

**MINUTES OF THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF CHATHAM COUNTY, GEORGIA, HELD ON FRIDAY, JULY 8, 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 9:30 a.m., Friday, July 8, 2005.

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**II. INVOCATION**

Commissioner Harris Odell, Jr., introduced Dorothy Pelote, former State Representative and former County Commissioner, to give the Invocation.

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**III. PLEDGE OF ALLEGIANCE**

Chairman Liakakis said, I'd like to call on Morgan Farrell, who is the niece of Commissioner Patrick Farrell, to come forward and lead us in the Pledge of Allegiance, if she'll come up to the microphone. Good morning, Morgan. Glad to have you here in Savannah visiting us, and we do appreciate you giving us the Pledge of Allegiance this morning.

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

Commissioner Farrell said, at this time, I'd like to make a formal welcome to my niece, who's visiting Savannah at the ripe age of 10 years old without her parents being in town. She's visiting our community for the first time, and I'd like to extend a warm welcome from the County Commission and I had this plaque made up with a key to the county that I'd like to present to you, in the tradition that her father was presented the key in the early 1970s from Mayor Rousakis as a spokesman for his elementary school class many, many years ago. So with this, I'd like to present this to you to remember Savannah and to please come and visit us often. We look forward to perhaps you'll be a Youth Commissioner in your county one day. Morgan said, thank you.

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**IV. ROLL CALL**

The Acting 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

Also present: Russell Abolt, County Manager  
Jonathan Hart, County Attorney  
Barbara B. Wright, Acting County Clerk  
Janet DeLoach, Acting County Clerk

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## **V. PROCLAMATIONS AND SPECIAL PRESENTATIONS**

### **1. PROCLAMATION TO DECLARE WEEK OF JULY 17 THROUGH 23, 2005, AS "AQUATIC WEEK" IN CHATHAM COUNTY.**

Chairman Liakakis said, the next item on the agenda, a proclamation to declare the week of July the 17th through July the 23rd, 2005, as "Aquatic Week" in Chatham County. I'd like to call on Commissioner Dave Gellatly to do the proclamation.

Commissioner Gellatly said, Mr. Chairman, it's my pleasure to read a portion of this proclamation. WHEREAS, individuals in organized forms of recreation and creative organization use free time, are vital to the lives of our citizens, and the education of the athletic and recreation programs throughout Chatham County encompass a multitude of activities that can result in personal accomplishments, satisfaction, and family unity for all of our citizens, regardless of background, ability, and age, so on and so forth. I want to point out this is a 66-year old man reading this without glasses. WHEREAS, the citizens of Chatham County should recognize the vital role that swimming and aquatic activities and how they relate to good physical and mental health and enhance the quality of life for all people, and, WHEREAS, Chatham County is extremely proud of the swimming facilities and programs of this community and their contribution to providing all ages a healthy place to relax, to learn, to grow, to swim, build self-esteem, confidence, and a sense of self-worth, which contributes to the quality of life of our community. I therefore present this proclamation on behalf of our Chairman, Pete Liakakis, and the Board of Commissioners. And, as you all know, I use this facility five times a week, early, early in the morning, and it is a very good facility and is a facility that certainly not only benefits the citizens of this entire county, but it benefits our military. It's a significant training facility for our military. It's a very important place for our athletes when they're injured, football, basketball, what-have-you, where they can recuperate in an aquatic pool, and it's key to a lot of our citizens who cannot exercise in any other form other than a pool. So without any further to do, I'd like to present this to you. Thank you very much.

Jennifer White said, thank you. My name is Jennifer White, and I am the administrative director of the Aquatic Center, and I just wanted to say a couple of words. The Chatham County Aquatic Center is a vital member of the aquatic education and fitness community. This facility has provided lessons in water safety education to thousands of children. The benefits of our water experience to the elderly are numerous. This facility is indeed the heart of swimming, and I thank you for giving our community the opportunity to receive such benefits. The Aquatic Center will host an Aquatic Awareness Day on Wednesday, July 20th, from 12 to 3:45 p.m., and I invite all of you to stop by and see for yourself that this facility is indeed truly an asset to the citizens of Chatham County. Thank you so much. Chairman Liakakis said, thank you. We appreciate all that you do in help with the Aquatic Center, and especially those that come there, you know, for the training and for the use of the pool area. Ms. White said, thank you. Chairman Liakakis said, and another thing about the Aquatic Center, too, so everybody will know this if you didn't, is, it has brought in thousands of swimmers from around the country to participate in meets that they have had there, and they have spent quite a large amount of money in our community, so it has been, as far as people spending money, it has been a tourist type of attraction, sport attraction, to bring people into our community.

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## **VI. CHAIRMAN'S ITEMS**

None.

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## **VII. COMMISSIONERS' ITEMS**

### **1. ISLANDS COMMUNITY CHURCH - SEE AGENDA ITEM IX-6 (COMMISSIONER FARRELL).**

Chairman Liakakis said this is an item for Commissioner Farrell, if you'll go over that, please.

Mr. Abolt said, Mr. Chairman, if I may help in the interest of time, Commissioner Farrell called asking that there be given —, consideration given to a tax situation involving the Islands Community Church. At his direction, we placed under Individual Action, Item Number 6 in Individual Action, the appropriate description of that. You can either handle that now or handle it when it comes up on your agenda.

Commissioner Farrell said, yeah, I've got it now from the paper work. The issue is to approve a request of Islands Community Church to forgive or abate any previously assessed taxes for Parcels 1-0044-06-27, Parcel 1-0044-06-028, and Parcel 1-0044-06-029. This is a request by the Islands Community Church to forgive or abate those taxes paid for 2004. Under Facts and Findings, Islands Community Church is a nonprofit organization. By OCGA 48-5-154 provides a county governing authority shall have jurisdiction and the power to correct all errors in the digest and order an abatement and/or cancellation of taxes erroneously assessed and to make other adjustments in the digest of a similar nature and to reflect the same in the account as stated, funding to delinquent collections of the Tax Commissioner's office. Policy analysis was that Islands Community Church is exempt from ad valorem property taxes. Any taxes that have been paid should be refunded or, in the alternative, an order in abatement of

cancellation of taxes erroneously assessed and appropriate adjustment to the digest should be made. There's two alternatives, and the recommendation is Alternative 1, which is the Commission should authorize the refund of \$2,090.18 ad valorem taxes or order an abatement and cancellation of taxes for erroneously assessed and to correct and adjust errors in the digest for the tax year 2004.

Chairman Liakakis said, do you make that motion? Commissioner Farrell said, I make that motion and that recommendation. Commissioner Kicklighter said, second. Chairman Liakakis said, go on the board. The motion passed unanimously.

#### **ACTION OF THE BOARD:**

Commissioner Farrell made a motion to approve a refund to Islands Community Church in the amount of \$2,090.18 ad valorem taxes erroneously assessed for tax year 2004 for Parcels 1-0044-06-27, Parcel 1-0044-06-028, and Parcel 1-0044-06-029. Commissioner Kicklighter seconded the motion and it passed unanimously.

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### **CHATHAM AREA TRANSIT AUTHORITY**

Chairman Liakakis said, we're going to hold off right now, because we've got this budget item and a number of people that want to come before the public hearing, so the CAT Board of the Chatham Area Transit Authority will be held later in the agenda.

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The Board recessed as the Chatham County Commissioners at 11:24 a.m., to go into a meeting of the Chatham Area Transit Authority.

Following adjournment of the Chatham Area Transit Authority, the Board went into Executive Session for the purpose of discussing litigation, land acquisition and personnel.

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### **VIII. TABLED/RECONSIDERED 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 (*).
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#### **1. CIVIL RIGHTS EDUCATION PROGRAM.**

**At meeting of May 27, 2005, item was continued to next meeting on June 10, 2005.**

**At meeting of June 10, 2005, item was continued to next meeting on June 24, 2005.**

**At meeting of June 24, 2005, item was continued to next meeting on July 8, 2005.**

**ACTION OF THE BOARD:**

This item was not placed before the Commissioners for consideration.

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**\* 2. PURCHASING ITEM H.**

**At meeting of June 24, 2005, item was tabled to next meeting on July 8, 2005.**

<u>ITEM</u>	<u>DEPT.</u>	<u>SOURCE</u>	<u>AMOUNT</u>	<u>FUNDING</u>
H. Annual contract with automatic renewal options for four (4) additional one year terms to provide elevator maintenance and repair services	Facilities Maintenance and Operations	Otis Elevator Company	\$26,940	General Fund/M & O - Facilities Maintenance and Operations

Chairman Liakakis said, on Item Number 2, at a meeting of June the 24th, that item was tabled to the next meeting on July the 8th, 2005.

