, this wouldn't even have come up. Commissioner Odell said, see, Dean [Kicklighter], that's Harris' question.

Commissioner Kicklighter said, thank you, sir. It sounded much better.

Chairman Liakakis said, okay, we have a motion on the floor to add Item #3 to put it on the Action Calendar as #16 and that's to approve construction, Stonelake Townhouses, and reduce their financial liability. Do we have a second for that? Commissioner Odell said, I'll second. The Clerk said, we did. Commissioner Odell said, oh, we did. Excuse me. Chairman Liakakis said, okay, go on the board. The motion carried unanimously.

ACTION OF THE BOARD:

Commissioner Kicklighter moved that a request from Thomas and Hutton, Engineer for the developer, Genesis Designer Homes, to approve construction, initiate the warranty period for Stonelake Townhomes, Phase 3, and reduce the financial guarantee be added to the agenda as Action Calendar Item 16. Commissioner Farrell seconded the motion and it carried unanimously.

=====

**4. REQUEST TO ADD ITEM TO THE AGENDA (COMMISSIONER FARRELL)
REQUEST RESOLUTION ADOPTING GOALS FOR IMPROVEMENTS TO THE SAFETY AND
EFFICIENCY OF THE DIAMOND CAUSEWAY.**

Chairman Liakakis said, what we have right now is we have an emergency item and we're adding this to the Commissioners Items to be Item #4, and this is an emergency item that we're adding to the agenda. At this time I'd like to have a vote and this is to craft a resolution to address goals for improvements to the safety and efficiency of the Diamond Causeway, and the reason why we're doing this, I think most of you know this, is that we had a fatality at the Diamond Causeway Bridge and a male subject died in an accident, and it was caused by someone and from what information that we have now is possibly caused by someone making an illegal turn causing a large truck to turn over onto a vehicle trapping two people in there, putting the female driver in the hospital, causing the death of the male passenger and also caused the truck driver, who was driving the large truck, to go to the hospital also. So I'd like a motion on the floor to place this on as an emergency item. Commissioner Farrell said, so moved. Commissioner Thomas said, second. Chairman Liakakis said, all right, we have a motion on the floor and a second. Go on the board. The motion carried unanimously. Chairman Liakakis said, the motion passes.

Chairman Liakakis said, now we can discuss that and I'd like to call on Commissioner Farrell, who has brought this up and has some things that he would like to propose for us as a solution for right now, safety solution, so that we can address and hopefully stop some other accident happening or the loss of life.

Commissioner Farrell said, thank you. Chairman Liakakis and some of the other Commissioners and I have been talking this week about some improvements to the Diamond Causeway corridor. Commissioner Liakakis' [sic] first item was to expedite the replacement of the draw bridge and widen to four lanes, which I think we could agree on that. In the interim —, that's our largest goal —, but in the interim with the cooperation of GDOT and our State Representatives, because we need their cooperation because Diamond Causeway, except for the drawbridge, is a state-maintained road, and we implore them to help us with these interim improvements. One would be —, and these are improvements, but not limited to the following: (1) reduce the probability of anyone attempting an illegal left turn on either side of the Moon River Bridge; (2) add a deceleration lane to the entrance of Skidaway Narrows boat ramp and recreation area; (3) when possible schedule all repair work on the drawbridge at non-peak usage time; for instance, from 7:00 p.m., to 7:00 a.m., or on the weekends; (4) I'd like to encourage the Coast Guard to expedite the resolution that's before them currently about reducing the number of openings during peak early morning and late afternoon, Monday through Friday. There's a current proposition to only open them on the hour from a certain hour from like 7:00 to 9:00 in the morning and then from 4:00 to 7:00 approximately in the afternoon, and we would ask the Coast Guard to please expedite looking into that because as everyone that comes off the bridge knows, it doesn't take long when there's a migration of maritime vessels during the Spring and the Fall to really impede the traffic flow on that one corridor that serves the entire island of Skidaway. We'd also like to reevaluate the use of the left-turn lane at the Skidaway Island State Park. Years ago all the campers and whatnot would pull off to the right in the horseshoe and come to a stop sign and then cross the road. Apparently with the new construction that's going on over there, there's more and more people not paying attention to the horseshoe that's set aside to handle there, and they're just taking a left turn and that's impeding traffic. As Skidaway Island, 30-35 years ago had virtually no traffic using Diamond Causeway, fast-forward 30-35 years we have a tremendous amount of people using a one-lane —, a two-lane road and we need to make some improvements on a day to day basis in the interim as we're waiting for the big solution that should come up in the near —, hopefully in the near future.

Commissioner Farrell said, one other item I'd like for us to look into is to improve post-closure traffic control at The Village traffic light and at Diamond Causeway light and others, if necessary. After we have a long closure, there tends to be a lot of traffic going in one direction or the other and these traffic lights, which are set up for normal traffic, we could expedite the flow of traffic by having a police officer there directing traffic until such time as the normal flow back and forth becomes apparent again. So, not to limit just to these resolutions, there may be some other ones, but this would be a good start if we could address this again with the cooperation of our State Representatives and Georgia Department of Transportation to help us with that.

Chairman Liakakis asked, any comments? Do we have a motion on the floor? Chairman Liakakis recognized County Manager Abolt.

County Manager Abolt said, just to help you all, ladies and gentlemen, I believe the intent was to put this into resolution form and under the signature of the Chairman be sent to the Department of Transportation as well as the Coast Guard.

Chairman Liakakis said, right, and I just need to improve on that. Commissioner Stone said, I make a motion to do that. Commissioner Thomas said, second. Chairman Liakakis said, we have a second. All in favor, go on the board. The motion carried unanimously. [NOTE: Commissioner Kicklighter was not present when this vote was taken.] Chairman Liakakis said, the motion passes.

County Manager Abolt said, Mr. Chairman, you mentioned it in the pre-meeting and, of course, was not available then, I would like to notify that the media here, if no one else, the Board is already aware of this, but there is some repair work going on at that bridge today. It could not be avoided. We didn't pull them off yesterday when we realized it came on the morning after the terrible accident, but what the media may see —, will see out there today is essential. There's some grading that has to be welded, so we're not being unmindful of the direction you've given us, but some things have to be done that had to be done right away.

Chairman Liakakis said, okay. A comment about this, too. You know, the protection of our people and our community, the number one priority and duty of any government is the protection of life and then property, and we need to look at these emergency exits that we have. We're prone to have and, thank God, we haven't had, you know, a hurricane to hit us in a while and several hurricanes did hit Florida, as we know, some areas were hit as many as four times, the same areas, in last year's hurricane season. But the people on Skidaway Island, The Landings, they're at risk and you've got with visitors and the other people, that surrounding area right there, on the other side of that bridge over the Moon River, there are close to 8,000 people if you put them all together, and if a hurricane was to come and, you know, sometimes we have enough tracking information, but sometimes they vary off that particular projected track and those people are at risk. That bridge is an old bridge that has malfunctioned on a number of times leaving those people stranded. The doctors there who live there that have to go for emergency operations, someone that might have a heart attack or something can't get across that bridge with it broken down, and I feel that the Georgia Department of Transportation should put this project of widening from two lane to four lane and do the bridge construction, replacement bridge as soon as possible. Right now what they have, it's on scheduling something like maybe being completed in 2010 or 2012. Well, we've got people at risk and we need to be able to evacuate those 8,000 people if it's necessary something happens 3:00 a.m., in the morning and we don't have that available. So what I did yesterday after that accident was the prime example because I had phone calls like from a Mr. Sturgess, who had been in that line of traffic for three hours and 15 minutes and hadn't moved, and then I got another call, the same as Mr. Abolt, and I received several others after that, and the gentleman stated he waited four and a half hours. To give you some kind of idea about what that traffic was, if you go all the way from the bridge all the way down Whitfield Avenue to Montgomery Crossroad and Whitfield, traffic was tied up that far down. See, that was terrible and that was, you

know, caused by that accident, but suppose we had some kind of disaster that we needed to evacuate those people. So what I did was I called the Commissioner of the Department of Transportation and he was out, he'll be back in some time this afternoon, to ask him to put it on priority so that they can move the widening of that road and the rebuilding of that bridge closer up, and I discussed that with Commissioner Farrell, who's working along with me. I also left a message with our State Legislators for them to help us with the Department of Transportation. One of the Legislators was able to get out and he told me, Buddy Carter, that he would go to the Department of Transportation to try to get them to do that, but we're asking other elected officials to help us with that so that we can get that as a priority measure to —, for that bridge and four-laning of that highway. Anybody else?

Commissioner Odell said, yeah. Just a quick comment. Russ [Abolt], can we get a copy of this resolution sent to not only our lobbyist, but also to the elected officials with an individual cover letter to each one of the State Representatives and the two Senators? County Manager Abolt said, yes, Sybil [Tillman], will get that. Commissioner Odell said, I'm sorry, but you're the big fellow, so —. County Manager Abolt said, I'll give you another yes sir. Commissioner Odell said, hold on. I think by doing that is that DOT is from the [inaudible] State. Commissioner Farrell said, that's correct. Commissioner Odell said, and they have a vote in the State's budget. I think it's in everyone's best interest that this is not just our problem, this is their problem too, and what I'd like to see is a greater level of accountability. Talking to them is good, but we need to write them and say the Commission approved this matter unanimously by all the members present, this is an urgent issue, we need your assistance, this is your problem too. And we need to compliment the Chair and Pat Farrell for their excellent work on this. But let's write —, document. As an attorney my recommendation is always document because people have a vague memory when it comes around for reelection.

Chairman Liakakis said, we have a motion on the floor. Commissioner Odell said, I don't think we need a motion, we can just do a resolution. Chairman Liakakis said, let's do —, no, which item are you talking about? Are you talking about the bridge replacement? Commissioner Odell said, yeah. Chairman Liakakis said, okay, we're taking about a separate resolution now for that widening of —, to push the completion, the widening of the road and the rebuilding of that bridge, the replacement of that old bridge. We have a motion by Commissioner Odell for the resolution —. Commissioner Odell said, right. Commissioner Farrell said, I'll second. Chairman Liakakis said, and a second by Commissioner Farrell. The Clerk said, we've already done it and voted on it. Commissioner Shay said, that was different. Chairman Liakakis said, this is a different resolution altogether. The Clerk said, oh, I'm sorry. Chairman Liakakis said, okay. Chairman Liakakis said, Commissioner Stone wanted to say something first. You wanted to ----? Commissioner Stone said, no, I was just saying —.

Commissioner Farrell said, I have one more comment. Yesterday morning at 7:30 I called Representative Burke Day and had a long conversation. I understand he's now the Chairman of the Public Safety for the State of Georgia, and I made him aware of some of the problems on Diamond Causeway, which is part of his district, and I feel very confident and hopeful that he will be doing what he can to help us out.

Chairman Liakakis said, all in favor, go on the board. The Clerk said, we don't have a motion. Chairman Liakakis said, yes, he just made a motion. The Clerk asked, you did? Chairman Liakakis said, he said he made the motion. And we have a second by Commissioner Farrell —. Commissioner Thomas said, Stone. All on the board please. The motion carried unanimously. Commissioner Odell said, Sybil [Tillman], we don't want much more trouble out of you today. Chairman Liakakis said, no, she's got a lot of work on her. She's trying to copy everything and that's what happens sometimes. She does a real good job. Commissioner Odell said, I'm teasing with her.

ACTION OF THE BOARD:

1. Commissioner Farrell moved that this item be added to the agenda as an emergency item. Commissioner Thomas seconded the motion and it carried the motion carried unanimously.
2. Commissioner Stone moved that the Board approve a resolution to be sent by letter for the Chairman's signature to the Georgia Department of Transportation, our State Representatives and the U. S. Coast Guard imploring them to help us with the following interim improvements on the Diamond Causeway and the drawbridge: (1) Reduce the probability of anyone attempting an illegal left turn on either side of the Moon River Bridge; (2) add a deceleration lane to the entrance of Skidaway Narrows boat ramp and recreation area; (3) when possible schedule all repair work on the drawbridge at non-peak usage time; for instance, from 7:00 p.m., to 7:00 a.m., or on the weekends; (4) encourage the Coast Guard to expedite the resolution that's before them currently about reducing the number of openings during peak early morning and late afternoon, Monday through Friday; (5) reevaluate the use of the left-turn lane at the Skidaway Island State Park; and (6) that the work not be limited to the foregoing items, but to include such other items that will help to impede the flow of traffic on Diamond Causeway. [NOTE: Commissioner Kicklighter was not present when this vote was taken.]
3. Commissioner Odell moved that the Board approve a resolution to be sent to the Georgia Department of Transportation and the State Representatives asking that priority be placed on completion of the four-laning of the Diamond Causeway and the replacement of the bridge. Commissioner Farrell seconded the motion and it carried unanimously.

=====

CHATHAM AREA TRANSIT AUTHORITY

Recessed at 11:22 a.m., as the County Commission and convened as the Chatham Area Transit Authority.

Following adjournment of the Chatham Area Transit Authority, the Board reconvened at 12:50 p.m., as the County Commission.

=====

VIII. TABLED/POSTPONED ITEMS

Unless action is contemplated at today's meeting, staff report and file material has not been duplicated in your agenda packet. The files are available from the Clerk. Those on which staff is requesting action are indicated by asterisk (*).

- 1. **REQUEST BOARD DECLARE AS SURPLUS THE PROPERTY AT 5000 JASMINE AVENUE AND OFFER IT FOR SALE AT PUBLIC BID. *NOTE: Commissioner Shay requests a neighborhood meeting on this matter to discuss use options. Neighborhood meeting was held on Tuesday, the 15th of February.***
[DISTRICT 3].
At meeting of February 18, 2005, item was tabled to meeting of March 11, 2005.
At meeting of March 11, 2005, item was removed from the table for discussion and then tabled for four weeks.