Commissioner Shay said, Mr. Chairman, I move that we take it off the table so we can consider it. Commissioner Kicklighter seconded the motion and the motion carried unanimously.

Commissioner Shay said, Mr. Chairman, I had this pulled from the last meeting at my request, and I've had a chance to discuss in great detail what the terms and conditions of the elevator contract is.

Commissioner Shay moved for approval of the contract. The motion was seconded by Commissioner Kicklighter and Commissioner Thomas. The motion carried unanimously.

**ACTION OF THE BOARD:**

Commissioner Shay made a motion to place this item on the table for consideration by the Commissioners. Commissioner Kicklighter seconded the motion and it carried unanimously.

Commissioner Shay moved for approval of the contract as described it Item H. Commissioners Kicklighter and Thomas seconded the motion and it carried unanimously.

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## **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. PUBLIC HEARING AS REQUIRED BY STATE LAW ON THE COUNTY'S INTENT TO LEVY A MILLAGE RATE THAT EXCEEDS THE CALCULATED "ROLLBACK" MILLAGE RATE FOR AD VALOREM TAX PURPOSES.**

Chairman Liakakis said, what we'll do now is, we'll open the public hearing as required by State law. Ladies and Gentlemen, this hearing is being held in compliance with State law. The Chatham County Board of Commissioners has announced publicly its intention to increase property taxes it will levy this year by 14.92% over the rollback millage rate for General Maintenance and Operation taxes, 16.12% over the rollback millage rate for Special Service District taxes, and 4.46% over the rollback millage rate for Chatham Area Transit Authority. The purpose of this hearing is to provide members of the public the opportunity to comment. The proposed millage rate for the General Fund is 11.367 mils, which is 1.476 mils greater than the calculated rollback millage of 9.891 mils. The proposed millage rate for the Special Service District fund is 3.925 mils, which is .545 mils greater than the calculated rollback millage of 3.380 mils. The proposed millage rate for the Chatham Area Transit Authority is .820 mils, which is .035 mils greater than the calculated rollback millage of .785 mils. A list is provided at the front of the room for you to record your name and address, as well as the group or organization you represent, if any. This will allow us to document that public input was solicited. We ask that you be brief and concise in your remarks, since there may be a number of people that may wish to speak, and we want everyone to have an equal chance to be heard. Now, anybody that would like to speak, please come forth and sign the register now. And then I'd like for you to stay up front, if you will take these seats up front so that you will come to the podium after the person ahead of you speaks. The other thing that we'd like to ask for your cooperation also, if you would limit your discussion concerning the budget to three minutes. I'd like to call on the first person to please come forth and come to the microphone.

Billy Hair said, Mr. Chairman, Dr. Thomas, Members of the Commission, I'm Billy Hair, taxpaying citizen, and I appreciate the opportunity to be here this morning. I assure you, I'll be as brief on this side of the podium as I was on the other side. I have heard all the arguments for a tax increase and, quite frankly, none of them pass the test. The first is that with \$8 million in new revenue, you say, well, the first thing we have to cover is the five million deficit from last year. Okay, I'll give you that. I'll stipulate that. Now you've got three million in new revenue, including an increase in the Fund Balance. The second argument is, we've got to make up for the \$12 million that the State's underfunded us. That is the worse possible way to get the State to stand up and take responsibility. If you continue to make up for their inability to raise taxes, you're going to become the Mikey of local governments. Don't worry about us raising taxes; Chatham County Commission will do it for us. And that's the worse signal you can send to the State, and I urge you not to do that. The last argument is that we need things. You could raise the millage 10 mils and spend it on needs and still have unmet needs, so that's not an argument either. And the thing that really disturbs me most about this is the way that this has been put in terms of, well, it's just \$19 on a \$100,000 house. Let's get real, folks. How many people in this County live in \$100,000 houses? And even if they did, there's two other groups that's adversely affected by this tax increase. We could thumb our nose at the commercial property, which is not protected by Stephens-Day and say, well, you know, the commercial property can pay this increase; they can pass it on to customers. If we

take that cavalier attitude, I can assure you these businesses -- and I've talked to many of them in the last two weeks -- will not invest in Chatham County, and those that are thinking about coming in will not come in. And the last thing I want to say to you is this. The one group that will be most hurt by this tax increase are the people that can afford it the least. There is one exclusion to the Stephens-Day and that is apartments. The people that's out here working at Burger King making six and seven dollars an hour that rent, they're going to be hurt the day you pass this tax increase, because I assure you that the owner of that apartment complex is going to pass that increase on to its tenants, and they don't have a voice. The people that's living in the \$500,000 houses, they're protected, but those people that are renters are not protected, and I urge you to really think about this, and I urge you not to vote for this tax increase.

Commissioner Odell said, Billy, good morning. We were seated beside one another for -- how long was it? Mr. Hair said, eight years. Commissioner Odell said, you know that I have the ultimate respect for your integrity and your credibility. Mr. Hair said, likewise. Commissioner Odell said, we've gone through a lot of fights together and on opposite sides, and I appreciate your taking time to come here. Mr. Hair said, thank you very much.

Chairman Liakakis said, next, please?

Frank Murray said, good morning. First of all, I'd just like to say that the budget time each year that you all go through, as those of you that have been on the Commission for a while and those who just came on this Commission for the first budget session, understand it's hard to understand it. You go through a long process. There are a lot of numbers thrown at you. What disturbs me about this Commission is the fact that there's not one of you nine sitting up there that has offered any kind of budget other than the County Manager's budget. Some of the right questions even haven't been asked about that budget. You continue to talk about a \$5 million deficit that the one I sat on left you all. I haven't heard anybody, even the two that are sitting on this Commission that voted for that, stand up and speak in favor of it. The problems that you all have right now, you're representing, out of all of you, in the neighborhood of 250,000 citizens of Chatham County and, to me, it appears that what you're doing is what you want to do for your own special interest projects. I agree with what Billy Hair said just a minute ago. It does not make sense and it's not justified at this point to raise the millage rate at all. And the \$5 million deficit, I still question that it's a \$5 million deficit, and I don't even think Finance can tell you it's there right now, because of the numbers that's come in. You won't have all your numbers in until the taxes come in, until November, so you won't have a clear picture. What's going to happen if you raise this millage, as you're proposing to do, and probably will do, in November when the money comes in and you've got the extra money there, what are you going to do with it then? You don't even have a budget in place right now, yet you want to raise the millage rate. I just think it's not right. I've sat there. I've gone through this, too. But every time we've done it, we've come up with other budgets, different type budgets, and during that process, those budgets have been amended. This is a guideline to go by. You do not need to be raising the millage right now. Thank you.

Commissioner Kicklighter said, can I ask one question? What did you say the two people that were here didn't do what? Mr. Murray said, I said that two people -- and I think you know who they are -- that haven't come out and expressed anything about last year's budget, this \$5 million deficit we keep hearing that is there, and the numbers show it is not there, so that's all I'm saying. Five of us voted for that budget, right? Commissioner Kicklighter said, right. Mr. Murray said, two of you all are still sitting on the Commission. That's what I'm saying. Commissioner Kicklighter said, you haven't been watching

television or been here, because I've been –. Mr. Murray said, I try not to watch too many of these meetings. Commissioner Kicklighter said, – trying for a month or so. I've stood up for it.

Chairman Liakakis said, next please. Commissioner Kicklighter said, Mr. Chairman, I just want to state that I've been on the record opposing the tax increase and adamantly opposing it. That's personally why I'm dressed like an idiot right now, and I just don't know where that came from. Mr. Murray (who was not at the microphone now) said, I was talking about the \$5 million deficit. Commissioner Kicklighter said, and if you've been watching, I've addressed that several times.

Chairman Liakakis said, go ahead, please, ma'am. Identify yourself, please.

Patty Levinson said, I live on Skidaway Island. Over the last few days, I have been distributing fliers in our community to bring up the awareness concerning the budget increase in Chatham County and the increase in spending, and I was quite amazed about the response I received. Out of about 400 fliers I personally distributed into the newspaper holders of our mailboxes, I received over 40% response, and out of the 40% response, it was a negative on the proposed millage rate increase, which I think speaks volumes, because it really required an effort on the part of the citizen to not only read the flier, but to vote and to bring the flier back to my home in order to be heard. Those 150 people, for various reasons, may not have been able to be here today, but certainly wish that their voice is heard and heard quite loudly. I think we've been very fortunate in Chatham County in the fact that we have received an increase in population. There are counties north of us in cities like Pittsburgh, Pennsylvania, who have had a decrease in population over the last 10 years, who have had to still fight escalating costs, and we've been fortunate to have an increase in our revenues, this year alone of \$8 million. And I think it would behoove us to be a little careful on the way we spend that money, just as we are careful in the way we spend our money in our own pockets. I counted our state taxes that we pay comes to about 15% of our budget, our household budget, and to me that's a significant amount. Then you add federal taxes onto that, utility taxes, and other taxes that we don't see, and it really comes up to a great portion of our budget. You talk about mills, you talk about cents, but dollars and cents add up, and they add up greatly to those of us among the population in Chatham County who can least afford those increases, and I would ask that you please reconsider additional spending that may or may not be necessary at this time, and look very carefully at being the stewards of our revenues and our budget and be faithful to your constituency. Thank you very much.

Commissioner Farrell said, I'd like to thank you for making the personal effort. You're a citizen from my district, and I appreciate the extra effort that you put in to polling your neighbors and getting an idea of how they feel about the budget process and the possibility of a millage increase. Thank you very much.

Chairman Liakakis said, next.

Billy Holloway said, I've talked to Mr. Liakakis and Mr. Holmes and Mr. Odell yesterday. You're very kind. I appreciate you all taking the time to talk to me. We had some heated discussions. Mr. Liakakis and I had a very heated discussion. But I have a small business of five people. We do about \$400,000 worth of business a year. We put fireplaces primarily in new homes. You can't tell me we're not taking in more money for these new homes, because we used to do –, in the 80s we did about 300 permits a year in this area. Now we're doing darn near that a month, not just Chatham County, but this area. There's huge growth here. But you're talking about a small increase per hundred thousand dollars. My building

is a three and a half acre site that they have increased the tax value on 600%. Now, I've got a 600% increase there, plus you want to increase my millage rate. I cannot afford the taxes. I'm not exaggerating. I cannot stay here under this burden. My worse competition is from out of town, Claxton area, Statesboro area, and their taxes are nothing, compared to ours. I'll be forced to do that, too. They cannot give the service to this community I give. We do a lot for customers with old fireplaces, hunting parts and things. That will be gone when we go. We feel like we're a valuable part of this community. And not to leave anybody out, I talked to Mr. Kicklighter a lots of times, too. He helps me all the time with these problems, and I know where he stands. I know there might be needs for this money. I don't know just what all they are. Mr. Liakakis has told me there are some great needs. I cannot afford to pay them. I've been in my business -- I've been here all my life, but my business has been operating here for 26 years. We are a good citizen for this community. We do a good job here. We feel like we're a valuable asset to this community. You're going to lose businesses like -- well, you've already lost some. I don't know if it was for the taxes or just the fact that they could save money. I will be forced out just as sure as if you put a gun to my head and said, "Billy, you've got to leave town. You can't afford to stay here. We're high rollers now. We don't need you anymore." Now, I moved out there -- my property, to give you an idea, I don't know if you're familiar with the Grove Point area out there behind the GCO Carpet outlet, I'm behind it. I'm not on Abercorn. I am a block off of it. Millions of people pass me every week and nobody knows that we're there. But they have raised my value like I'm on Abercorn. But I cannot afford to stay there. My idea was to buy that and when I get Social Security age, build me a little auction house and we'd have a little auction business there. We have parking, and I bought this in '89, I believe it was, so that I could afford to do this, and now I'm being forced out. I don't think it's right. I don't know, if it wasn't for the Stephens-Day bill, you're talking about, you know, a small millage per \$100,000, they raised the value of my house \$100,000 this year, and if it weren't for the Stephens-Day bill, it's already doubled since we locked that in with the Stephens-Day bill, and these things are continuing to increase. I can't go to my customers and raise prices like what you all can do. I can't do that. I have too much competition from out of town that are killing us, and by being in town, we can serve the people here better. I can move out of town and continue my business, but I can't give the service here that I've given. Granted, it's a small number of people. It's just primarily new homes and people with fireplaces that need help, but we help them like nobody will do here, and I'm pleading with you, don't run me out of town. You literally will run me out of town. I have put a For Sale sign on my property. If I could sell it, I'll have no choice but to sell it. I'm also making this plea with the Tax Assessors. If you don't raise the millage and they continue to assess me at what they've assessed me, I'm still going to have to go. It's just my business doesn't -- we're a \$400,000 a year for five of us to make a living off, and the majority of that goes to pay for our materials. The total of our income is about \$400,000 a year, and it's been that way for years. We can't get it up. There's tremendous competition coming here because of all the building. You know, you'd think that helps us, but really, I did better in the 80s. I did better in the recession of 1987 than I'm doing today, because I didn't have the competition. Today, we have tremendous competition, and it's coming from out of town, and I'm pleading with you, don't run me out. I don't feel like I've done anything to deserve to be run out of town. Thank you.

Chairman Liakakis said, next.

Mr. Collier said, good morning, my name is John Collier, and I was listening to Mr. Hair, and I agree with him on this tax that you're charging the property. I have a lot of rentals, too. I have 50% vacancy right now, because a lot of my people are low income and they can't afford these increases if I pass them on to them. Maybe we might need to look at our sales tax, two or three cent on the dollar, and place that,

and release the property tax and this way, we'll share the burden, because right now, you're making the people that pay property taxes carry the burden for everybody. We're paying welfare for everybody. And this way, everybody is sharing it. And for those that say, well, it's hard on the poor person, we can get them a card, we need to except it up to a certain limit. If the income is below a certain amount, they won't have to pay the increase. You might need to look at another avenue and stop this property tax and go to sales tax, and I don't think two or three cent will hurt anybody. Thank you.

Chairman Liakakis said, thank you. Next.

Mr. Major said, good morning, Ladies and Gentlemen. My name is Ernest Major, Jr. I'm from the Lamarville area and I talked to several people in my neighborhood, and I was asked to come down to not to ask you all to raise the millage rate or the taxes, because the people in Lamarville can't afford it. And the last time I was here, I asked Mr. Odell, are we going to get any better service, and he said no, but we're going to raise the taxes. And right across the street from my house, you want me to pay more taxes for the property across the street from my house. I've been asking the County to come out there and do something with it. Nobody going to do nothing with it. The man put some houses on there and they are real bad, and I asked him to remove them. So before I leave, I want to give some pictures to Commissioner Odell and the County Manager, to let them know how this property look across the street from my house, and you're asking me to pay more taxes. I talked to Mr. Bungard on yesterday, the County Engineer, I talked to Mr. Bob Seebeck, the Housing Inspector, he said he's going to talk to this gentleman. Now, these houses have been across the street from my property since January of last year, and nothing has been done with it. And every time I call down there to get something done, they like give me the run-around, Mr. Major, we're going to call him. The man name is Kicklighter. He stays in Richmond Hill. There is property down the street that someone else moved down there, and that house is also vacant, and they move property from Middleground Road in our neighborhood, and you all are asking us to pay more taxes, and Mr. Odell told me, we're not going to get any better service, so I'm down here to complain for my neighborhood. If you all are going to raise the taxes, we want better service and everything done. Thank you very much.

Commissioner Odell said, Mr. Major, you live in the unincorporated area, do you not? Mr. Major said, yes, sir. Commissioner Odell said, the budget is divided into what's known as M&O and SSD, and we'll have a policy decision -- it'll be two policy decisions. I've heard what you said. I've looked at the property, and I don't know, I'm not going to go out there and inspect it, because I can't. I passed it on six times to our County Manager, and Russ assures me that they're doing what they can do. Mr. Major said, Mr. Odell, they're doing what they can do, but I don't see no reason why that property should have been there since January and nothing has been done. Either make the man clean it up or move it. That's all I'm asking. Commissioner Odell said, I agree. Mr. Major said, that's all I'm asking. Make him clean it up or move it, one or the two, that's all I'm asking. Just don't come in our neighborhood and put vacant houses from someplace else, and we have to take care of our neighborhood. Commissioner Odell said, oh, I agree. You and I have walked that area. I agree with what you said, Mr. Major. Mr. Major said, all right, sir, thank you very much.

Chairman Liakakis recognized Commissioner Kicklighter. Commissioner Kicklighter said, if I may, because of the rare last name, I want to state for the record that I don't know Mr. Kicklighter or I'm not kin, that I know of.

Chairman Liakakis said, okay, Mr. County Manager, you've got his name over there. Mr. Abolt said, yes, sir, I'm going to follow up. Chairman Liakakis said, and I'd like a report back to the County Commission, please, what's the status over that, about what Mr. Major has stated, so that we can look into it, and if there's some legal things -- we know that we have some legal barriers, but also, what can we do as soon as possible. Mr. Abolt said, yes, sir. Commissioner Odell said, and send that to all of us, Russ. Mr. Abolt said, yes, sir.