Chairman Liakakis asked, Commissioner Shay, would you make a motion to bring this back up? Commissioner Shay said, no, I won't. Chairman Liakakis asked, table it? Commissioner Shay said, well, it's still on the table and four weeks haven't happened yet. Chairman Liakakis said, that's correct, it's only been two weeks. Commissioner Shay said, just leave it on the table for right now. Chairman Liakakis said, so it's still on the table.

ACTION OF THE BOARD:

This item was not untabled for consideration by the Commissioners.

=====

- 2. **PROPOSAL TO MERGE BOARD OF ELECTIONS WITH BOARD OF REGISTRARS (THOMAS COLE, CHAIRMAN, BOARD OF ELECTIONS).**
At meeting of February 18, 2005, item was delayed to meeting of March 11, 2005.
At meeting of March 11, 2005, item was removed from the table for discussion and then tabled.

Chairman Liakakis said, right now I have a letter, I think it was sent to all the Commissioners from the Board of Registrars. They felt that they needed more discussion and that they did not want to —, for the Board of Elections and the Board of Registrars at this point to merge. Do I have a motion on the floor to keep this tabled? The Clerk said, if you don't untable it, it remains tabled. Chairman Liakakis said, okay. Well, we're not untabling it so we don't have a motion. So we move on to the next item.

ACTION OF THE BOARD:

This item was not untabled for consideration by the Commissioners.

=====

IX. ITEMS FOR INDIVIDUAL ACTION

(Unless the Board directs otherwise, adoption of an Action Item will mean approval of the respective County staff report and its recommended action.)

- 1. **REQUEST BOARD APPROVE THE FOLLOWING: AN AMENDMENT TO THE MULTIPLE GRANT FUND TO RECOGNIZE AWARD OF A GEORGIA DEPARTMENT OF COMMUNITY AFFAIRS GRANT IN THE AMOUNT OF \$13,000; A TRANSFER OF \$9,130 FROM THE BOARD OF ASSESSORS BUDGET TO THE COUNTY ATTORNEY'S BUDGET FOR PROFESSIONAL FEES; AND A TRANSFER OF \$286,000 WITHIN THE SHERIFF'S DEPARTMENT BUDGET TO FUND EQUIPMENT FOR NEW POSITIONS.**

Commissioner Odell said, move for approval. Commissioner Kicklighter said, second. Commissioner Gellatly said, second.

Chairman Liakakis said, all right. Everybody in —, any discussion? Everybody in favor, go on the board. The motion carried unanimously.

County Manager Abolt said, Mr. Chairman, I'd just like to point out for the record, and I appreciate what Ms. Cramer's done along with Ms. Snider, but in fairness to County Attorney Hart I don't want to portray this last shift to him from the Board of Assessors as sufficient money that will allow him to complete his assigned tasks in this budget year with the amount of money available.

Chairman Liakakis said, okay. Does all the Commissioners understand that? Okay.

Commissioner Odell said, they're keeping some money is what that —, the sum total of that, monies that they used in the past to pay legal counsel. They're holding out on the dough, so they're doing indirectly what the Board voted against directly.

Chairman Liakakis said, well, we can, if you want to go into that now or we can —.

Commissioner Odell said, no, I really don't because Dean [Kicklighter] is hungry. What I'd really want to do is I'd like to have those accounts brought back. County Manager Abolt said, I just don't want to put Mr. Hart in an unfair position that when you go into your workshop and you're asking what he spent this year regarding the attorney assistant for the Board of Assessors, it may be necessary for him to say there's not enough. I don't want to put him in an unfair position. That's why I say what I say.

Chairman Liakakis said, okay, we have the motion on the floor. All in favor, go on the board —, or against. The Clerk said, we've already vote. Chairman Liakakis said, all right.

ACTION OF THE BOARD:

Commissioner Odell moved to approve the following: An amendment to the Multiple Grant Fund to recognize award of a Georgia Department of Community Affairs grant in the amount of \$13,000; a transfer of \$9,130 from the Board of Assessors budget to the County Attorney's budget for professional fees; and a transfer of \$286,000 within the Sheriff's Department budget to fund equipment for new positions. Commissioners Gellatly and Kicklighter seconded the motion and it carried unanimously.

AGENDA ITEM: IX-1
AGENDA DATE: April 1, 2005

DATE: March 23, 2005
TO: Board of Commissioners
THRU: R.E. Abolt, County Manager
FROM: Linda Cramer, Finance Director

ISSUE:

To request approval of an amendment to the Multiple Grant Fund to recognize award of a Georgia Department of Community Affairs grant in the amount of \$13,000; a transfer of \$9,130 from the Board of Assessors budget to the County Attorney's budget for professional fees; and a transfer of \$286,000 within the Sheriff's Department budget to fund equipment for new positions.

BACKGROUND:

Board approval is required for budget amendments and transfers between organizational units.

FACTS AND FINDINGS:

- (1) The Georgia Department of Community Affairs has awarded a grant to Chatham County in the amount of \$13,000 to develop context sensitive transportation design standards in partnership with the Metropolitan Planning Commission. An amendment to the Multiple Grant Fund budget to recognize the revenue and appropriate the funds has been prepared. The grant requires a local match of \$13,000. Funds are available in the Sales Tax IV Greenspace budget for the match. Copies of correspondence are attached.
- (2) The Board of Commissioners approved the transfer of funds between the Tax Assessor's budget and the County attorney's budget at the February 4, 2005 meeting. A transfer in the amount of \$30,000 was approved in the March 11, 2005 meeting. It has been determined that additional funds in the amount of \$9,160 are available.
- (3) The Board of Commissioners approved additional positions for the Sheriff's department in the February 18, 2005 meeting. A transfer of \$286,000 within the departmental budget from salaries and wages is requested to purchase vehicles and equipment. A letter from the Sheriff is attached.

FUNDING:

The budget amendment will establish funding in the Multiple Grant Fund. Funds are available in the Sales Tax IV Greenspace budget for the grant match. Funds are available in the Board of Assessor's and Sheriff's Department budgets for the transfers.

ALTERNATIVES:

1) That the Board approve the following:

MULTIPLE GRANT FUND

an amendment to recognize award of a Georgia Department of Community Affairs grant in the amount of \$13,000.

GENERAL FUND M&O

- a) a transfer of \$9,160 from the Board of Assessors budget to the County Attorney's budget for professional fees.
- b) a transfer of \$286,000 within the Sheriff's Department budget to fund vehicles and equipment needs.

2) Amend or deny the request.

POLICY ANALYSIS:

State law grants the Board authority to transfer funds within the budget during the year as it deems necessary.

RECOMMENDATION:

That the Board approve Alternative 1.

Prepared by: Read DeHaven

=====

2. REQUEST BOARD APPROVE A NEW POSITION FOR THE DEPARTMENT OF ENGINEERING.

Chairman Liakakis recognized County Manager Abolt.

County Manager Abolt said, this is —, I can't remember the last time we asked for a new position, particularly in Engineering. This one though is based on the need for Mr. Bungard, certainly endorsed by myself, to have a strong additional person at the top management level, a senior engineer position. The work load has increased greatly, not with just SPLOST, but also our pollution control permit responsibilities. Mr. Bungard needs a person that can expedite. Coincidentally, it is very compatible with your goal to streamline and improve business processes in order to foster a friendly environment with the development community. I recommend it strongly and it's fully funded.

Commissioner Odell move for approval. Commissioner Stone said, second. Chairman Liakakis said, we have a second. All in favor, go on the board. Chairman Liakakis and Commissioners Stone, Holmes, Shay, Farrell, Odell and Thomas voted in favor of the motion. Commissioners Gellatly and Kicklighter voted in opposition. The motion carried by a vote of seven to two. Chairman Liakakis said, the motion passes.

ACTION OF THE BOARD:

Commissioner Odell moved to approve a new position for the Department of Engineering. Commissioner Stone seconded the motion. Chairman Liakakis and Commissioners Stone, Holmes, Shay, Farrell, Odell and Thomas voted in favor of the motion. Commissioners Gellatly and Kicklighter voted in opposition. The motion carried by a vote of seven to two.

AGENDA ITEM: IX-2

DATE: April 1, 2005

TO: Board of Commissioners

THRU: R. E. Abolt, County Manager

FROM: A. G. Bungard, P.E., County Engineer

ISSUE: To approve a new position for the Department of Engineering.

BACKGROUND: This position is part of the plan to reorganize the Department and reassign (reclassifying as needed) duties based on the growing responsibilities that have evolved in recent years. As a small department with little or no depth in many areas, staff's responsiveness depends in large degree on hiring conscientious and talented staff, cross-training and effective coordination, but another position is needed to help orchestrate it all.

FACTS AND FINDINGS:

1. Although the Department of Engineering is an “SSD” department, the responsibilities of every aspect of our mission has grown and become more complex County-wide. At one time the Department was authorized 19 positions. At one time there were two Assistant County Engineers. Authorized SSD positions now stand at 14. The discussion below is intended only to highlight examples of the need for the position based on the mission categories in order to effectively manage the myriad of diverse functions inherent in the Department’s mission.

a. Technical support: Provide engineering services to other departments, staff, elected officials and the public. The Department is asked for assistance from every quarter of the community on the full spectrum of engineering issues. As the rapid growth continues, so do the demands for more support. An example is the management of key elements of the Geographic Information System which are used for planning, permitting, regulation and managing infrastructure.

b. Project management. Until recently, this department primarily managed only the road and drainage capital improvement projects. Now we are being asked to manage the construction for a host of other projects (e.g. police precincts, boat ramp facilities, jail expansion, etc) for both SPLOST and other sources of funds. While the scope of many of the projects may be smaller, the number of projects is also growing. From the administration standpoint, this department now provides oversight and manages all of the SPLOSTs.

c. Development: The types of development (i.e. residential versus commercial) and rate of development varies greatly from year to year, the permitting process and regulatory requirements have grown significantly. The regulatory requirements have implications for every aspect of our mission, the County and the municipalities. All of the requirements derive from federal and state mandates, the most recent being the National Pollutant Discharge Elimination System (NPDES) requirements as they apply to land disturbing activities and storm water quality.

d. Public assistance and relations: The public continues to become increasingly involved in every aspect of projects, development and community issues. Beyond the technical support, this department is responsible for protecting the public interest in the administration of several ordinances. The Department needs the capability to do more in this area.

2. This position will report directly to the County Engineer, serving as a principal advisor and ombudsman, and be charged with providing oversight on all of the above functions. A key responsibility will be to investigate and develop opportunities to streamline and improve business processes in to order to foster a friendly environment for all of the Department’s functions.

ALTERNATIVES:

- 1. To approve a new position for the Department of Engineering.
- 2. To not approve the new position.

FUNDING: Funding is available in the Special Services District, Land Disturbing Activities and SPLOST budgets.

POLICY ANALYSIS: The Board must approve authorizations of new positions.

RECOMMENDATION: That the Board approve Alternative 1.

=====

3. VERBAL UPDATE ON AMENDMENTS TO THE DOG ORDINANCE.

Chairman Liakakis said, we had discussion earlier that was brought out so, you know, we had all the updates that we need for today. So I don't think we need to discuss that any more. So we'll move on to the next item.

ACTION OF THE BOARD:

For discussion on amendments to the dog ordinance, please refer to the discussion on Item VII-1.

=====

4. REQUEST WAIVER OF HIRING FREEZE AND AUTHORIZE HUMAN RESOURCES TO FILL THE FOLLOWING POSITION:

- **SHERIFF - ONE (1) COMPUTER SERVICES TECHNICIAN I**

Chairman Liakakis said, and they need that —, the Sheriff’s Department needs that because of the expansion and works that they have in there.

Commissioner Odell said, I'll make a motion to approve that. This is with Al St. Lawrence. They do a good job. He never comes to us unless they absolutely need it. I'll make a motion —. Commissioner Thomas said, second the motion, Mr. Chairman.

Chairman Liakakis said, okay, we have a motion on the floor and it's been seconded. Go on the board. The motion carried unanimously. Chairman Liakakis said, the motion passes.

ACTION OF THE BOARD:

Commissioner Odell moved to approve the request for waiver of the hiring freeze and authorize Human Resources to fill the following position: Sheriff - one (1) Computer Services Technician I. Commissioner Thomas seconded the motion and it carried unanimously.

=====

X. ACTION CALENDAR

(The Board can entertain one motion to adopt the below-listed calendar. Such motion would mean adoption of staff's recommendation. Any Board Member may choose to pull an item from the calendar and it would be considered separately.)

Chairman Liakakis said, on Action Items, we have some requests to take off Item 3 —, 4 and 5 Commissioner Odell said that he'd just pass that on for right now, he didn't want to pull that off right now. Item 3 and Item 12. So I'd like a motion on the floor from Items 1 and we're going to have to —. The Clerk said, it will be through 16. Chairman Liakakis said, number 16 we added that to there, that's to approve the construction, Stonelake Townhouses [sic], and reduce their financial burden on that one. We're added that and we voted on that earlier to put that on the Action Calendar. So —.

Commissioner Odell said, just a point of order. Isn't number 8 and number 16 the same? County Manager Abolt said, no sir. One is Phase 1 the other's Phase 3. Commissioner Odell said, oh, okay.

Commissioner Kicklighter said, I make a motion to approve the balance of the Action Calendar. Commissioner Thomas said, second. Chairman Liakakis said, all in favor. Otherwise, go on the board. The motion carried unanimously. Chairman Liakakis said, it's all approved. Commissioner Kicklighter said, he's going to pull 3 and 12. Chairman Liakakis said, okay. The motion carries.

ACTION OF THE BOARD:

Commissioner Kicklighter moved that the Action Calendar be approved in its entirety with the exception of Items 3 and 12. Commissioner Thomas seconded the motion and it carried unanimously.

[NOTE: ACTION OF THE BOARD IS SHOWN ON EACH ITEM AS THOUGH AN INDIVIDUAL MOTION WAS MADE THEREON.]

=====

1. APPROVAL OF THE MINUTES FOR THE PRE-MEETING AND REGULAR MEETING OF MARCH 11, 2005, AS MAILED.

ACTION OF THE BOARD:

Commissioner Kicklighter moved to approve the minutes for the pre-meeting and regular meeting of March 11, 2005, as mailed. Commissioner Thomas seconded the motion and it carried unanimously.

=====

2. CLAIMS VS. CHATHAM COUNTY FOR THE PERIOD MARCH 3 THROUGH MARCH 23, 2005.

ACTION OF THE BOARD:

Commissioner Kicklighter moved that the Finance Director is authorized to pay claims for the period March 3, 2005, through March 23, 2005, in the amount of \$7,517,628. Commissioner Thomas seconded the motion and it carried unanimously.

=====

3. REQUEST BOARD APPROVE AN AGREEMENT FOR THE DISTRIBUTION OF SPECIAL PURPOSE SALES TAX PROCEEDS FROM THE 2003-2008 SPLOST TO THE LIVE OAK PUBLIC LIBRARIES (LIBRARY) FOR CAPITAL OUTLAY PROJECTS.

[DISTRICTS: ALL.]

Chairman Liakakis asked, do we have a motion on the floor for that?

Commissioner Kicklighter said, Mr. Chairman, I would —, I'm going to make a motion to table this item, but before I do so I would like for Harris [Odell] to —, who did you recommend as a committee, Harris [Odell], to work with the Library Board to see —?

Commissioner Odell said, I think that under the last SPLOST we had designated where we were going to build libraries and it impacts or is going to impact Dr. Thomas —, this end really, and Pat —. Commissioner Shay said, Farrell. Commissioner Odell said, and Pat Farrell, and what I wanted to do is to suggest that those four people meet with the Library Board and try to resolve what appears to be a disagreement as to priorities in funding and that before you do that you have the minutes of the discussions on the SPLOST funding, unless you all think —, the four of you all meet and come back to us.

Commissioner Kicklighter said, okay, and I think Pat Monahan just delivered some information here. We don't have time to sit here and go through this by now, but —, no that's great. We didn't have time earlier to look at it either, but —, so we'll do that and we don't need a vote to get this group together to meet with them, so at this time I'll just make a motion that we table Item #3.

Chairman Liakakis said, now one of the things we want the public to know, there was some concern why this is being tabled. There is some concern about where the libraries would be built and there was some agreement between the Commission and the Library Board about the building of libraries in different parts of the community. Well, it's being brought up now about building a library now at this particular point and the contention is that this was not the one that should be built now as opposed to ones that were approved to be built before this one. And what we'll do at this particular point we have a —, excuse me. Go ahead, Jonathan [Hart]. County Attorney Hart said, I just want to make the Commission aware that if that motion to table is seconded, it cuts off discussion and it needs to be voted upon immediately.

Commissioner Kicklighter asked, did anybody second it? The Clerk said, I did not hear a second. County Attorney Hart said, I did not hear a second, but that's —. Commissioner Kicklighter said, well, don't second it yet because —. I'll withdraw then. Yeah, Mr. Chairman, to elaborate I asked to pull this item off and basically I just want to make sure that the Library Board and the County Commission, I want to make sure that we're on the same page when it comes to the —, which libraries and locations and everything, you know, we need to get on the same page because at this point it appears that we may have different views of the intent of that money when it was approved by the County Commission, so I believe a short delay here and a meeting with the Library Board, I believe we can get back on the same page, you know, and get this thing moving forward.

Chairman Liakakis asked, so do you make a motion —? Excuse me, go ahead.

Commissioner Stone said, I just want to add that this is part of my district as well for Southeast Chatham. Commissioner Kicklighter said, well, any Commissioner that would like to attend will have —, ask staff to set up a meeting with the Library Board. County Manager Abolt said, if you want to have it as a regular Library Board meeting, it should already be advertised. Otherwise, I don't want you to have quorum problems having your own meeting. Commissioner Kicklighter said, okay, well, just inform —, let us know. That'll be good.

Ms. Marianne Heimes said, my name is Marianne Heimes. I think if you will turn to page one in the material that you just received, I think the confusion that. Commissioner Kicklighter said, ma'am. Could I please stop you? There's no point at this point for debate when we can sit down and discuss —, I don't want to sit up here and get beat up and I don't want to beat up the Library Board. You're all good caring people. I feel that I was misled as the representative from the Chatham County Seventh District and I didn't want to bring this up now. I thought it could be resolved off camera where we can come to a nice compromise, and there's no use to put us in this combative atmosphere when we can resolve this quietly behind closed doors and come to a conclusion and a compromise that the public actually voted on. And so —. Ms Heimes asked, may I —, may I just —, and I'm not trying to be combative. I went back over some of these —.

County Attorney Hart asked, Mr. Chairman, have you recognized the speaker? Chairman Liakakis said, yes, I did. County Attorney Hart said, okay.

Ms. Heimes said, it's just that there were several levels that were considered before the vote was taken for the SPLOST and I think that's where some of the confusion. Frankly, I had forgotten some of this myself, so all I'm asking is that you do read over these and the Library Board is more than happy to meet with any of you. We can come to your meeting, you can come to our meeting, we can have a special meeting, whatever. Commissioner Kicklighter said, thank you.

Chairman Liakakis said, thank you very much. Okay, do you want to make your motion to table?

Commissioner Kicklighter said, yeah, thank you. For the camera, not behind closed doors meeting, but we can do it where we can sit down and work together and Russ [Abolt] saved me from the paper where he knew what I meant hopefully, but we can hold the meeting in a place where we can sit down and discuss this without it being a big show where good intent can come out into a good resolution. Chairman Liakakis asked, did you make a motion for tabling? Commissioner Kicklighter said, so I want to make a motion to table this item.

Chairman Liakakis asked, do we have a second? Commissioner Stone said, second. Chairman Liakakis said, it's been seconded. All in favor signify by going on the board. The motion carried unanimously. Chairman Liakakis said, the motion passes.

ACTION OF THE BOARD:

Commissioner Kicklighter moved to table the request to approve an Agreement for the Distribution of Special Purpose Sales Tax Proceeds from the 2003-2008 SPLOST to the Live Oak Public Libraries (Library) for Capital Outlay Projects. Commissioner Stone seconded the motion and it carried unanimously.

AGENDA ITEM: **X-3**
 DATE: April 1, 2005

TO: Board of Commissioners
THRU: R. E. Abolt, County Manager
FROM: A. G. Bungard, P.E., County Engineer

ISSUE: That the Board approve an Agreement for the Distribution of Special Purpose Sales Tax Proceeds from the 2003-2008 SPLOST to the Live Oak Public Libraries (Library) for Capital Outlay Projects.

BACKGROUND: As authorized by Georgia law, the County called an election which was held on March 18, 2003, to request voter authorization which was approved for a special purpose local option one percent sales and use tax to be imposed for a period of five years for the purpose of raising \$276,627,433 for funding road, street, and bridge improvements, drainage system capital improvements, open space projects, public safety and emergency facilities and equipment, and other capital outlay projects.

FACTS AND FINDINGS:

1. The Resolution approved by referendum provided for the distribution of a portion of the proceeds to Live Oak Public Libraries for capital outlay project purposes. The Library intends to use the SPLOST funds to acquire properties and construct new facilities.
2. The Resolution provides that the organizations that receive SPLOST funds shall enter into separate agreements with the County upon such terms as appropriate to ensure that funds will be used for SPLOST eligible projects and meet the requirements of the law. These requirements include audits, retention of records and certifications of how the funds are used.

ALTERNATIVES:

1. That the Board approve an Agreement for the Distribution of Special Purpose Sales Tax Proceeds from the 2003-2008 SPLOST to the Live Oak Public Libraries for Capital Projects.
2. That the Board not approve executing the agreement with the Library.

FUNDING: Based on the cash flow and budget adopted by the Board, the Library was allocated \$4,400,000 in FY 2004 and is projected to receive an additional \$4,000,000 in fiscal year 2006 (2003-2008 SPLOST). Funds will be disbursed as funds become available for appropriately certified capital outlay projects.

POLICY ANALYSIS: The Board must approve interagency agreements.

RECOMMENDATION: That the Board approve Alternative 1.

Districts: All

=====

4. REQUEST BOARD APPROVE AN AGREEMENT FOR THE DISTRIBUTION OF SPECIAL PURPOSE SALES TAX PROCEEDS FROM THE 2003-2008 SPLOST TO THE KING-TISDELL COTTAGE FOUNDATION, INC., FOR CAPITAL OUTLAY PROJECTS. [DISTRICTS: ALL.]

ACTION OF THE BOARD:

Commissioner Kicklighter moved to approve an agreement for the distribution of Special Purpose Sales Tax Proceeds from the 2003-2008 SPLOST to the King-Tisdell Cottage Foundation, Inc., for capital outlay projects. Commissioner Thomas seconded the motion and it carried unanimously.

AGENDA ITEM: **X-4**
 DATE: April 1, 2005

TO: Board of Commissioners
THRU: R. E. Abolt, County Manager
FROM: A. G. Bungard, P.E., County Engineer

ISSUE: That the Board approve an Agreement for the Distribution of Special Purpose Sales Tax Proceeds from the 2003-2008 SPLOST to the King-Tisdell Cottage Foundation, Inc. for Capital Outlay Projects.

BACKGROUND: As authorized by Georgia law, the County called an election which was held on March 18, 2003, to request voter authorization which was approved for a special purpose local option one percent sales and use tax to be imposed for a period of five years for the purpose of raising \$276,627,433 for funding road, street, and bridge improvements, drainage system capital improvements, open space projects, public safety and emergency facilities and equipment, and other capital outlay projects.

FACTS AND FINDINGS:

1. The Resolution approved by referendum provided for the distribution of a portion of the proceeds to King-Tisdell for capital outlay project purposes. King-Tisdell intends to use the SPLOST funds for the restoration and renovation of facilities, and the acquisition of properties for expansion.

2. The Resolution provides that the organizations that receive SPLOST funds shall enter into separate agreements with the County upon such terms as appropriate to ensure that funds will be used for SPLOST eligible projects and meet the requirements of the law. These requirements include audits, retention of records and certifications of how the funds are used.

ALTERNATIVES:

1. That the Board approve an Agreement for the Distribution of Special Purpose Sales Tax Proceeds from the 2003-2008 SPLOST to the King-Tisdell Cottage Foundation, Inc. for Capital Outlay Projects.

2. That the Board not approve executing the agreement with King-Tisdell.

FUNDING: Based on the cash flow and budget adopted by the Board, King-Tisdell is projected to receive \$91,000 in fiscal year 2006 and \$817,762 in fiscal year 2007 (2003-2008 SPLOST). Funds will be disbursed as funds become available for appropriately certified capital outlay projects.

POLICY ANALYSIS: The Board must approve interagency agreements.

RECOMMENDATION: That the Board approve Alternative 1.

Districts: All

=====

5. REQUEST BOARD APPROVE AN AGREEMENT FOR THE DISTRIBUTION OF SPECIAL PURPOSE SALES TAX PROCEEDS FROM THE 2003-2008 SPLOST TO THE GREENBRIAR CHILDREN’S CENTER, INC., FOR CAPITAL OUTLAY PROJECTS. [DISTRICTS: ALL.]

Commissioner Shay said, Mr. Chairman, I’m out of order and I apologize, but I thought we were pulling Items 4 and 5. Chairman Liakakis said, no, no. I mentioned earlier that he requests that —, and we voted on it. Commissioner Shay said, and I voted in error then because Greenbriar Children’s Center is a client of my firm and I wanted to have the opportunity to recuse myself from voting. So I’ve already voted on the Action Calendar. Chairman Liakakis said, and that was included because I mentioned that ahead of time, but, I mean —. Commissioner Shay said, I thought we were pulling Items 4 and 5. Chairman Liakakis asked, Sybil [Tillman], will you make a note of that that Commissioner Shay wants to recuse himself from the vote on that item —? Commissioner Shay said, on the Greenbriar Children’s Center. Chairman Liakakis said, — on the Action Calendar please. Commissioner Shay said, I apologize. The Clerk said, I’ll make a note in the record that he requested to be recused. Chairman Liakakis said, yeah, if you’ll just make a note of that. Commissioner Shay said, thank you.

ACTION OF THE BOARD:

Commissioner Kicklighter moved to approve an Agreement for the Distribution of Special Purpose Sales Tax Proceeds from the 2003-2008 SPLOST to the Greenbriar Children’s Center, Inc., for Capital Outlay Projects. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Shay requested that he be recused from this item because Greenbriar Children’s Center is a client of his architectural firm.]

AGENDA ITEM: **X-5**
DATE: April 1, 2005

TO: Board of Commissioners
THRU: R. E. Abolt, County Manager
FROM: A. G. Bungard, P.E., County Engineer

ISSUE: That the Board approve an Agreement for the Distribution of Special Purpose Sales Tax Proceeds from the 2003-2008 SPLOST to the Greenbriar Children’s Center, Inc. for Capital Outlay Projects.