Joe Murray Rivers said, good morning. I'm former Commissioner Joe Murray Rivers. I don't envy you guys this morning. I'm not there to take the flak. But I would tell the citizens, I can recall going back a number of years ago, I sat in the same seat that Mr. Holmes is sitting, and we rolled back the millage. There wasn't a soul in this room talking about don't roll back the millage. Well, \$3 million at the time of the rollback did not hurt the County. But what it did, it did not hurt the people. It gave them a few dollars in their pocket, but didn't hurt them at all. But what it did to the Transit Authority was put us in a position where we got federal money for buses, state money for buses, and no local money. These are the kind of things that happen when you roll back the millage. And I told folks at that time I would not roll it back if I have to come back and take it back from you. Today is pay-back. They're taking back what you probably received and forgot about, and it's not that much of amount that's going to be a burden, but what the County has facing it is a burden. Russ, how much is that wish list that you have? Mr. Abolt said, the initial wish list was about \$6.8 million, plus about 60-some million in unfunded CIP. Mr. Rivers said, the stuff that this County has, that it's gotten -- you know, things have gone from bad to worse, and when they really fall through, it's going to take more money to fix it. God forbid if we have a hurricane to come along this season. We took \$3 million out of catastrophic loss fund and infused it into our budget. We never put that money back, so if a hurricane come, I think you've got maybe very little to fight it with. The other thing is, year after year after year, we took money from the fund balance to shore up the budget, which put pressure on the following year digest, so you're not able to catch up, and we've been playing catch up, but it comes time now that you've got to pay the piper, because we were funding it and we've been bringing on new programs and funding it with Fund Balance, and it needed a revenue stream, so the following year, you didn't have it. I think that we need to educate the citizens more as to what is going on and really let people know what we've got out here. Last year, the budget was shored up by some \$5 million of paper money. And that's a long story. I don't even want to get into it, but if you don't understand it, then you don't understand it. But come in and try to get an understanding of it, because it's really a complex thing when you look at \$5 million in paper money. A lot of you businessmen out there know about receivables. You're not going to get all those receivables, not in any given year. You're not going to get all those receivables. I was in business 35 years and there was a whole lot of receivables that I didn't get, so you can't count those receivables as dollars when you've got to expend those dollars. Freeport. We did things to bring business in. We rolled back the taxes on businesses in order to try to compensate and get more businesses in this town to provide more jobs. An admirable thing, yes. Did we overcompensate? I don't know. Never measured the outcome. But I'm sure that we had a lot of businesses to come to this town due to the fact that we did not have freeport. We've still got Gulfstream here, because they would have moved their inventory someplace else. We had JCB to come here. A number of companies have come to Savannah because of freeport. So we do things that we hope that will help. Now, I don't want to pick on you, Sheriff, but I'm going to give you an example, and these people an example of something that happened while we were here. At one point, you needed \$400,000 to certify deputies. We gave you that money out of Fund Balance, a half a year money. No continue in revenue. We came back the next year and we gave a COLA and we used up all the money that the digest grew into, and then we looked around and we were short, so we had to

go back to Fund Balance with almost a million dollars. So you see, you play catch up, and you never stop looking at some day that Fund Balance is going to go down to blip, zero. And we've been there. The only thing that I can offer you, I know we have a lot of mandates and I know we need to find some relief for renters, and we need to find some relief for these businesses that are being taxed, now it gets to the thing that why we go to meetings, and I want to tell the folks why we go to meetings and why we go to Hawaii and different places like that. I never tell the newspaper why I go and what I'm doing. Of course, I got a lot of pressure and they can get them all now. But I chaired several committees for the National Association of Counties. We looked for relief for taxpayers. We looked for relief for counties. And one of the main things that's on your scope now in your state house is a unified taxing system which will allow counties to tax remote sales tax, and that's sales tax over the internet. I spent quite a bit of time on that, quite a bit of time testifying before subcommittees on that particular issue. If we get that money, what I will ask you all to do is, during the time that you go before the Legislature this session, ask them to make unified taxing system a priority so that we can recoup that money that's going over the internet. What I would further advocate is that that money be used to relieve some of these renters, businessmen, and give them the same breaks that we're giving homeowners on the freeze. So, Gentlemen, I wish you all luck. I hope I've shed some light on some things. I don't envy you, but I know the position that you're in. God speed.

Chairman Liakakis said, thank you, Joe. Next.

Mr. Tolbert said, good morning. Thank you for allowing me to come this morning, and I have kinda mixed feelings because -- Chairman Liakakis said, identify yourself, please. Mr. Tolbert said, my name is Terry Tolbert. I'm actually speaking as a citizen. I live on Nottingham Drive and Patrick O'Shay (sic) represent my area and, certainly, I have some complaints as a citizen for the service. When he ran for office, I told him that because I've been paying taxes, the street sweeper don't come in my neighborhood like it come in the more affluent neighborhoods, so for me, it's about equity and the taxes. I've been appointed by you to serve on the Tax Assessors Board and I appreciate it. Actually, in the first meeting, I learned very early -- when I came here, I actually was coming here to celebrate the new CAT director, but in light of what was spoken, my first meeting, I learned a lot. I just wanted to let you know that. And as taxpayers, I think they need to know this, too, is that if we start giving so much breaks to all the property owners, you don't have enough cash to operate. In the Historic District, you can freeze property taxes for 10 years if you buy a piece of historic property and get it fixed up, and even if it raised in value to \$1 million, it's frozen for 10 years and you can pass that on. The Stephens-Day bill certainly didn't help much, because local government need property taxes to operate. And in the last three to four to five years, the former Commissioners eliminated all the programs that you provided services for low income people, so you can't say, well, poor people -- we're giving all these tax dollars to poor people, because you're certainly not doing that anymore. There's no money going to Human Services at all, so it's all going to what we need in the community, and I certainly don't want my property taxes raised, but at the same time, I certainly do need the police department to come visit my neighborhood from time to time, because we always cry about crime, but we certainly need money for you to operate, and so I'm probably one of the only persons in here that would say that, you know, raise my taxes, because we need the services in our community, and that's the only way we can get it. And if we get the State Legislators to roll back some of those crazy rules that they have, maybe you'd have enough money to operate.

Chairman Liakakis said, thank you. Next? Anybody else coming for the public hearing, would like to speak out? Okay. All right, then, we're going to Item Number 2. County Attorney Hart said, you need to close the public hearing, just announce that the public hearing -- Chairman Liakakis said, I'd like a motion to close the public hearing.

Commissioner Thomas said, I move to close the public hearing. Commissioner Odell said, second. Chairman Liakakis said, go on the board. The motion passed unanimously.

**ACTION OF THE BOARD:**

Commissioner Thomas moved that the public hearing be closed. Commissioner Odell seconded the motion and it carried unanimously.

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**2. REQUEST BOARD APPROVE A RESOLUTION CLARIFYING THE MILLAGE LEVY FOR FISCAL YEAR JULY 1, 2005, THROUGH JUNE 30, 2006.**

Mr. Abolt said, Mr. Chairman, Ladies and Gentlemen, this is for the auditors, because we are in a fiscal year, not a calendar year. This is pro forma and it must be done every year to clarify the installments of taxes paid through the recommended resolution.

Commissioner Odell moved to approve a Resolution clarifying the millage levy for Fiscal Year July 1, 2005, through June 30, 2005. The motion was seconded by Commissioner Thomas and the motion carried eight to one. Commissioner Kicklighter said, let the record show I'm no on that, too, please. I hit the wrong one and it got cleared immediately. Commissioner Kicklighter said, let the record show I'm no on that, too, please. I hit the wrong one and it got cleared immediately.

**ACTION OF THE BOARD:**

Commissioner Odell moved to approve a Resolution clarifying the millage levy for Fiscal Year July 1, 2005, through June 30, 2006. The motion was seconded by Commissioner Thomas. Chairman Liakakis and Commissioner Stone, Commissioner Holmes, Commissioner Shay, Commissioner Farrell, Commissioner Odell, Commissioner Gellatly and Commissioner Thomas voted in favor of the motion. Commissioner Kicklighter voted in opposition. The motion carried by a vote of eight to one.

**AGENDA ITEM: IX-2**

**AGENDA DATE: July 8, 2005**

**DATE:** June 27, 2005  
**TO:** Board of Commissioners  
**THRU:** R. E. Abolt, County Manager  
**FROM:** Linda Cramer, Finance Director

**ISSUE:**

To request that the Board approve a Resolution clarifying the millage levy for fiscal year July 1, 2005 through June 30, 2006.

**BACKGROUND:**

On July 28, 2000, the County Commission approved the year 2000 Tax Levy. Prior to January 1, 2000, the adoption of the annual millage levy for the Chatham County government was for generating taxes for the County’s fiscal year budget which was January 1 through December 31. With the change of the fiscal year effective in year 2000, it is necessary to clarify the year 2004 Millage Levy.

**FACTS & FINDINGS**

- (1) A meeting was held on September 25, 2000, with the County Attorney, Richard Tindol with the audit firm Karp, Ronning, & Tindol, P.C., and the Finance Director of the County to discuss the year 2000 Millage Levy and the funding for the short fiscal year.
- (2) The County Auditor, Richard Tindol with the audit firm Karp, Ronning, & Tindol, P.C., requested that the County Commission clarify the application of the taxes from year 2000 Millage Levy for the audit for the fiscal year ending June 30, 2000.
- (3) The attached Resolution is intended to clarify the Tax Levy for the year 2005.
- (4) The millage levy applies to all three taxing districts: the General Fund M&O, Special Service District Fund and Chatham Area Transit District Fund.

**FUNDING:** N/A

**ALTERNATIVES:** N/A

**POLICY ANALYSIS:**

State law requires that the Board adopt a tax levy resolution annually for submission of the digest to the State of Georgia, Department of Revenue ( Ga. Code 48-5-302).

**RECOMMENDATION:**

That the Board approve the attached Resolution.

**PREPARED BY:** Read DeHaven

STATE OF GEORGIA            )  
  )       CHATHAM COUNTY BOARD OF COMMISSIONERS  
COUNTY OF CHATHAM    )                                    IN RE: TAX LEVY YEAR 2005

WHEREAS, the millage levy approved on July 8, 2005 is for the calendar year 2005 which pays for costs in the six months period from January 1, 2005 through June 30, 2005,

and the first six months ( July 1, 2005 through December 31, 2005) of the new fiscal year ending June 30, 2006; and

WHEREAS, taxes are billed in two installments, which are due June 1<sup>st</sup> and November 15<sup>th</sup> each year; and

WHEREAS, the second six month's operations (January 1, 2006 through June 30, 2006) for the fiscal year ending June 30, 2006 will be billed using one half of the millage rates approved July 8, 2005 based on assessed values on January 1, 2005

NOW, THEREFORE, the Board of Commissioners of Chatham County do hereby clarify the year 2005 Millage Levy in accordance with this resolution.

APPROVED THIS 8TH DAY OF JULY 2005 IN OPEN COURT.

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Pete Liakakis, Chairman  
Chatham County Commission

ATTEST:

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Sybil Tillman, County Clerk

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- 3. REQUEST BOARD ADOPT THE FY2006 BUDGET RESOLUTIONS AS SHOWN ON THE ATTACHED RESOLUTIONS AND AUTHORIZE AN EMPLOYEE COST OF LIVING INCREASE IN THE FOLLOWING SEQUENCE: A) THE COUNTY FUNDS LISTED WHICH EXCLUDE THE GENERAL FUND M&O AND THE SPECIAL SERVICE DISTRICT, B) THE GENERAL FUND M&O, C) THE SPECIAL SERVICE DISTRICT, AND D) AN EMPLOYEE COST OF LIVING ADJUSTMENT (COLA) EQUAL TO THE AMOUNT FUNDED IN THE PROPOSED BUDGET PRESENTED APRIL 29, 2005.**

Chairman Liakakis said, we're about to take action on a series of items to adopt this year's budget. This Commission, for the last several months, has been studying long and hard, and let me tell you what we have done, just so some of you can know. As far as I know, the first time in the history of Chatham County since it was formed in 1777 that all of the department heads were brought to a meeting, every department head for Chatham County, all the representatives of the six courts in Chatham County, the Clerk of Superior Court, the Sheriff's Department, the Tax Commissioner's office, and other department

people brought together at a retreat. And what we did at that retreat, we let them know what we were facing, you know, that we had a tough time now, and the message that was given basically is that we need to tighten the budget, because we had a \$5 million shortfall. Now, comments have been made there's no \$5 million shortfall. During last year, I talked to two auditors, I talked to a financial advisor, I talked to the County Manager, the Assistant County Manager, three people in the Finance Department, multitudes of people that know, and took that budget -- this is the budget for this year -- and I said, show me that revenue that was put in there, that \$5 million. Nobody could show that, who are the experts in that area. Yet, the \$5 million was put in there, and as Commissioner Joe Rivers just stated, paper money. It was not in the budget in there. Now, you can predict that, hey, that the Tax Commissioner, who did an excellent job last year, and he helped last year's budget to be balanced. What occurred in last year's budget? Because of our department heads working efficiently in their departments, they saved the County taxpayers money and our Tax Commissioner, Danny Powers, was able to collect a number of delinquent taxes. That's one-time income. Because of the actions of the departments and the Tax Commissioner, the budget was balanced for last year. This year, when you put money in there that you've got the revenue, show me. You can't say that at the end of this year or the end of next year, we're going to have more money coming in. What did occur this particular year, our tax digest that was predicted of increasing some 4% was increased to 10.78%. Now, that gave us 6.78% more money than we thought was coming in, but what occurred is that that shortfall, other expenses that we had, that was not enough money to balance this proposed budget for this particular year. We have met with department people. I have talked to them. Individual Commissioners have talked. We gave the message to the County Manager. We want these departments to operate as efficiently as possible, to be fiscally responsible. That message was given out. You know, we've had multitudes of meetings. Last week, we had two public hearings concerning the budget. In addition to that, every one of these Commissioners that attended those meetings heard what the individual departments and the other constitutional officers were talking about in their departments. Every one of them. We had meeting after meeting. So this isn't something that, you know, was just started by just taking a budget from the County Manager and not the County Commissioners looking at it. This particular budget, not only did I search it out, talked to multitudes of people, the department heads, the constitutional officers and all, I prayed on this, because I want to tell you something about the history. I don't want to raise taxes. I never have voted to raise taxes. And somebody said, Pete, you ought to have somebody else say this, but I'm saying it myself. In 1997, when the tax assessments had went up over 60,000 pieces of property, on the City Council, what I did was, I did a presentation to City Council, and I said, look, we've got the revenue coming, and we've got that income that we can take care of the services to the citizens, so I'm asking you to reduce the millage to compensate for that, help compensate for that increase in those tax assessments. The City Council went along with that. We did that in '97, '98, '99, 2000, 2001, 2002, and 2003. Seven years I worked with City Council and we reduced the millage, because we had the revenue, the income coming in. In addition to that, I started the first STOP organization in Chatham County, and had it for a few years, and we worked on it, the original STOP organization. In addition to that, when the Stephens-Day bill came up, I went all around this County. If you ask Ron Stephens, he will tell you that I spoke out more for the Ron Stephens bill than anybody in Chatham County. Multitudes of meetings, telephone calls, getting people to pass out information and all. So I'm not a person —, I just wanted to tell you that. I want the people to know I'm not a person that just wants to come up and raise people's millage. But I looked at the income. I looked at the revenue coming into the County. We don't have it like the City of Savannah has that kind of money. We need to look at the thing. What has happened over the years —, I'm going to ask, will you go ahead, Fred, and put up those two boards? I'm going to go over those boards in just a minute with you. But what has happened is, a lot of things were not

funded over the years. It has placed us in a compromising position. It's costing the taxpayers —, if we don't look at it right now and consider what has been recommended to us by our county staff to increase the millage a small amount, we're going to be faced with costing all of you and the other taxpayers in Chatham County a lot more money. Let's take for example —, and it's on the board, I'll go over that with you —, it's on that board that what we need in the Recreation Department that has been unfunded all these years. Instead of spending a couple of hundred thousand dollars, do you know what it's costing you and the other citizens? It's going to cost you somewhere over \$4 million now to remediate, to remedy the problems that we've got in our recreation areas. In our recreation areas, we have the Aquatic Center, Weight Lifting Center, the Frank Murray Community Center, the Tybee Pier, 11 neighborhood parks, four community parks, 36 ball fields, 18 lighted tennis courts, three sport complexes, 20 boat ramps, four fishing piers, three mile fitness trail, and two beachfront areas, and those have been neglected. In that board, it'll show you that we've been spending some \$65,000, and the staff has brought to the County in the past and said, look, we need additional money. And you know what occurred? 11 employees were taken away from the Recreation Department. And so what occurred now is that instead of spending a couple hundred thousand dollars, we are faced now with \$4 million in our recreation areas. Let's take our parks. We have potholes there. You go to Lake Mayer. Inside Lake Mayer, in the restrooms, they're in atrocious shape. I mean, they're horrible. You go over there in some areas at Lake Mayer, you have potholes. You have potholes in a number of our recreation areas. You have scoreboards that are not working. You have nets that are missing. You have water retention. You have buildings deteriorating, roofs leaking and all. And because of being fiscally responsible as was said, the money wasn't put in there. If you put that small amount of money, we wouldn't be facing this problem that we've got right now. These courthouse windows —, and I know several of you have heard me say this over and over again —, but instead of spending a small amount of money, a few thousand dollars to paint these windows at the courthouse, a good portion of them are rotting right now. We're going to have to replace them. It has been said that it could cost anywhere from 130, but it looks like right now, talking to a construction man, it could cost us over \$200,000 to fix these windows that they would not spend a few thousand dollars for. That's not fiscally responsible, you know, cutting the budget, cutting services, and doing those kind of things. It's costing the citizens, you and the rest of the taxpayers in this county, 50 times as much as if they had taken the responsibility and painted these windows. We've got additional things. Let's take the Sheriff's Department. Let's take the police department, the vehicles over there. Instead, they have high mileage, as you know. Some of those vehicles are used 24 hours a day, some less than that. But some of those vehicles, they have 160,000 miles on them, some do. Some have 140 and some less than that. But instead of replacing the vehicles in a period of three years that is recommended, what happens is, the repair bill. When it gets that high mileage, you lose a lot of the value of the vehicle, some \$4,000 on the vehicle after they get so much mileage on it, and also, too, the repair costs. If you look at the repair costs on these vehicles, it costs a lot of money. We could have replaced those vehicles and saved taxpayers money. Now, we've been in a dilemma over here. Can I be politically correct and not vote for a millage increase? No. I can't do that, because I would be doing wrong. I would be doing a disservice to the citizens of Chatham County, creating an atmosphere and creating a situation that you're going to be spending 10, 20, 30, 40 times your taxpayers money because we have not worked and put the money in there to try to remedy these problems that we have. It's a situation that, you know, is really bad. It was discussed while ago that, hey, let's don't be paying those state-mandated things and we'll give a message to the State. Oh, yeah? Well, what are we going to do with those prisoners that Sheriff Al St. Lawrence has, state prisoners, that's costing us \$5 million a year? Are we going to turn them loose on the public because the State won't pick them up, the State will not pay us for that? They're lodging in the jail. These are State