BACKGROUND: As authorized by Georgia law, the County called an election which was held on March 18, 2003, to request voter authorization which was approved for a special purpose local option one percent sales and use tax to be imposed for a period of five years for the purpose of raising \$276,627,433 for funding road, street, and bridge improvements, drainage system capital improvements, open space projects, public safety and emergency facilities and equipment, and other capital outlay projects.

FACTS AND FINDINGS:

1. The Resolution approved by referendum provided for the distribution of a portion of the proceeds to Greenbriar for capital outlay project purposes. Greenbriar Children’s Center intends to use the SPLOST funds to assist in the construction of new residential cottages and to renovate existing buildings.
2. The Resolution provides that the organizations that receive SPLOST funds shall enter into separate agreements with the County upon such terms as appropriate to ensure that funds will be used for SPLOST eligible projects and meet the requirements of the law. These requirements include audits, retention of records and certifications of how the funds are used.

ALTERNATIVES:

1. That the Board approve an Agreement for the Distribution of Special Purpose Sales Tax Proceeds from the 2003-2008 SPLOST to the Greenbriar Children’s Center, Inc. for Capital Outlay Projects.
2. That the Board not approve executing the agreement with Greenbriar.

FUNDING: Based on the cash flow and budget adopted by the Board, Greenbriar is projected to receive \$130,000 in fiscal year 2005 and \$1,233,142 in fiscal year 2006 (2003-2008 SPLOST). Funds will be disbursed as funds become available for appropriately certified capital outlay projects.

POLICY ANALYSIS: The Board must approve interagency agreements.

RECOMMENDATION: That the Board approve Alternative 1.

Districts: All

=====

6. REQUEST BOARD APPROVE AN AGREEMENT FOR THE DISTRIBUTION OF SPECIAL PURPOSE SALES TAX PROCEEDS FROM THE 2003-2008 SPLOST TO THE ROYCE LEARNING CENTER FOR CAPITAL OUTLAY PROJECTS. [DISTRICTS: ALL.]

ACTION OF THE BOARD:

Commissioner Kicklighter moved to approve an agreement for the distribution of Special Purpose Sales Tax Proceeds from the 2003-2008 SPLOST to the Royce Learning Center for capital outlay projects. Commissioner Thomas seconded the motion and it carried unanimously.

AGENDA ITEM: X-6
DATE: April 1, 2005

TO: Board of Commissioners

THRU: R. E. Abolt, County Manager

FROM: A. G. Bungard, P.E., County Engineer

ISSUE: That the Board approve an Agreement for the Distribution of Special Purpose Sales Tax Proceeds from the 2003-2008 SPLOST to the Royce Learning Center for Capital Outlay Projects.

BACKGROUND: As authorized by Georgia law, the County called an election which was held on March 18, 2003, to request voter authorization which was approved for a special purpose local option one percent sales and use tax to be imposed for a period of five years for the purpose of raising \$276,627,433 for funding road, street, and bridge improvements, drainage system capital improvements, open space projects, public safety and emergency facilities and equipment, and other capital outlay projects.

FACTS AND FINDINGS:

1. The Resolution approved by referendum provided for the distribution of a portion of the proceeds to Royce for capital outlay project purposes. Royce Learning Center intends to use the SPLOST funds to build a 10,000-15,000 square foot multi-purpose building.
2. The Resolution provides that the organizations that receive SPLOST funds shall enter into separate agreements with the County upon such terms as appropriate to ensure that funds will be used for SPLOST eligible projects and meet the requirements of the law. These requirements include audits, retention of records and certifications of how the funds are used.

ALTERNATIVES:

- 1. That the Board approve an Agreement for the Distribution of Special Purpose Sales Tax Proceeds from the 2003-2008 SPLOST to the Royce Learning Center for Capital Outlay Projects.
- 2. That the Board not approve executing the agreement with the Royce Learning Center.

FUNDING: Based on the cash flow and budget adopted by the Board, Royce is projected to receive \$163,577 in fiscal year 2005 and \$1,472,193 in fiscal year 2006 (2003-2008 SPLOST). Funds will be disbursed as funds become available for appropriately certified capital outlay projects.

POLICY ANALYSIS: The Board must approve interagency agreements.

RECOMMENDATION: That the Board approve Alternative 1.

Districts: All

=====

**7. REQUEST BOARD APPROVE AN AGREEMENT FOR THE DISTRIBUTION OF SPECIAL PURPOSE SALES TAX PROCEEDS FROM THE 2003-2008 SPLOST TO THE WEST CHATHAM YMCA FOR CAPITAL OUTLAY PROJECTS.
[DISTRICTS: ALL.]**

ACTION OF THE BOARD:

Commissioner Kicklighter moved to approve an agreement for the distribution of Special Purpose Sales Tax Proceeds from the 2003-2008 SPLOST to the West Chatham YMCA for capital outlay projects. Commissioner Thomas seconded the motion and it carried unanimously.

AGENDA ITEM: X-7
DATE: April 1, 2005

TO: Board of Commissioners
THRU: R. E. Abolt, County Manager
FROM: A. G. Bungard, P.E., County Engineer

ISSUE: That the Board approve an Agreement for the Distribution of Special Purpose Sales Tax Proceeds from the 2003-2008 SPLOST to the West Chatham YMCA for Capital Outlay Projects.

BACKGROUND: As authorized by Georgia law, the County called an election which was held on March 18, 2003, to request voter authorization which was approved for a special purpose local option one percent sales and use tax to be imposed for a period of five years for the purpose of raising \$276,627,433 for funding road, street, and bridge improvements, drainage system capital improvements, open space projects, public safety and emergency facilities and equipment, and other capital outlay projects.

FACTS AND FINDINGS:

- 1. The Resolution approved by referendum provided for the distribution of a portion of the proceeds to the YMCA for capital outlay project purposes. The West Chatham YMCA intends to use the SPLOST funds to construct an outdoor aquatic playground.
- 2. The Resolution provides that the organizations that receive SPLOST funds shall enter into separate agreements with the County upon such terms as appropriate to ensure that funds will be used for SPLOST eligible projects and meet the requirements of the law. These requirements include audits, retention of records and certifications of how the funds are used.

ALTERNATIVES:

- 1. That the Board approve an Agreement for the Distribution of Special Purpose Sales Tax Proceeds from the 2003-2008 SPLOST to the West Chatham YMCA for Capital Outlay Projects.
- 2. That the Board not approve executing the agreement with the YMCA.

FUNDING: Based on the cash flow and budget adopted by the Board, the YMCA is projected to receive \$45,438 in fiscal year 2006 (2003-2008 SPLOST). Funds will be disbursed as funds become available for appropriately certified capital outlay projects.

POLICY ANALYSIS: The Board must approve interagency agreements.

RECOMMENDATION: That the Board approve Alternative 1.

Districts: All

=====

8. **REQUEST FROM THOMAS AND HUTTON, ENGINEER FOR GENESIS DESIGNER HOMES, FOR THE COUNTY TO APPROVE THE CONSTRUCTED IMPROVEMENTS, INITIATE A SIX-MONTH WARRANTY PERIOD FOR STONEBRIDGE, PHASE 1, AND REDUCE THE FINANCIAL GUARANTEE.
[DISTRICT 7.]**

ACTION OF THE BOARD:

Commissioner Kicklighter moved to approve the request from Thomas & Hutton, Engineer for Genesis Designer Homes, for the County to approve the constructed improvements, initiate a six-month warranty period for Stonebridge, Phase 1, and reduce the financial guarantee. Commissioner Thomas seconded the motion and it carried unanimously.

AGENDA ITEM: **X-8**

DATE: April 1, 2005

TO: Board of Commissioners

THRU: R. E. Abolt, County Manager

FROM: A.G. Bungard, P.E., County Engineer

ISSUE: To approve the constructed improvements, initiate a six-month warranty period for Stonebridge, Phase 1, and reduce the financial guarantee.

BACKGROUND: The engineer, Thomas and Hutton, for the developer, Genesis Designer Homes, requests that the County approve the constructed improvements, initiate a six-month warranty period and reduce the financial guarantee.

FACTS AND FINDINGS:

1. Stonebridge is located within the Berwick Plantation development on Highway 17. This phase of Stonebridge consists of 47 lots on 27.3 acres. The paving and drainage improvements are to be maintained by the County. The water and sewer service is provided by Consolidated Utilities, Inc.
2. The construction was completed over six months ago. The construction was inspected and is currently without fault. A six-month warranty period is, therefore, appropriate.
3. The developer requests that the financial guarantee be reduced to \$179,572, which is 50% of the cost of dedicated improvements. The developer submitted a letter of credit issued by Georgia Bank & Trust in that amount.

ALTERNATIVES:

1. To approve the constructed improvements, initiate a six-month warranty period for Stonebridge, Phase 1, and reduce the financial guarantee.
2. Do not approve the request.

POLICY ANALYSIS: This action is consistent with the subdivision regulation regarding the warranty of constructed improvements.

RECOMMENDATION: That the Commissioners adopt Alternative No. 1.

District 7

PREPARED BY: Suzanne Cooler

=====

**9. REQUEST FROM SOUTHEAST ENGINEERING AND ENVIRONMENTAL, ENGINEER FOR REGAL BUILDERS, TO RECORD THE SUBDIVISION PLAT FOR GEORGETOWN PLACE TOWNHOMES AND ACCEPT THE FINANCIAL GUARANTEE.
[DISTRICT 7.]**

ACTION OF THE BOARD:

Commissioner Kicklighter moved to approve the request from Southeast Engineering and Environmental, engineer for Regal Builders, to record the subdivision plat for Georgetown Place Townhomes and accept the financial guarantee. Commissioner Thomas seconded the motion and it carried unanimously.

AGENDA ITEM: **X-9**

DATE: April 1, 2005

TO: Board of Commissioners

THRU: R. E. Abolt, County Manager

FROM: A. G. Bungard, P.E., County Engineer

ISSUE: To record the subdivision plat for Georgetown Place Townhomes and accept the financial guarantee.

BACKGROUND: The engineer, Southeast Engineering and Environmental, for the developer, Regal Builders, requests that the County approve the subdivision plat for recording and accept the financial guarantee.

FACTS AND FINDINGS:

1. Georgetown Place Townhomes is a private townhome development (multi-family residential) on the south side of King George Boulevard, north of State Route 204. The paving, drainage, and streetlighting will be privately maintained by a homeowners association. The water and sewer improvements will be maintained by City of Savannah. The subdivision consists of 8 lots, which will be further subdivided into 66 lots on 5.81-acres.
2. The intent of this subdivision is to divide the property into 8 lots in order to sell to builders. The builders will complete the townhomes for each lot. The lots will be further subdivided into individual lots for each townhome once the lot lines have been determined during the construction process.
3. Staff approved the construction plans and issued a permit for construction of the improvements. Construction of the required site improvements is underway and is substantially complete. The total cost of the improvements is \$252,803. A letter of credit in that amount has been posted as a performance guarantee.
4. An Environmental Site Assessment (ESA) was previously conducted on the subdivision in accordance with the Subdivision Ordinance. No environmentally unsafe conditions were found on the site.

ALTERNATIVES:

1. Approve the recording of the subdivision plat for Georgetown Place Townhomes and accept the financial guarantee.
2. Do not approve the request.

POLICY ANALYSIS: This action is consistent with the subdivision regulation regarding the creation of lots through plat recording.

RECOMMENDATION: That the Commissioners adopt Alternative No. 1.

District 7

PREPARED BY: Dana Hornkohl, P.E.

=====

**10. REQUEST BOARD AUTHORIZE THE CHAIRMAN AND CLERK OF COMMISSION TO SIGN A TRAFFIC SIGNAL APPLICATION REQUIRED BY GDOT THAT STATES CHATHAM COUNTY WILL ACCEPT MAINTENANCE AND ENERGY COSTS FOR THE TRAFFIC VIDEO ENFORCEMENT CAMERA AND TRAFFIC SIGNALS AT THE INTERSECTION OF KING GEORGE BOULEVARD AND STATE ROUTE 204.
[DISTRICTS 6 AND 7.]**

ACTION OF THE BOARD:

Commissioner Kicklighter moved to authorize the Chairman and Clerk of Commission to sign a Traffic Signal Application required by the Georgia Department of Transportation (GDOT) that states Chatham County will accept maintenance and energy costs for the traffic video enforcement camera and traffic signals at the intersection of King George Boulevard and State Route 204. Commissioner Thomas seconded the motion and it carried unanimously.

AGENDA ITEM: **X-10**
DATE: April 1, 2005

TO: Board of Commissioners
THRU: R. E. Abolt, County Manager
FROM: A. G. Bungard, P.E., County Engineer

ISSUE: To authorize the Chairman and Clerk of Commission to sign a Traffic Signal Application required by the Georgia Department of Transportation (GDOT) that states Chatham County will accept maintenance and energy costs for the traffic video enforcement camera and traffic signals at the intersection of King George Boulevard and State Route 204.

BACKGROUND: By agreements with the Georgia Department of Transportation (GDOT), the costs of the electric energy and telephone service to operate traffic signals on state routes are at the expense of the County or the municipalities.

FACTS AND FINDINGS:

1. By a previously signed agreement, the County is already paying about \$2,200 annually for the electric energy cost to operate the traffic signals at King George Boulevard and State Route 204 (Abercorn Street Extension). Because the County proposes to add traffic video enforcement camera to the intersection, the GDOT is requiring a new agreement. The terms are unchanged.
2. On May 28, 2004, the Board approved a plan to install the traffic video enforcement camera at the intersection of King George Boulevard and State Route 204.
3. On February 18, 2005, the Board approved an agreement with the Savannah Economic Development Authority (SEDA) to recover the cost of installing the video enforcement camera and with the Savannah-Chatham Metropolitan Police Department for administration and enforcement.

ALTERNATIVES:

1. To authorize the signing of a Traffic Signal Application required by the Georgia Department of Transportation (GDOT) that states Chatham County will accept maintenance and energy costs for the traffic video enforcement camera and traffic signals at the intersection of King George Boulevard and State Route 204.
2. To not authorize the Traffic Signal Application.

FUNDING: Funding for the cost of operation and maintenance of the traffic signal is available in Special Services District - Utilities.

POLICY ANALYSIS: The Board must approve intergovernmental agreements.

RECOMMENDATION: That the Board approve Alternative 1.

Districts 6 and 7

=====

**11. REQUEST BOARD APPROVE AN EASEMENT AGREEMENT BETWEEN CHATHAM COUNTY AND THE CITY OF SAVANNAH FOR A UTILITY EASEMENT THROUGH LOT 944 OF SOUTHBRIDGE AT BERWICK PLANTATION, PHASE 1-A, TO PROVIDE ACCESS FOR A DRINKING WATER SUPPLY WELL.
[DISTRICT 7.]**

ACTION OF THE BOARD:

Commissioner Kicklighter moved to approve an Easement Agreement between Chatham County and the City of Savannah for a utility easement through Lot 944 of Southbridge at Berwick Plantation, Phase 1-A, to provide access for a drinking water supply well. Commissioner Thomas seconded the motion and it carried unanimously.

AGENDA ITEM: **X-11**
DATE: April 1, 2005

TO: Board of Commissioners

THRU: R. E. Abolt, County Manager

FROM: A. G. Bungard, P.E., County Engineer

ISSUE: To approve an Easement Agreement between Chatham County and the City of Savannah for a utility easement through Lot 944 of Southbridge at Berwick Plantation, Phase 1-A, to provide access for a drinking water supply well.

BACKGROUND: The Hardin Canal drainage improvement project includes constructing new crossings for the canal under State Route 307 (Dean Forest Road), widening the canal upstream to Interstate 16 and constructing maintenance roads along the canal. Most of the canal upstream from S.R. 307 is through property owned by the City of Savannah for their landfill. On August 19, 2004, the City of Savannah granted without compensation to the County a Quitclaim Deed for the right of way to construct the Hardin Canal bridges on S.R. 307 and Easement Agreements through their landfill properties to widen and maintain the Hardin Canal.

FACTS AND FINDINGS:

1. The County previously acquired Lot 944 in Southbridge to provide access to the Hardin Canal for construction and maintenance of the canal. The City of Savannah would like an ingress/egress easement through the same property to construct a drinking water supply well on their property.
2. The utility easement will be 30 feet wide. A plat has been prepared which is acceptable. The City has also provided construction plans for County review and concurrence, which are acceptable. the City has agreed to construct the access road such that it will be suitable for canal maintenance operations.
3. The Easement Agreement was approved by the City Council on March 3, 2005, not asking for any compensation to convey the rights of way or the easement rights.

ALTERNATIVES:

1. That the Board approve an Easement Agreement between Chatham County and the City of Savannah for a utility easement through Lot 944 of Southbridge at Berwick Plantation, Phase 1-A, to provide access for a drinking water supply well.
2. To not approve the Quitclaim Deed or the Agreements.

FUNDING: No funding is required.

POLICY ANALYSIS: The Board approves agreements involving conveyance of property.

RECOMMENDATION: That the Board approve Alternative 1.

District 7

=====

**12. REQUEST BOARD APPROVAL TO CHANGE THE NAME OF "RIDGEWOOD AVENUE" TO "CINDER LANDING COURT."
[DISTRICT 1.]**

Chairman Liakakis recognized Commissioner Stone.

Commissioner Stone said, yes. Well, I think the staff —, the MPC staff wants to make a presentation, so —, but I just wanted to thank Mr. Kemp, Mr. Herbert Kemp. He's going to get up and say a couple of words after the staff presentation. Thank you.

Commissioner Odell asked, is this going to be a long presentation? Commissioner Stone said, no. Commissioner Odell said, because it's one o'clock.

Mr. Clyde Wester said, in fact, there's just the change of name of one of the two streets that are named Ridgewood Avenue and it's for —, really it's public safety and we did identify one of the two streets to change the name to Cinder Landing Court. We held a meeting. Most of the residents or property owners did attend the meeting and everyone was in agreement with the new name. Commissioner Thomas said, good. Mr. Wester said, that's about it.

Chairman Liakakis said, all right. Thank you. Do we have a motion on the floor? Commissioner Stone said, I think Mr. Kemp would like to say a couple of words and he's waited here all day.

Mr. Herbert Kemp said, my name is Herbert Kemp and I'm President of the Sandfly Community Betterment Association, Incorporated. Thanks to Mr. Wilson [sic] and Commissioner Stone for allowing me to come before you at this time to give a brief history of why was named Cinder Landing. What's in a name? A word of praise by which a person or thing is known expressing characteristics and good posture. The name chosen has no distinguished or famous attributes, but the single family mother supported her two offsprings and a nephew by means of the Herb River that ran behind her property. On the full tide the families would go down to the river in order to do their fishing, shrimping and crabbing and oystering. They prepared this bounty putting fish on a palm tree leaf to make a bunch of six or eight to ten bunches that they would sell for five to ten to fifteen cents a bunch. Shrimps and crabs boiled, turned on their backs and let the water drain away from the meat and the oysters were prepared at the river's edge and put in jars and put in the ground with a block of ice for underground refrigerating. The oyster shells were replanted and used sometimes for the walkway to the river. Delivering the goods to the market place, bushel baskets on heads, five-cent baskets in hand, blueberries sometimes, the walk from Sandfly, Norwood Avenue and Ridgewood to downtown City Market. Standing outside the market peddling their produce. Even when in the elite Ardsley Park area, calling out bay crabs, bay crabs for sale, twenty-five cents a dozen. The family has played an important part in the ingenuity of the community and to the City's supply and demand. Ridgewood Avenue residents and the Sandfly community unanimously concur for the name change. Thank you.

Chairman Liakakis said, thank you very much. We appreciate that. Do we have a motion on the floor?

Commissioner Stone said, so moved. Commissioner Holmes said, second. Chairman Liakakis said, we have a motion on the floor for approval of the name change. Go on the board. The motion carried unanimously. Chairman Liakakis said, the motion carries.

ACTION OF THE BOARD:

Commissioner Stone moved to approve the request to change the name of "Ridgewood Avenue" to "Cinder Landing Court." Commissioner Holmes seconded the motion and it carried unanimously.

AGENDA ITEM: X-12
AGENDA DATE: April 1, 2005

DATE: March 22, 2005

TO: Board of Commissioners

THRU: R. E. Abolt, County Manager
FROM: Thomas Thomson, Executive Director

AGENDA HEADING:

Street name change

ISSUE:

Changing the name of "Ridgewood Avenue" to "Cinder Landing Court"

BACKGROUND:

At the present time, there are two different streets in Chatham County that are named "Ridgewood Avenue". This street name duplication creates obvious confusion.

FINDINGS:

1. The "Ridgewood Avenue" that intersects Norwood Avenue (see attached map) is fronted by 11 properties. The "Ridgewood Avenue" that intersects Skidaway Road is fronted by 20 properties. The name of the former street with the fewest number of properties should be changed to minimize inconvenience to property owners.
2. The MPC staff met with property owners on the Ridgewood Avenue section that intersects Norwood Avenue on February 10, 2005 to discuss the reasons for a street name change and to seek agreement on a new street name. Six of the eleven property owners attended the meeting. There was unanimous agreement on a new street name, i.e. Cinder Landing Court.
3. If the street name change from "Ridgewood Avenue" to "Cinder Landing Court" is approved, MPC staff will send certified letters to property owners and appropriate agencies. A request to install a street sign will be sent to the Chatham County Public Works Department. MPC / SAGIS maps will be revised.

FUNDING:

No additional funding is required.

ALTERNATIVES:

1. Approve a street name change from "Ridgewood Avenue" to Cinder Landing Court"
2. Do not approve the street name change

POLICY ANALYSIS:

Avoiding duplication of street names facilitates timely postal deliveries and minimum response time for emergency vehicles.

RECOMMENDATION:

Adopt Alternative #1

TT/kd

=====

13. **REQUEST BOARD AUTHORIZE THE CHAIRMAN TO SIGN A GRANT APPLICATION FOR THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM FOR THE POLICE DEPARTMENT AND AUTHORIZE THE POLICE DEPARTMENT TO ENTER THE APPLICATION DATA THROUGH THE INTERNET TO THE BUREAU OF JUSTICE ASSISTANCE.**

ACTION OF THE BOARD:

Commissioner Kicklighter moved to authorized the Chairman to sign a grant application for the Edward Byrne Memorial Justice Assistance Grant Program for the Police Department and authorize the Police Department to enter the application data through the Internet to the Bureau of Justice Assistance. Commissioner Thomas seconded the motion and it carried unanimously.

AGENDA ITEM: X-13**AGENDA DATE: April 1, 2005**

TO: BOARD OF COMMISSIONERS
THRU: R. E. ABOLT, COUNTY MANAGER
FROM: DANIEL FLYNN, CHIEF OF POLICE

ISSUE:

To have the Board of Commissioners authorize the Chatham County Commission Chairman to sign a grant application for the Edward Byrne Memorial Justice Assistance Grant (JAG) Program for the Police Department and authorize the Police Department to enter the application data through the internet to the Bureau of Justice Assistance.

BACKGROUND:

Proposed to streamline justice funding and grant administration, the Edward Byrne Memorial Justice Assistance Grant (JAG) Program allows states, tribes, and local governments to support a broad range of activities to prevent and control crime based on their own local needs and conditions. JAG blend the previous Byrne Formula and Local Law Enforcement Block Grant conditions. JAG blends the previous Byrne Formula and Local Law Enforcement Block Grant (LLEBG) Programs to provide agencies with the flexibility to prioritize and place justice funds where they are needed most. The Savannah-Chatham Metropolitan Police Department (SCMPD) received, via the internet, from the U.S. Department of Justice, a notice of eligibility to apply for the JAG. This notice stated that the City of Savannah, Chatham County, and the SCMPD are eligible to apply for a JAG in the amount of \$222,364.

FACTS & FINDINGS:

1. The JAG application is due at the Bureau of Justice Assistance (BJA), via the internet, no later than March 31, 2005.
2. The JAG provides for \$222,364 in Federal funds which may be spent within the first fiscal year of the appropriation or may be expended during the following 3 years, for a total of 14 years.
3. The JAG does not require any matching funds.
4. JAG funds can be used for state and local initiatives, technical assistance, training, personnel, equipment, supplies, contractual support, technology improvement programs, and information systems for law enforcement. As a result, if the grant is awarded, the SCMPD will request to take the federal grant funding and purchase equipment for the Department.
5. The City of Savannah will be the lead governmental agency in the application process under the U.S. Department of Justice guideline called "Disparate Certification" and will obtain and distribute all JAG funds on behalf of the City of Savannah, Chatham County, and SCMPD.
6. A disparate allocation occurs when a constituent unit of local government is scheduled to receive one and one half times more (four times more for multiple units of local government) than another constituent unit(s), while the other unit of local government bears more than 50% of the costs of prosecution or incarceration that arise for Part 1 violent crimes reported by the geographically constituent unit(s). Jurisdictions certified as disparate must submit a **joint application** for the aggregate of funds allocated to them, specifying the amount of the funds that are to be distributed to each of the units of local government and the purposes for which the funds will be used. The units of local government involved may establish a joint advisory board to carry out the joint application process. When beginning the JAG application process, a Memorandum of Understanding (MOU) must be completed, signed, and faxed to the Office of Justice Programs indicating who will serve as the applicant/fiscal agent for the joint funds. The MOU for this process

would be the Police Merger Agreement that was signed into effect in October, 2003, which designates the City of Savannah as the fiscal agent for the SCMPD.

- 7. Since the City of Savannah and Chatham County are eligible for more than \$10,000 in a JAG award, payments will be made from the Bureau of Justice Assistance directly to the City of Savannah on behalf of the City of Savannah and Chatham County.
- 8. Each unit of local government which is awarded a JAG must establish a trust fund in which to deposit JAG funds. The trust fund may or may not be an interest bearing account.

FUNDING:

No funds required.

ALTERNATIVES:

- 1. To authorize the Chatham County Commission Chairman to sign a grant application to the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, Edward Byrne Memorial Justice Assistance Grant Program for the SCMPD.
- 2. To not authorize the Chatham County Commission Chairman to sign a grant application to the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, Edward Byrne Memorial Justice Assistance Grant Program for the SCMPD.

POLICY ANALYSIS:

In the past, the Board of Commissioners has authorized the Police Department to apply for numerous grants from the Federal Government, the Governor's Criminal Justice Coordinating Council, and the Governor's Office of Highway Safety. Through the years, Chatham County has obtained grants for a Selective Traffic Enforcement Program (STEP), a DUI Task Force, a Multi-Jurisdictional Drug Interdiction Task force, and a Speed Enforcement Unit. The Police Department also obtained Local Law Enforcement Block Grants in 1996, when funds were used to purchase an Automated Fingerprint Identification System (AFIS), in 1997, when funds were used to buy computers for the Department, in 1998, when funds were used to purchase a Mobile Emergency Command Post, in 1999, 2000, and 2001, when funds were used to purchase surveillance equipment, a scenescope alternative light source and DVD recorders, and in 2003, when funds were used to purchase traffic motorcycles with accessories, a Forensic Recovery of Evidence Device (F.R.E.D.), and laptop computers.