prisoners. These are not prisoners of Chatham County. They've been turned over to the State. So, you know, talking about giving a message, we can't give a message to the State, you know, that, hey, we decided today that we're not going to pay that. Some other state-mandated things. The Public Defender's office. I see the head of that department, who's done a great job putting that together, cost us \$1.3 million. The panel of attorneys right now, \$2.3 million in that area that, hopefully, you know, with the Public Defenders, we'll be able to reduce, we're going to reduce that amount of money. The Health Department, an additional \$2 million for that department. Stormwater management, \$200,000. Mental health service, \$1 million. The Bamboo Farm, \$200,000.

Chairman Liakakis said, and the total of that -- that's just part of the mandated, We're helping the State to balance their budget. We're talking about \$12 million that you, the taxpayers, are paying right now on these unfunded, mandated things from the State of Georgia. I want to come up to those boards just for a moment. This is what's being recommended to everybody now. You look at this right here. Now, we've got a number of people that are low income, and some people on low income, they have high appraisal values on their homes, but I'm just going to go through this with you. A home that's valued at \$50,000, once, you know, you'll only pay the assessed value, 40%, and so that's adjusted value \$20,000, your homestead exemption was 12, so you're only paying \$8,000 on your millage there. So we come down here in the M&O, on a monthly basis, it costs that person over here 45 cents a month. This is the M&O District. On a \$100,000 house, a person pays \$1.56 a month. On a \$200,000 house, a person pays \$3.80 a month. On a half-million dollar house, a \$500,000 house, a person pays \$10.50 a month. These are the figures in the M&O District. The SSD District, it was recommended 2.5. Talking to the Commissioners and all, we're not -- the Staff and the other Commissioners right now are not recommending to do anything with the 2.5 in the SSD District. No millage increase in the SSD District is being recommended by some of the Commissioners today. So I'm just showing you that we are not there, and we understand all of us pay taxes, and we've got a situation that is hard for us, but we don't want you to suffer in the future. We're putting a burden on the citizens of Chatham County by not considering this .67 millage increase. That's the situation that we have at this point.

Chairman Liakakis said, I've had phone calls and people tell me, say, hey, Pete, if you consider a millage —, if you vote for a millage increase that your political career is dead and I should be politically correct. My statement to them was that I can't be politically correct and put a burden on our citizens for future costs that will cost them a lot more money. I can't predicate my future on something that I feel is right that I should do for all the citizens, and so that's —, you know, these are some of the things that we have looked at, and now I'm going to ask Pat Shay if he will speak.

Commissioner Shay said, Mr. Chairman, I first of all would like to thank you for your leadership throughout this process. It's been a lot of hard work and I'd like to thank all the Commissioners that are here today, whether they're going to vote for this resolution I'm about to offer or not, because it's been a long and very difficult process for all of us. I'd like to thank the County Staff for all of their willingness to educate us. But what I'm going to do is, I'm going to offer a motion that we would adopt in your book today under the Alternatives 1(a) exactly as it has been proposed by the County Manager, which includes the special funds that are not to do with the M&O budget and SSD budget, and offer an amendment to Parts (b) and (c) and adopt (d), with a cost of living adjustment of 3% for the county employees as part of that. The amendment is a resolution to approve additional funding priorities in the General Fund M&O budget as follows. First, the painting and sealing of the pool at the Aquatic Center and the repair to the HVAC equipment on an emergency basis, \$88,000. Number 2, the addition of an emergency management specialist, by adding one position to the Chatham Emergency Management Agency,

funded from M&O at a cost of \$60,300. Number 3, funding for the replacement of obsolete equipment, radio equipment, at the Chatham Emergency Management Agency funded from M&O at a cost of \$63,000. Number 4, the funding of an additional Juvenile Court ADA -- that's Assistant District Attorney -- and related costs for an additional \$128,760, to be funded from M&O. Number 6, to reinstate the custodial contract services to maintain several of our county buildings at a cost of \$25,000. Number 7, the addition of an assistant maintenance superintendent in the facilities maintenance department, again funded from M&O at a cost of \$57,540. Number 10, a vehicle depreciation replacement fund so that we can begin to fund, as a business would, the depreciation costs of our fleet in the M&O at a cost of \$83,935. Number 12, to supplement the salaries of the state employees that work in Chatham County for the Georgia Forestry Commission to make sure that we can continue to provide rural fire protection, funded from M&O at a cost of \$22,646. Number 13, a management training program, restoring funding for that, from Human Resources Department at a cost of \$30,000 from the M&O. Number 14, the temporary pool, although we will not fund that directly in our budget, the M&O budget and the County recommended budget does include \$500,000 savings from vacant positions. Savings above and beyond that, the next \$150,000, would be reserved for that temporary pool for employees. Item 18, Savannah Impact Program over at Juvenile Court, staffing and other assistance, \$167,000 from the General Fund M&O. Number 19, books and reports, additional funding to the library in the amount of \$150,000, funded from the M&O. Item 21, material and equipment needs to the Mosquito Control, funded from M&O at a rate of \$75,000. Number 22, upgrade the maintenance by 16 additional workers in maintenance, field maintenance, soccer fields and general landscape workers and also other repairs in the Parks & Recreation Department, funded from M&O at a cost of \$500,000. Number 24, the Tybee Beach renourishment program, although we do not recommend funding that outright, we do recommend that funding would be permitted in a restricted contingency account, with payment only upon the actual commitment of the federal grant for matching funds. Item 25, the vehicle replacement of five worn-out vehicles for the Sheriff's Department, funded from the M&O at a cost of \$112,500. Number 26, the DUI Court position at the Chatham County State Court, for a cost of \$36,000, funded from M&O. Number 27, added appraisers and related equipment for the Tax Assessors office at a cost of \$253,939, funded from M&O. Number 28, to reinstate the operating hours, full time, for the Weight Lifting Center, at a cost of \$16,380 from the M&O. And Number 29, repair courthouse windows, caulk them and paint them here in this administrative courthouse, at a cost of \$130,000, funded from the General Fund M&O. Now, as I read through that, for those that were following along, there were a number of numbers that were skipped over, and those were priorities that were identified in the Commissioners' deliberations for priorities that we were unable to recommend funding for. Also, some of the numbers are -- many of them, frankly, -- less than what was actually requested and recommended. But the total would be exactly \$2 million from the General Fund M&O and 300,000 from other revenue sources. That would be offset and our Fund Balance restored to good order by the proposed revenue increase in the General Fund M&O of .67.

Commissioner Shay said, in the SSD, which would be addressing Item (c) in the budget recommendation, the additional funding priorities, Item Number 31, replace maintenance equipment, that would be funded through a draw-down one time of the SSD Fund Balance. Item 34, to add two paraprofessionals to streamline the permitting process, funded through the Metropolitan Planning Commission, again funded not from the SSD general budget, but funded instead from a draw-down of the restricted contingency. The Tricentennial Plan, Item 36, the county share through the SSD of \$20,000 would again be paid for by a one-time draw-down of the Special Service District Fund Balance. Item 37, the proposal from Creative Coast to creatively address the situation of additional knowledge-

based business employment in Chatham County, one-time expense of \$119,000, which again be a one-time draw-down from the Special Service District Fund Balance. So because there was no recommended funding to come from the SSD budget, we therefore do not recommend a millage rate in the Special Service District.