RECOMMENDATION:

To accept Alternative 1.

Prepared by:

Sergeant Anthony B. Atkins
Accreditation, IMB

ABA/aba

=====

14. REQUEST FOR RENEWAL OF SUNDAY SALES BEER AND WINE POURING LICENSE FOR 2005. PETITIONER: THOMAS L. ODOM, JR., D/B/A COUNTRY SOCIAL CLUB OF SAVANNAH, LOCATED AT 5150 JASMINE AVENUE. [DISTRICT 3.]

ACTION OF THE BOARD:

Commissioner Kicklighter moved to approve the petition of Thomas L. Odom, Jr., d/b/a Country Social Club of Savannah, located at 5150 Jasmine Avenue, for renewal of Sunday sales of beer and wine pouring license for 2005. Commissioner Thomas seconded the motion and it carried unanimously.

=====

15. REQUEST BOARD APPROVAL TO AWARD BIDS AS FOLLOWS: (Please note that new purchase thresholds of \$10,000 or more have been enacted; however, contracts and change orders of a lesser amount still will appear.)

<u>ITEM</u>	<u>DEPT.</u>	<u>SOURCE</u>	<u>AMOUNT</u>	<u>FUNDING</u>
A. One (1) 2005 Tymco street sweeper	Public Works	Consolidated Disposal Systems, Inc.	\$115,937	SPLOST (2003-2008) - Vehicle Replacement
B. Annual contract with automatic renewal options for four (4) additional one year terms to provide an Intervention and Assessment Program for minor sex offenders as referred by Juvenile Court	Juvenile Court	Savannah Area Behavioral Health Collaborative	\$14,083	Multiple Grant Fund - Children Youth Coordinating Council Grant
C. Annual contract with automatic renewal options for four (4) additional one year terms to provide Crisis Counseling services for children and families as referred by Juvenile Court	Juvenile Court	Savannah Area Behavioral Health Collaborative	\$16,600	Multiple Grant Fund - Children Youth Coordinating Council Grant
D. Annual contract with automatic renewal options for four (4) additional one year terms to provide specialized water and wastewater system repairs	Water and Sewer	•Rabey Electric Company, Inc. •Savannah River Utilities Company, Inc.	Varies by service provided	Water and Sewer Fund
E. Extend an annual contract for an additional one year term to provide food service for the inmates at the Detention Center	Detention Center	ABL Food Management Service	\$.786 per meal per person	General Fund/M&O - Detention Center
F. Extend an annual contract on a month to month basis to provide operation and management services at the Anderson/Cohen Weightlifting Center and authorization to resume operations on Saturdays	Weightlifting Center	Team Savannah, Inc.	\$40,419	General Fund/M&O - Weightlifting Center
G. Annual revenue generating lease agreement, with automatic renewal options for four (4) additional one year terms, to provide operational and management services at the Henderson Golf Club	Public Works and Park Services	The Club Group Unlimited of Savannah (CGL)	Revenue to County \$48,000 per year or 6% of Gross Revenues	N/A - Revenue Generating
H. Replacement of tower light system for the Westside tower	I.C.S.	Savannah Communications (Sole Source)	\$14,947	General Fund/M&O - Communications

ACTION OF THE BOARD:

Commissioner Kicklighter moved to approve Items 15-A through 15-H. Commissioner Thomas seconded the motion and it carried unanimously.

=====

16. REQUEST FROM THOMAS AND HUTTON, ENGINEER FOR THE DEVELOPER, GENESIS DESIGNER HOMES, TO APPROVE CONSTRUCTION, INITIATE THE WARRANTY PERIOD FOR STONELAKE TOWNHOMES, PHASE 3, AND REDUCE THE FINANCIAL GUARANTEE. [DISTRICT 7.]

ACTION OF THE BOARD:

Commissioner Kicklighter moved to approve the request from Thomas & Hutton, engineer for the developer, Genesis Designer Homes, to approve construction, initiate the warranty period for Stonelake Townhomes, Phase 3, and reduce the financial guarantee. Commissioner Thomas seconded the motion and it carried unanimously.

AGENDA ITEM: X-16
DATE: April 1, 2005

TO: Board of Commissioners
THRU: R. E. Abolt, County Manager
FROM: A.R. Black, P.E., Assistant County Engineer

ISSUE: To approve construction, initiate the warranty period for Stonelake Townhomes, Phase 3, and reduce the financial guarantee.

BACKGROUND: The engineer, Thomas & Hutton, for the developer, Genesis Designer Homes, requests that the County initiate the warranty period and reduce the financial guarantee.

FACTS AND FINDINGS:

- 1. This phase of Stonelake Townhomes consists of 96 lots on 13.19 acres. The paving and drainage will be privately maintained. The water and sewer improvements will be maintained by Consolidated Utilities, Inc.
- 2. The required site improvements are complete. The site has been inspected and found acceptable. A letter of credit from Queensborough National Bank & Trust in the amount of \$148,700, which is 50% of the cost of improvements, was posted as a financial guarantee.

ALTERNATIVES:

- 1. Approve construction, initiate the warranty period, and reduce the financial guarantee.
- 2. Do not approve the request.

POLICY ANALYSIS: This action is consistent with the Subdivision Regulations.

RECOMMENDATION: That the Commissioners adopt Alternative No. 1.

District 7

PREPARED BY: Dana Hornkohl, P.E.

=====

XI. FIRST READINGS

Proposed changes to ordinances must be read or presented in written form at two meetings held not less than one week apart. A vote on the following listed matters will occur at the next regularly scheduled meeting. Comments, discussion and debate from members of the public will be received only at the meeting at which a vote is to be taken on one of the following listed items.

- 1. **THE PETITIONER, HALO DEVELOPMENT, INC., (FOR KERN-COLEMAN AND COMPANY, AGENT) IS REQUESTING REZONING TWO PARCELS LOCATED SOUTH OF U.S. HIGHWAY 17 (OGEECHEE ROAD), APPROXIMATELY 1,800 FEET WEST OF HIGHWAY 204 (ABERCORN STREET) FROM AN R-A (RESIDENTIAL AGRICULTURE) TO A P-B-C (PLANNED COMMUNITY-BUSINESS) CLASSIFICATION. THE MPC RECOMMENDED APPROVAL. MPC FILE NO. Z-041217-50141-1. [DISTRICT 6.]**

ACTION OF THE BOARD:

Chairman Liakakis read this item into the record as the first reading.

=====

- 2. **AMEND SECTION 5, EXCEPTIONS AND MODIFICATIONS, SUBSECTION 5-4, SUBSTANDARD LOTS AND RECORD, OF THE CHATHAM COUNTY ZONING ORDINANCE TO PROVIDE A METHOD TO DETERMINE THE MAXIMUM LOT AREA COVERAGE FOR EXISTING SINGLE FAMILY DETACHED LOTS THAT DO NOT COMPLY WITH THE MINIMUM LOT AREA REQUIREMENT FOR THE ZONING DISTRICT IN WHICH THEY AREA LOCATED. THE MPC RECOMMENDS APPROVAL. MPC FILE NO. Z-050228-59697-1. [NO DISTRICT - TEXT AMENDMENT.]**

ACTION OF THE BOARD:

Chairman Liakakis read this item into the record as the first reading.

=====

XII. SECOND READINGS

None.

=====

XIII. INFORMATION CALENDAR**1. PROGRESS REPORT ON GENERAL FUND CONTINGENCY ACCOUNT - M&O AND THE SPECIAL SERVICE DISTRICT (SEE ATTACHED).****ACTION OF THE BOARD:**

A written report was received as information.

=====

2. LIST OF PURCHASING ITEMS BETWEEN \$2,500 AND \$9,999 (SEE ATTACHED).**ACTION OF THE BOARD:**

A written report was received as information.

AGENDA ITEM: XIII-2

DATE: April 1, 2005

List of Purchasing Items between \$2,500 and \$9,999
That Do Not Require Board Approval

<u>ITEM</u>	<u>DEPT.</u>	<u>SOURCE</u>	<u>AMOUNT</u>	<u>FUNDING</u>
Annual water treatment for chiller	Detention Center	Anderson Chemical	\$6,956	General Fund/M&O - Detention Center
Five (5) personal computers	Detention Center	Dell Marketing (state contract)	\$4,679	General Fund/M&O - Detention Center
Purchase and installation of large heavy duty commercial dryer	Detention Center	Southeastern Laundry Equipment	\$3,340	General Fund/M&O - Detention Center
Four (4) computers with 17" monitors	Mosquito Control	Dell Marketing (state contract)	\$9,232	General Fund/M&O - Mosquito Control
Stainless seal liner plates for sand mixer	Mosquito Control	Mixer Systems, Inc. (sole source)	\$5,180	General Fund/M&O - Mosquito Control
Five (5) scooters	Mosquito Control	Coastal Scooters	\$9,540	General Fund/M&O - Mosquito Control
Complete environmental permitting for the Offshore Subdivision entrance road	SPLOST	Sligh Environmental Consultants	Not to exceed \$6,500	SPLOST (1985-1993) - Administrative Expenditures

<u>ITEM</u>	<u>DEPT.</u>	<u>SOURCE</u>	<u>AMOUNT</u>	<u>FUNDING</u>
Based on comments received from GDOT history report for Jimmy DeLoach Parkway Phase II will be updated	SPLOST	Thomas & Hutton Engineering	Not to exceed \$5,800	SPLOST (1993-1998) - Jimmy DeLoach
Demolition of County owned properties at 1922 and 1933 Blue Jay Avenue	SPLOST	D & S, Inc. (MBE)	\$5,268	SPLOST (1998-2003) - Westlake Project

=====

3. ROADS AND DRAINAGE REPORTS.

ACTION OF THE BOARD:

Written reports were received as information.

AGENDA ITEM: XIII-3 Roads
DATE: April 1, 2005

TO: Board of Commissioners

THRU: R. E. Abolt, County Manager

FROM: A. G. Bungard, P.E., County Engineer

ISSUE: To provide information on the status of Chatham County road projects.

BACKGROUND: The schedules for construction are dictated by the GDOT allocations of funds among the Congressional districts and the balancing of funds in the Chatham Urban Transportation Study (CUTS) Transportation Improvement Program (TIP). The current TIP and Long Range Transportation Plan (LRTP) were approved by the CUTS Policy Committee on September 22, 2004. Key milestone events are summarized in the attached table.

FACTS AND FINDING:

1. Truman Parkway.
 - a. Phase 4. Under construction. This phase should be complete by November 2005.
 - b. Phase 5. The Local Government Project Agreement (LGPA) was approved by the GDOT on September 11, 2001. The Value Engineering (VE) Study required for projects over \$25M was approved by the GDOT on December 17, 2004. The Concept Report was signed on February 9, 2005. Design is underway for right of way plan approval by June 30, 2005.

2. US 17, Ogeechee River to SR 204: Under construction. GDOT advises that a change order involving issues that stopped work has been executed. The contractor has resumed work on the project. Also, during construction it was discovered that an existing storm water outfall ditch would have to be re-graded to accept the storm water runoff from the project. This work will require additional right-of-way to be acquired by the County. The GDOT is revising the construction plans to correct this oversight. This will also require a supplemental agreement for the additional work. A new project completion date will be negotiated but it will not be before October 2005.

3. Middleground Road/Montgomery Cross Road Widening. Despite the past performance in Chatham County, the GDOT awarded the contract to APAC in May 2004. Clearing of the right of way is mostly complete. Power lines, telephones, and water/sewer facilities are being relocated along the three mile length of the project. The conflict with placing plastic storm drain piping along the HAAF security fence is resolved. The GDOT will move this section to be under the southbound lanes using reinforced concrete pipe. The County's consultant has redesigned this section and revised construction drawings (change order to follow). Scheduled completion is May 2006.

4. Stephenson Avenue. The contract completion date was November 30, 2004. Liquidated damages are assessed as of December 1, 2004, at the rate of \$450 per day. As of the end of March this amounts to \$54,450. This will continue until the project is substantially complete. Based on the terms of the contract, once the project exceeds 80% completion the retainage for the project must be reduced from 10% to 2½%.

The March pay request will reflect the project to be about 90% complete. Even though reduced, the retainage will be over \$100,000. Substantial completion now appears to be sometime in April 2005.

5. Skidaway Widening: The Final EA was approved by the FHWA on December 30, 2004. The County's consulting firm for this project is preparing a proposal for an amendment to the engineering services contract to incorporate all new GDOT requirements known to date to complete the design. There will be approximately 200 properties impacted by this project. In accordance with the LGPA, the County is responsible for acquiring the necessary right of way. The GDOT has agreed to fund, award and manage the construction project. Due to reductions in state and federal highway funds, staff will be looking at the feasibility of requesting that GDOT break this project into two or three construction contracts.

6. Whitfield Avenue Widening. The FHWA approved the EA/FONSI on February 13, 2004, which authorized the County to proceed with preliminary design. The consultant completed preliminary design in June. By letter dated June 30, 2004, the GDOT required that the preliminary design include the landscaping impacts before scheduling the Preliminary Field Plan Review (PFPR). Also, staff was advised on January 26, 2005, that the widening of the median to accommodate landscaping and the proposed reduction in speed limit would require amending the previously approved Concept Report and Environmental Assessment. The wider raised median causes at least four additional residential displacements on the west side of Whitfield Avenue and increases the GDOT's right of way acquisition costs. These changes cannot be accomplished in time to have approved right of way plans by June 30 (the end of FY 2005) as is currently programmed in the CUTS TIP. At this point it does not impact the schedule for construction to start in FY 2007.

7. Diamond Causeway Widening. The Draft EA was approved by the FHWA on February 25, 2005. The GDOT will now schedule the public hearing which we expect to be by May.

8. Jimmy DeLoach Parkway, Phase 2 (I-16 to US 80). Another revised Final EA with a Finding of No Significant Impact (EA/FONSI) was forwarded to the GDOT on September 15, 2004. The GDOT forwarded the EA to FHWA on December 14, 2004, for approval. On March 1, the FHWA issued six additional comments requiring changes and update of the Conceptual Stage Study.

9. White Bluff/Coffee Bluff Road. After many reviews and revisions to the Draft Environmental Assessment over the last seven years, the FHWA questioned the Need and Purpose for the project, suggesting it does not warrant the extent of the improvements originally proposed. In the opinion of County staff, the traffic analysis indicated that safety improvements are warranted due to the narrowness of the existing pavement and some intersection improvements are needed. No four lanes are warranted anywhere. A Public Information Open House (PIOH) was held on August 12, 2004, at the Windsor Forest Baptist Church to solicit public input on the project. The turn out was good ... approximately 200 attended. GDOT has finalized the written responses. Letters to respondents are being prepared. A staff level meeting with the GDOT, FHWA and the City of Savannah was held on March 7 to discuss a preferred alternative. The Need and Purpose is being revised to essentially create a 3-lane section from Willow Road to Cedar Grove (near entrance to Country Day School) and improve the two lanes (i.e. widen pavement to 12 feet wide travel lanes) from Cedar Grove to Rose Dhu Road. The project will include either sidewalks on both sides or a multi-purpose trail on one side.

10. Eisenhower Widening from Abercorn to Truman Parkway. The Concept Report was approved by GDOT on June 22, 2004, but was not received by the County until November 15, 2004. Because of the high estimated right of way costs (over \$22 million -- local cost), City of Savannah staff has been asked to look again at the need and purpose and the proposed width of the raised median. Also, the \$22 million does not include costs to relocate utilities and other infrastructure.

11. Abercorn Widening from Largo Drive to Rio Road. The concept meeting with GDOT and City of Savannah held September 16, 2002. When the concept report is approved, preliminary design can start. The Concept Report has been revised to reflect the changed terminus from Deerfield Road to Largo Drive and was sent to GDOT on June 28, 2004. This project is affected by two other projects currently under design. This project is being coordinated with the other projects to improve the intersections at Largo Drive and the Abercorn widening project from King George Boulevard to Rio Road.

12. Bay Street Widening from I-516 to Bay Street Viaduct. The Concept Report was approved by the GDOT on February 9, 2005. Collection of field survey, property and utility location data continues. Coordination with the State Historic Preservation Office continues. The Draft EA is being prepared for submission to the GDOT by May, 2005.

13. US 80/SR26

- a. Lynes Parkway to Victory Drive. GDOT is preparing the EA. The GDOT schedule shows a public hearing in 2005 and award of a construction contract in 2007.
- b. Bull River to Lazaretto Creek. GDOT is working on the EA. Programmed in 2010.

14. Local Roads

- a. Dirt roads being designed by EMC Engineering for paving.

(1) Fountain Road. Final plans and ROW plats have been returned to the engineering consultant for correction. Due to the new alignment of the road, the USACE has determined that wetlands are impacted (permit pending).

(2) Bond Avenue, Heather Street, Betran Avenue, Shore Road, Mobley Street, Yucca Place, Perkins Place, Stone Street. All the plans have been returned to the engineering consultant for correction.

(3) Andrews Street. Staff sent letters to every property owner on Andrews Street to meet and discuss the process for making Andrews a private roadway. The meeting was held on March 21, 2005. Four property owners attended. Staff explained the process and implications of a quit claim of the County's interests. The County may have to retain a drainage easement. By State law, a public hearing is required to abandon a public roadway. One of property owners that staff believes wants to keep the road public did not attend. The property owners that did attend believe that they can convince the one opposing the action to change their mind. They intend to write a letter to the County requesting the action be taken to quit claim the roadway to them.

RECOMMENDATION: For information.

Districts: All

SUMMARY OF ROAD PROJECT STATUS

April 2005

PROJECT	ELEMENT	MILESTONE FOR COMPLETION	AGENCY RESPONSIBLE	NOTES
Truman Parkway, Ph 4	Construction	Nov 2005	GDOT	
Truman Parkway, Ph 5	Environmental ROW Final Design Construction	Complete July 2006 Feb 2007 TBD	County County/GDOT County/GDOT GDOT	EIS approved 8/12/99 FY 2005 CST LR
US 17 Widening - Ogeechee River to SR204	Construction	Oct 2005	GDOT	Will be extended.
Stephenson Avenue Widening	Construction	Nov 2004	County/GDOT	Substantial completion in April 2005?
Middleground/Montgomery Cross Road Widening	Construction	May 2006	GDOT	
Jimmy DeLoach Pkwy, Ph 2	Environmental ROW Construction	Unknown	County County GDOT	CST FY 2007
Whitfield Avenue Widening	Environmental Design ROW Construction	Feb 2004	County County County/GDOT GDOT	EA/FONSI signed Feb 13 Preliminary plans on hold. ROW funded FY2005/06 CST FY 2007
Diamond Causeway Widening and two bridges	Environmental ROW Construction	Unknown	County GDOT GDOT	Draft EA signed Feb 25 by FHWA FY 2008 CST LR
Skidaway Road Widening	Environmental Design ROW Construction	Complete	County County County GDOT	Final EA signed 12.30.04 Change order needed for design to continue.
Bay Street from I-516 to Viaduct	Environmental ROW Final Design Construction	Dec 2005 Feb 2007 Apr 2007 TBD	County County County GDOT	Concept Report approved Feb 9, 2005. CST LR
US 80 Widening - Bull River to Lazaretto Creek - I-516 to Victory Drive	Environmental Environmental	Unknown Unknown	GDOT GDOT	CST FY 2010 CST FY 2007
White Bluff/Coffee Bluff	Environmental	Unknown	County	CST FY 2008
Eisenhower (Abercorn to Truman Parkway)	Environmental		County	Concept Report approved June 22, 2004.
Abercorn (Largo Drive to Rio Road)	Environmental		County	Concept Report pending approval
NOTES: COMMISSIONER STONE = FY in which the projects are programmed for construction in the CUTS 2005-2007 TIP.				

AGENDA ITEM: XIII-3 Drainage
DATE: April 1, 2005

TO: Board of Commissioners

THRU: R. E. Abolt, County Manager

FROM: A. G. Bungard, P.E., County Engineer

ISSUE: To provide information on the status of Chatham County drainage projects.

BACKGROUND: For construction contracts that have been awarded, this report provides the latest scheduled completion dates. For projects pending environmental permits, start dates are best estimates. All project scopes include varying degrees of canal widening, bank stabilization, larger bridges and culverts.

FACTS AND FINDING:

1. Pipemakers Canal
 - a. Phase 1 (From the outfall at Savannah River to SR 21). Double channel size, replace bridges, replace tidegate, and provide maintenance access.
 - i. The County awarded the contract for construction to Phoenix Construction on July 25, 2003. Change Order No. 1 was approved by the Board in February 2004 and Change Order No. 2 was approved by the Board in January 2005.
 - ii. The date for substantial completion is May 2005.
 - b. Phase 2 (From SR 21 to I-95). Double channel size and provide maintenance access.
 - i. ROW acquisition is underway.
 - ii. Replacement of existing bridges in this section to be delayed pending construction of proposed pump station.
 - iii. Preliminary drawings have been reviewed by Staff and returned to the consultant. Permitting will commence upon completion of Preliminary Design.
 - c. Golf Course (section of Phase 2 on Airport property). Widening of this section of canal completed in 2000.
 - d. Kahn Mitigation Site. The final mitigation package for Phase 2, which includes the Kahn Site, is being designed concurrently with Phase 2 design.
 - e. Phase 1a (isolated areas within GPA up to SR21). A project to provide canal improvements that were not included in the Phase 1 Contract. This work was delayed until relocation of the water pipeline can be accomplished by the City.
 - f. Bridge Removal and Sheet Pile Wall Modifications. A project to remove the existing bridge (with the tidegates) restricting the flow of drainage from Pipemakers Canal into the Savannah River. Staff is reviewing engineering qualifications to select a firm for design of the improvements.
2. Hardin Canal
 - a. Phase 1 (From SR 307 to I-16). Widen channel and replace bridge crossings.
 - i. ROW and construction plans for the channel are complete. Staff is continuing efforts to acquire necessary permits from the USACE. Further revisions might be necessary as a result of continuing negotiations for the permit from USACE.
 - ii. Crossings at SR307. Enlarging the crossings under Dean Forest Road (SR307) will be accomplished as a separate construction project. Design work is in progress.
 - b. Phase 2 (From I-16 to Pine Barren Road). Widen channel and construct a detention pond. No target construction date.
3. Westlake/Springfield Canal
 - a. Phase 1. Crossing and channel improvements from Perimeter Road on Hunter Army Airfield downstream toward the Forest River. Completed January 2002.
 - b. Phase 2. Acquire flood-prone properties and convert the acquired land into a storm water retention facility to provide greater protection to remaining properties in the area.
 - i. The County has title to all properties except two which require condemnation proceedings to clear the title.
 - ii. Reimbursement to the County of a portion of the acquisition costs by the Georgia Emergency Management Agency is expected by May 2005.
 - c. The railroad undercrossing Final Design Report has been approved. Preliminary construction drawings have been reviewed by Staff and returned to the consultant.
4. Placentia Canal
 - a. Phase 1. Tidegate at Bonaventure Road. Completed February 1999.
 - b. Phase 2. Crossing and channel widening from Bonaventure Road to Shell Road in Thunderbolt. Completed October, 2002.
 - c. Placentia Beautification Project: Correction of a drainage problem along Tennessee Ave. and to improve the appearance of the canal near the Bonaventure Bridge. Staff has prepared a preliminary plan of improvements. Negotiations for the necessary rights of way and easements are pending.
5. Conaway Branch Canal (tributary of Pipemakers Canal) Widen channel with road crossing improvements and a maintenance road.

- a. Phase 1 includes channel improvements and crossing upgrades north of Main Street to Pipemakers Canal.
 - i. Preliminary title searches are complete. The consultant is proceeding with wetlands permitting, and coordination with GDOT for the crossing at Highway 80. Review of revised construction plans and preliminary right of way plans is underway. The estimated construction cost exceeds the current available budget. Staff is considering options to address this issue. Staff and Consultant met with USACE regarding permitting issues.
 - ii. Staff has approved recommended improvements of additional area requested by City of Bloomingdale. Consultant is working on preliminary construction drawings. Construction of these improvements to be funded by the City of Bloomingdale.
 - b. Phase 2 includes improvements to system south of Main Street to Hardin Canal. The plan to improve drainage south of Main Street will require an Intergovernmental Agreement with Bloomingdale.
6. Little Hurst Canal Improve undercrossings at SR 21 and railroad, and widen channel downstream of SR21. Revised hydraulic analysis and recommendations were completed in 2004. Staff will utilize the recommendations in developing an engineering scope of work for a design contract with a consultant.
7. Wilmington Park Canal
 - a. Phase 1. (Construction of tide gate) Completed September 2002.
 - b. Phase 2. Widen channel and improve culvert crossings under Wilmington Island Road.
 - i. Received permit from USACE on July 5, 2002. Project is under design, incorporating changes to reduce cost while still attaining storm water goals.
 - ii. Staff has directed the consultant to proceed with survey and design of a project to provide slope stabilization at Wilmington Island Road. Review of preliminary recommendations is underway.
8. Kings Way Canal Widen channel and enlarge culverts east of Whitfield Avenue to Vernon River.
 - a. Improvements to crossing of the canal under Whitfield are being constructed as part of GDOT's Truman Parkway, Phase 4 project.
 - b. Preliminary design and rights of way drawings are under review by Staff.
9. Romney Place Drainage
 - a. Phase 1. Improve drainage along Central Avenue. Completed October 2001.
 - b. Phase 2. Improve storm drains and road crossings. Preliminary recommendations by the consultant for drainage improvements on Romney Place and along Parkersburg Road have been approved by Staff. Staff is beginning negotiations with the consultant for a contract scope of work and price to complete the design of recommended improvements.
10. Village Green Canal
 - a. Phase 1. Upgrade culvert under Cambridge Drive. Completed October 1999.
 - b. Phase 2. Staff has accepted the consultant's recommendations for improvements. Wetland delineation has been approved by the USACE. Compilation of citizen drainage survey to help establish project need and purpose for permitting is complete.
11. Port Industrial Park Increase the capacity of the crossing under State Route 307 and improve the channel downstream to Pipemakers Canal.
 - a. The crossing under SR 307 is being coordinated with the GDOT SR 307 widening project from R. B. Miller Road to SR21. Design of the project to improve the canal downstream from SR307 to Pipemakers Canal is complete. The wetlands permit has been signed by the County Engineer and was approved by USACE District Engineer on September 24, 2002.
 - b. GDOT has concurred with the County's proposal to include construction of the crossing under SR 307 as a County Contract. Resolution of terms of an Intergovernmental Agreement between County and GDOT is underway. Consultant has been directed to finalize design of remainder of project as a separate phase of the project. Staff review of final right of way plans is in progress.
 - c. GDOT has approved new curb cuts at SR 307 to improve access to the canal for maintenance. Staff has directed Consultant to proceed with final ROW plans.
12. Louis Mills Canal Widen channel from Veterans Parkway downstream to outfall at Westlake Canal and improve crossing under Marshall Avenue.
 - a. Preliminary design and Easement/ROW drawings have been reviewed by Staff.
 - b. Acquisition of Easements and ROW is underway. A meeting with area residents was held on March 29, 2005 to discuss the project.
13. Redgate/Rahn Dairy A project to provide larger underdrains at several road crossings, canal widening and provisions for maintenance access.
 - a. This project will reduce stormwater flows in the Louis Mills system as well as provide improve drainage in the existing canal.