Chairman Liakakis said, we have an amendment to the budget that has been recommended by the County Attorney after going through all of the processes and all —. Mr. Hart said, County Manager. Chairman Liakakis said, the County Manager, excuse me. Mr. Abolt said, I accept responsibility. Chairman Liakakis said, do we have a second on that? Commissioner Odell said, you have a second.

Chairman Liakakis said, okay, discussion. Commissioner Kicklighter said, Mr. Chairman, the fact remains that we had a budget proposal from the County Manager originally considering a small increase in the tax digest. We came in with millions more than anticipated, and rather than simply holding that same budget, to just add two million more dollars to it, and let the millage rate increase proposal and the original budget the same, we — you know, and it can be disputed back and forth. Frank, former Commissioner Murray may have an accountant that can prove what he said. The Staff here can prove maybe there was a five million shortfall in the past. Whoever is right on that situation, the point's moot, because we actually had \$8 million come in with the digest increase, so that voided that deficit and gave \$3 million more for this budget when compared to the operating budget that we've been working with. So when you take a look at it, right off the bat, without a tax increase, we have \$3 million more to spend in this budget that we're about to approve that we had in the last budget. But for whatever reasons, that's not good enough. Maybe we need to paint more windows and everything, you know. You know, I agree that things need to be fixed. But that's not even taking into consideration —, the former Chairman stated earlier that what we have in reserves now, we know the amount of money we had in reserves last year, but when I tried to get an answer earlier on the amount of the millions of dollars that we managed to put in reserves during this year, they said they couldn't even give me a guesstimate, not even a guesstimate of how much money, wouldn't even come close, so I don't know if that's three million, five million, one million, a hundred dollars. No clue. But I'll guess that it's at least a couple million, being nobody else will give a guess. I mean, you know, so we probably have the additional three million there that we received from the millage digest increase. We have millions more in reserves now than we actually need in reserves, because we've already reached the area where the auditors and all, everyone wants us to be, to receive the lower interest rates on the bonds. We're right in that area now. And in addition to that, the money's nice, yes. I don't know exactly —, the Manager can answer me when I'm finished if any of the millions have been put into a catastrophic fund, I don't know if we have it there —, but we have millions in that reserve. We have millions in SSD reserve, which could probably be borrowed on in case of an emergency. But the money's there in excess of that money that we already knew we had in there. It's just taking the taxpayers' money with no benefit to them. That money could be applied. Whatever the extra might be, whether it's a hundred dollars, million dollars, five million dollars, who knows, because we can't seem to get an accurate number, which is really sad. We could possibly have up to \$6 million in additional monies to apply to — over what was spent in the last budget, and that would fix some windows and do everything. But in some of our previous workshops, we've already received a commitment —, or not a commitment or a vote —, but verbally, as I understood it, that money would be taken, whatever the extras was, because we'll hear somebody say that means for the emergency fund, blah, blah, blah. But no, I've already heard that the extra revenues will be spent towards more Capital Improvements, and, you know, that's just — in my opinion, it's great, we need to fix things in this county, but like you do in your own home, you know, I have things I need to repair, but I do it as I have the money

to do so. You know, this county, they didn't build every building in one year and you shouldn't have to fix every building in one year, and I'm disappointed. I've heard about budgets being proposed. Every proposal that I've thrown out there verbally as far as reducing anything has been slammed back down. So, you know, as far as putting it on paper, trying to get something out there, you know, the former Chairman taught me a valuable lesson in the first month or so. He said, learn to count to five, and I can count, that the tax increase was coming and, you know, I said, verbally, the proposals I put forth, they were turned down. There are several things that I believe we can do in the future, also. I know we can cover this budget with the money we have right this second. As far as future budgets and operating expenses, we could possibly have a voter referendum to sell the Aquatic Center, the Henderson Golf Course, and that would save 5 to \$600,000 a year out of our operating budget with the Aquatic Center alone, and not to mention the recent expense which will be added to that operating expense of \$3.5 million for a new roof. And here today, now, we've included in this extra two million that we tell the taxpayers where it was going to go, and we didn't know until now, I didn't know where it was going until right now, when it was read, you know, 88 more thousand to paint it. You know, a referendum to sell to a nonprofit on something like, you know, the YMCA, with stipulations in there that the public would be able to utilize, would save this County 5 to \$600,000 a year and would not hurt the public that utilizes the facility, because it could be worded in stipulations of the sale that it would remain open. Henderson Golf Course, that's in my district, a beautiful place, with a voter referendum, we could possibly sell it, make four to five million dollars and, you know, private golf courses tend to even maintain better than the public, but it could be worded also where it's open to the public. We could put the same type fees and all in there and we could sell it. That money could go eventually into the reserves and, you know, I'm just —, I guess I'm —, I'll say I admire —, Mr. Chairman, I know what you're doing and I admire the fact that you're standing for what you believe in. I'm one of the people that said —, because I believe that a person sitting on his couch is not going to be an effective representative, and, you know, I'm one of them that said, you know, it's going to hurt, you may not make it, and you looked at me then and you told me you truly believe there's a need for it and I admire that. Anyone that'll take the risk for something, that's — I admire that. I truly stand on the other end of the fence on that opinion. I believe the money is there. I know the money is there to operate this County and actually increase this budget without a tax increase, and I'm just disappointed that no one has entertained the possibility of even trying it. I believe we could have found out how much money is in reserves, we could have gotten a guesstimate somehow, if the majority would have requested that, and I'm just truly disappointed. The ridiculous attire this morning, in my mind, was similar that I believe it's ridiculous that we are actually entertaining the thought of a tax increase when we have that much money in reserves and we have that much money. It's all ridiculous, and I'm disappointed with it, but at the same time, I respect whatever someone votes, if they agree that's what has to be done, but that's it. Thank you.

Chairman Liakakis recognized Commissioner Shay.

Commissioner Shay said, I just want to point out that the County Manager's original budget, which was forecast based on when we thought we were going to have a 4% digest growth, relied on a multi-million dollar draw-down of Fund Balance in order for it to work. When the digest came in over, that wiped out the need for us to dip into the reserves to cover previous expenses. This Commission has voted in the meantime to sell bonds. We worked with County Staff to develop a program so we could look five years into the future at what the ramifications were of our budget alternatives, and if we do not do something today to deal with our ongoing revenue shortfall, then what we learned from looking at that was, if we did no millage increase, if we did no spending additions that we did today, that next year, the Fund Balance

would be underfunded by about half, and then the next year, it'd be down to around \$2 million. That's the facts. And this Commission has just voted in the last three weeks to sell \$30 million worth of bonds, so it would be fiscally irresponsible of us to, at the same time as we as a group have voted to sell \$30 million worth of bonds, to allow our Fund Balance to be drawn down to a tiny fraction of what it would take to operate this government for a month. Our proposed budget fully restores the Fund Balance and puts it in a position where, if you look down the road two years, three years, four years, that that Fund Balance is in good shape. If in the future we have another pleasant surprise, I suppose, in the digest growth, then I, for one, will certainly be willing to work with you, Dean, and all the other Commissioners, to sit down and look at how can we reduce the millage rate. Right now, I just don't see it. I didn't vote for the bonding, the bond sales, because I hadn't seen what's going to happen today happen. I'm very nervous about selling bonds when we didn't have a clear path of how we were going to maintain that Fund Balance. Looks like maybe it's going to happen today. I'll live with the consequences.

Chairman Liakakis said, I'll just mention about, you know, we can be fiscally responsible and we don't have to spend the money, but as I showed you, and you can look at these lists of things, like the —, where it's proposed for this amendment over here, is \$500,000 for the Recreation Department. I have gotten more calls, I have met with coaches here, with Commissioner Farrell, who complained about the children and the adults not being able to play on these fields because they're in atrocious shape. Now, what we can do, this budget will not be balanced if we don't have the .67. We'll have a little bit left over to address some of these things, this resolution to amend the budget and add these few items in there. But what are we going to do? Are we going to leave the Sheriff's Department without having additional vehicles? Are we going to tell the Chatham Emergency Management people, no, we can't give you the additional equipment and we can't give you another personnel in the Chatham Emergency Management? They are charged with your security and your protection to try and let you know, or not try, but to let you know if some danger was coming to our city, whether it was a hurricane, they will be there to take care of emergencies with our other departments and work on trying to decrease the type of damage that we receive from some emergency and also for the recovery, because they work with the Federal Emergency Management to get monies in there to help bring us back up. But what are we going to tell them? No? I mean, we don't care about the citizens and those kind of things? But anyway, we've had a lot of discussion on this and one of the things that was brought out before, maybe something with a constitutional amendment you could do this, which probably never can happen, that we can sell the Aquatic Center and we can sell the Henderson Golf Course, but the law is now, you cannot do that. You cannot sell the Aquatic Center and you cannot sell the Henderson Golf Course. That belongs to the people of this County and, because of the way it was set up, the state law is, you cannot sell it. If some constitutional amendment like was discussed earlier came up, you know, to bring something up like that, but anyway, we've had a lot of discussion on this right now, and what I'd like to do is ask the Board —, excuse me. Helen?