- b. Preliminary design and Easement/ROW drawings are under review by Staff. Acquisition of Easements and ROW will begin upon completion of the review.
14. Diggs Avenue Drainage (part of Louis Mills) This drainage improvement project involves improving drainage at the east end of Diggs Avenue. Acquisition of ROW is in underway. Staff intends to complete the design and acquire necessary permits following ROW acquisition.
15. Ogeechee Farms
- a. Phase 1. Improve internal collector system south of Vidalia Road. The project is substantially complete. Contractor is completing punch list items. Resolution of issue regarding sections of installed pipe determined by Staff to be unacceptable is underway.
 - b. Phase 2.
 - i. The County has received the Section 404 wetlands permit from USACE. Final paperwork utilizing the County's new banking instrument for mitigation is complete.
 - ii. The design is being revised to incorporate changes including an additional road undercrossing in the project and installation of box culvert sections instead of multiple pipes.
16. Fawcett Canal
- a. Phase 1. Widen channel and improve crossings from Georgetown downstream to crossing under Grove Point Road, and replace tide gate.
 - i. Drainage improvements completed August 2002.
 - ii. Project to improve the appearance and drainage function of the lagoons is about 90 percent complete.
 - b. Phase 2. Provide increased storm water drainage capacity in areas affecting Red Fox Drive and White Hawthorne Drive. Acquisition of needed easements from the City of Savannah is in progress. The Board approved a design contract with a consultant in December 2004. Additional ROW or easements will be acquired if necessary upon completion of the design work.
17. Quacco Canal Drainage Improvements East of US17 (Formerly the Ecosystem Restoration Project) Improve Quacco Canal and associated road undercrossing capacities from US 17 to marsh, including removal of a private tidegate structure. The work is expected to reduce the 50-year flood level by about 2 feet at US17 and at the same time restore a salt marsh ecosystem to its original condition.
- a. Staff cancelled taking construction bids for the work as a result of permitting difficulties encountered. A permit from USACE is expected in July 2005.
 - b. Access agreements to the private property and acquisition of easements is underway.
18. Quacco/Regency Park Storm collector improvements to relieve severity and frequency of flooding within community. The draft Design Study Report has been reviewed by Staff and discussed with the USACE in regard to potential permitting issues. Responses obtained through the USACE from the US Fish and Wildlife Service, the US Environmental Protection Agency, and other agencies all state that any alternative impacting the existing wetland areas surrounding the Little Ogeechee River will be strongly opposed by these agencies. As a result of these responses, Staff is proceeding with an alternative (albeit more costly) to construct the improvements needed.
19. Halcyon Bluff Subdivision Storm collector improvements to relieve severity and frequency of flooding within community. A construction contract was approved by the Board on December 17, 2004. Construction is underway.
20. Golden Isles Subdivision Storm collector improvements to relieve severity and frequency of flooding within community.
- a. Phase 1. Outfall improvements completed 1997.
 - b. Phase 2. Improvements to collector system. Approval by Health Department to proceed with acquisition has been obtained. Preliminary title searches of affected properties are underway. Right of way acquisition has commenced.
21. Henderson Channel and crossing improvements to alleviate flooding in the subdivision.
- a. Canal 1 (henceforth referred to as Brown Thrush Canal): Crossing and channel improvements on the canal parallel to Brown Thrush Road, from Al Henderson Blvd. to Little Neck Road. Survey and analysis are complete. Staff's review of consultant's final report is complete. Staff is reviewing Consultant's fee proposal for design of recommendations.
 - b. Canal 2 (henceforth referred to as Henderson Canal): Provide maintenance road for canal from Gateway Blvd. to Little Neck Road through wetlands. Wetland delineation has been approved by the USACE.

22. North Rice Mill Right of way acquisition services to provide for drainage improvements to a local drainage system tributary to the Georgetown Canal. Property acquisitions required for construction and maintenance of the recommended improvements is underway.
23. Georgetown Canal Upgrading roadway undercrossings to improve drainage capacity. Design for the replacement of the St. Ives undercrossing is completed. A construction contract was approved by the Board on December 17, 2004. Construction is underway.
24. Walthour Canal at Off Shore A small project to improve the undersized culverts under the entrance road to the Off Shore Subdivision. Final construction documents have been received. Permitting is underway.
25. Wilmington Outfall A project to correct storm sewer drainage pipes between Wilmington Road and the Wilmington River. Preliminary engineering work on the project is underway.

RECOMMENDATION: For information.

Districts: All

Prepared by W.C. Uhl, P.E.

=====

4. STATUS REPORT ON CHARLIE BROOKS PARK IMPROVEMENTS.

ACTION OF THE BOARD:

A written report was received as information.

=====

ETHICS COMMITTEE UPDATE

Chairman Liakakis said, just for announcement, the Ethics Committee had a meeting a couple of days ago. We were glad to see as many citizens who came out for that. In fact, we had the meeting originally planned for the Green Room, but we had a large number of residents who came in and so they had the meeting in this room. The next meeting for the Ethics Committee will meet three o'clock on May 3rd in this Commission Room. And, of course, if anybody has any comments they'd like to make, the public is welcome to attend that Ethics Committee meeting on May 3rd. Mr. County Attorney, I think that you are working with the Attorney General's office to get their opinion on that ordinance that was there before and should have that in the very near future hopefully?

County Attorney Hart said, we hope so. We spoke with them yesterday. They do have all the information that we have provided them and the staff attorney that has the assignment is looking at it and, you know, as soon as we know we'll let everybody else know.

Chairman Liakakis said, okay, thank you very much. Excuse me.

Commissioner Gellatly said, yeah. I just wanted to make one comment. In the paper, I forget whether it was editorial or an article, I think it was editorial, it kind of was written up like our County Attorney was working on this Ethics Committee doing things on his own, and I just want to make it crystal clear that the County Attorney gives legal advice to this County Commission and he gets direction from this County Commission and he doesn't do things on his own. But that article I felt was —, maybe it was an editorial. At any rate, why, it looked like Jon Hart was doing things on his own and that's just not true. The other thing I think that on this ethics issue is that I doubt very seriously that out of 159 counties that there's a half a dozen counties that have any kind of ethics policy at all. For instance, the City of Savannah doesn't have an ethics policy. I think that this County ought to be applauded for its efforts and I think that our Chairman should be applauded for bringing this issue to the forefront and taking some action on it. Rather than us getting chided for this, why, we should be getting recognition —. Commissioner Thomas said, exactly. Commissioner Gellatly said, — because the fact of the matter is that there are very, very few governments in this State of Georgia, there are 159 counties and about 500 municipalities, and I doubt that there's 12 governments in the whole State that have any kind of an ethics policy. So we're trying to do the right thing. Thank you. Commissioner Thomas said, I agree.

Chairman Liakakis recognized Commissioner Odell.

Commissioner Odell asked, Jon [Hart], do we know if the Board of Education, Chatham County Board of Education has an ethics committee? County Attorney Hart said, I haven't —, no, I haven't looked. I just don't know the answer. Commissioner Odell said, what I'd like to see is if it's good for the goose, it ought to be good for the gander. We'd like consolidation. Why don't we have the City of Savannah, Chatham County Board of Education, Chatham County Commission, instead of having multiple ethics, so that we have one ethics ordinance. Does that make sense or is this just —, is that a problem?

Commissioner Gellatly said, not to me it's not. Commissioner Odell said, well, I think it would be —, I think it would be great. County Attorney Hart said, that's a policy issue above my pay grade. Commissioner Odell said, I know it's above your pay grade, but it would be good if the Board of Education and the City of Savannah and Chatham County Commission, we could have one ethics policy.

Commissioner Kicklighter said, and I'll tell you —. I'm sorry. Go ahead.

Commissioner Shay said, perhaps we could just show leadership and come up with a model ordinance that we feel like is worthy of their consideration and then give them the opportunity to adopt the same ordinance that almost nobody has one.

Commissioner Kicklighter said, I would —, I think something to consider on that would be picking like a sister county close to the same size. The actual board that they adopt to enforce their ethics and this County, once they appoint one, you actually would bring in if there was ever a problem, their people to evaluate the ethics complaints. That would take personalities, politics and everything out of the mix. In other words, you couldn't have a group of local people with political agendas sitting on an ethics panel evaluating people that they know, and if you have a sister county with an appointed board that that —, it could exchange, and I think that would be something to definitely look at to remove the politics, the possibility of future politics because I can think of several politicians I don't want on a panel evaluating me, and you voting from another county and then you get a fairer look without politics playing in it, so I'd like to recommend that one to the people.

Chairman Liakakis recognized Commissioner Thomas.

Commissioner Thomas said, I follow Commissioner Kicklighter to a point. I don't care if you go from Savannah to Hawaii or wherever, there's going to be some kind of political something. Somebody knows somebody everywhere. Everywhere. No matter where you go, and we've just got to start having faith and hope and believe that people are going to do the right thing and if they don't do the right thing, then we —, we're up here trying to do the right thing and we just need to do it. Commissioner Odell said, they get indicted and they go to jail. Commissioner Thomas said, exactly. I don't care where you —, I mean, if you go out to another County, we all know people in other counties. So what's the difference. Commissioner Kicklighter said, I'm talking Richmond County —, somewhere far away that you could, you know —.

Chairman Liakakis said, well anyway, we've got a good Ethics Committee, we've got a cross-section of the community that are working on it, they're doing a lot of research now, they're getting comments from the public, and one of the things too that concerns me, we have a very good Commission. We've got nine people up here who care about this community, are doing their homework. Sometimes they go, you know, we've all been together, sometimes not, but in the newspaper to put in there that the lapdog, use that in the headline, that's offensive to me and I think to everybody on this Board to put something in there like lapdog in the newspaper in an editorial, you know, like this Board —, putting that kind of connotation on this Board who's working hard, who's working hard in this community, and I want the general public to know that.

=====

EXECUTIVE SESSION

Upon motion being made by Commissioner Odell, seconded by Commissioner Stone and unanimously approved, the Board recessed at 1:20 p.m., to go into Executive Session for the purpose of discussing litigation, land acquisition, and personnel.

Following adjournment of the Executive Session, the meeting of the Board of Commissioners was reconvened at 2:10 p.m.

=====

ITEMS FROM EXECUTIVE SESSION

- 1. **REQUEST BOARD APPROVE A MOTION TO AUTHORIZE THE CHAIRMAN TO EXECUTE AN AFFIDAVIT THAT THE EXECUTIVE SESSION WAS HELD IN COMPLIANCE WITH THE OPEN MEETINGS ACT.**

ACTION OF THE BOARD:

Commissioner Thomas moved to authorize the Chairman to execute an affidavit that the Executive Session was held in compliance with the Open Meetings Law. Commissioner Holmes seconded the motion and it carried unanimously. [NOTE: Commissioner Odell was not present when this vote was taken.]

=====

APPOINTMENTS

- 1. **BOARD OF TAX ASSESSORS
DEPARTMENT OF FAMILY & CHILDREN SERVICES (DFCS)
SAVANNAH ECONOMIC DEVELOPMENT AUTHORITY (SEDA)**

ACTION OF THE BOARD:

Commissioner Shay moved to make the following appointments: Board of Assessors - appoint Robert J. Bartolotta to fill the unexpired term of Joseph C. Vestal, which term will expire June 27, 2007, and appoint Terry Tolbert to replace Elijah McGraw, Jr., upon the expiration of his term on June 27, 2005, which term will run June 28, 2005, through June 27, 2009; Department of Family and Children Services - appoint Megan Kicklighter to replace Van Johnson upon the expiration of his term on June 30, 2005, which term will run July 1, 2005, through June 30, 2010; Savannah Economic Development Authority - Appoint C. B. Rathburn to fill the position formerly held by Richard Estus, which term will expire January 7, 2010 and reappoint Dr. Carlton Brown, whose term will expire January 7, 2009, and Brian Foster, whose term will expire January 7, 2010. Commissioner Gellatly seconded the motion and it carried unanimously. [NOTE: Commissioner Kicklighter requested that he be recused from the vote as to the appointment of Megan Kicklighter; Commissioner Odell was not present when this vote was taken.]

=====

- 2. **CHATHAM URBAN TRANSIT STUDY (CUTS) CITIZENS ADVISORY COMMITTEE**

Commissioner Shay announced that his appointment to CUTS Citizens Advisory Committee is Mr. Joseph J. Steffen and Commissioner Farrell's appointment is Mr. Anthony H. Abbott.

=====

ADJOURNMENT

There being no further business to be brought before the Board, Chairman Liakakis declared the meeting adjourned at 2:10 p.m.

=====

APPROVED: THIS _____ DAY OF _____, 2005

PETE LIAKAKIS, CHAIRMAN, BOARD OF
COMMISSIONERS OF CHATHAM COUNTY, GEORGIA

SYBIL E. TILLMAN, COUNTY CLERK