Commissioner Stone said, I just want to make a comment. Commissioner Thomas said, and I want to speak. Commissioner Stone said, and I think Dr. Thomas does, as well. Commissioner Stone said, just for the record, I cannot support this increase. I agree with the former Chairman, Billy Hair, that the real ticket here is with the State. We need to work with the State, perhaps through the Association of County Commissioners of Georgia, to secure the funds that are owed to this County. If we could have just received that \$5 million that's owed to the Sheriff's Department, through the Sheriff's Department, we wouldn't even be facing a millage increase. And I don't think it's fair to the citizens of this community to ask them to carry this financial burden. I think we can probably get by in '06 and I would make a

commitment to the citizens of this community to work with the State, to try to secure some of these monies. I realize that the Sheriff's Department is only five million; we're actually owed closer to 12, but I think that that's a responsibility that I, for one, would take on and would want to try to secure, so therefore, I cannot support this.

Chairman Liakakis recognized Commissioner Thomas.

Commissioner Thomas said, thank you, Mr. Chairman. Members of the Commission, Ladies and Gentlemen, I am not going to be redundant in terms of what has been said, because a lot has been said, but I will say this to the citizens of Savannah, Chatham County. I'm not one to raise taxes. I'm not one to tell you a lie, to look you in your eyes and say one thing and do another. I've never done that. I don't propose to do it now. But I'm not going to allow certain people to dictate to me and tell me what I must do or else. Now, this message is for those people who feel that they can control certain people because we do not support what you're trying to get us to see. What I've tried to do on this Commission is to try to keep a level head, to look at all the options. I have attended every meeting that was related to the budget. I've given my input. We have tried to research to see what could be done, what differences that could be made, and that type of thing. Yes, in the past, Commissioners have made some mistakes. That's over the dam. But we cannot continue to make mistakes. We cannot continue to rob Peter to pay Paul, and if that's what you want done, then so be it, but don't ask me to do that. I have been honest in my deliberations. I have worked hard seven days a week. I have been very attentive to your concerns, still am concerned about your concerns, but I will not —, and I'm going to repeat that again —, I will not allow anyone, anyone, to threaten me or to tell me what I must or must not do. And I hope that we will be sensitive to all the needs of the people of Chatham County, not just a few people. When we look at projects and when we look at certain proposals, I look at it across the board. I'm not looking at things that are just in the district of the people that elected me, but I look at all of the needs and the concerns, and some of the people who are pointing a finger right now are some people who have come and said, will you please consider this, these are special projects. I would review those projects. I would research them. And if it had merit, yes. There were many times when I was the deciding factor on many things that did not even go into my district, but because I was sensitive enough to know that all of Chatham County, all of the citizens of Chatham County, must be able to have a piece of the pie, then that's why I make the decisions that I make. And so today, I'm going to make my decision. I'm not going to make my decision based on threats. I will not be threatened, because nothing is going to happen to me today that the Good Lord and I cannot solve together, and I'm going to leave it with that, Mr. Chairman.

Chairman Liakakis said, before we go on the board, another two quick comments. Number one, the Savannah Morning News had an editorial this morning and they got some of their information wrong. You know what'd be nice, we have the reporters come from the Savannah Morning News to cover meetings and all. They have limited space. But it would be nice if the Editorial Board of the Savannah Morning News would come to these meetings, look at all of these things, study the documents that we have, study what's going on, listen to what's being said, and they can either agree or disagree. They form their own opinion. And that's all fine and well. And they've done good things in the past to help this community. But when they don't have the information that they should be disseminating to the public, or something, you know, that's fully reported, you know, there's a problem with that. Now, I'll tell you what's probably going to happen. You're going to see an editorial come out that's going to call a gang of so many that's going to come out, but the Savannah Morning News, what we're up here to do the best we can for the citizens. I serve you. I'm your servant. And I'm going to do the right thing so it doesn't

cost you a lot more money in the future, and go on with this Commission to do the best job that we can to serve the citizens. Now, what we're going to do right now is, I'm requesting -- we have a motion on the floor for this, but to clarify, the Board to adopt the Fiscal Year 2006 budget resolution as shown the attached resolution and authorize in this sequence. The County funds listed, which exclude the General Fund M&O, and the Special Service District, the General Fund M&O, the Special Service District, and an employee cost of living adjustment equal to the amount funded in the proposed budget that was done on April the 29th. And the employees, if they don't receive some kind of COLA, you know what? A good percentage of our employees will have a decrease in their pay, because what happens is, the health benefits go up, but we've good employees. Sometimes things fall through the cracks, but our 1600 plus employees give service to the citizens of our community. Now, I'd like us to go on the board.

Commissioner Kicklighter said, can I comment one thing on that? I'd love to see someone —, you brought it up about employees. In the past, we've been able to give much better raises to the employees without tax increases than is proposed in this budget. This is a 2% increase for the cost of living for employees. I'd love to see someone shave an area out of this proposed budget and give the employees some more of that money, if you're going to raise the taxes. It's insulting to me to be an employee here, watch taxes up, and only receive 2%, when we've been able to do better for them in the past without increasing taxes. Chairman Liakakis said, it's not 2%, it's 3%. Commissioner Kicklighter said, okay, well, I just asked a minute ago, and I heard two, still. Chairman Liakakis said, no, it's 3%, what's in the budget that I just read, which was proposed in the budget presented on April 29<sup>TH</sup>. It's 3%. Commissioner Kicklighter said, okay, that's better than two.

Chairman Liakakis said, all right, let's go on the board.

#### **ACTION OF THE BOARD:**

Commissioner Shay made a motion to adopt the funds listed under Alternative 1(a) as proposed by the County Manager, and offer amendments to Parts (b), (c) and (d) with a cost of living adjustment of three percent (3%) for County employees. Commissioner Odell seconded the motion. Chairman Liakakis and Commissioners Holmes, Shay, Odell and Thomas voted in favor of the motion. Commissioners Stone, Farrell, Gellatly and Kicklighter voted in opposition. The motion carried by a vote of five to four.

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- 4. REQUEST BOARD ADOPT YEAR 2005 CHATHAM COUNTY GENERAL MAINTENANCE AND OPERATIONS, SPECIAL SERVICE DISTRICT, AND CHATHAM AREA TRANSIT DISTRICT MILLAGE LEVY RESOLUTION PURSUANT TO ADVERTISEMENT HAVING BEEN PUBLISHED IN ACCORDANCE WITH O.C.G.A. 48-5-32.1.**

**IN ADDITION, FORM PT-35 COUNTY MILLAGE RATE CERTIFICATION AND FORM PT 32.1 COMPUTATION OF MILLAGE RATE ROLLBACK AND PERCENTAGE INCREASE IN PROPERTY TAXES FOR TAX YEAR 2005 MUST**

**BE CERTIFIED AND SUBMITTED TO THE GEORGIA DEPARTMENT OF REVENUE FOR DIGEST APPROVAL FOR THE TAX YEAR 2005.**

Mr. Abolt said, Mr. Chairman, what this does is, this officially would set your millage levy. As I understand from your previous direction, you, in fact, would be adjusting the M&O millage rate by .67 mills. All other millage rates, the Special Service District and the Chatham Area Transit would remain the same. And there's no rollback. Commissioner Kicklighter said, can you give clarification on that? Mr. Abolt said, what you're doing here, sir, is, you recall there are two separate actions that coincide. One is the adoption of the budget and then there's the desire at the same meeting to adopt your millage rate, so you're adopting your millage rate and the change in millage rate would be only that affecting the M&O budget and, of course, there would be no rollback of rates in CAT or SSD. You're voting to adopt the millage rates. Mr. Chairman, just for clarification, this also authorizes you to sign the Georgia Department of Revenue forms PT-35 and PT-32.1. Chairman Liakakis said, yes, so the Assessor's office can send that to the State of Georgia. I'll sign that.

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

**ACTION OF THE BOARD:**

Commissioner Thomas moved for approval and Commissioner Holmes seconded the motion. Chairman Liakakis and Commissioner Holmes, Shay, Odell and Thomas voted in favor of the motion. Commissioners Stone, Farrell, Gellatly and Kicklighter voted in opposition. The motion carried by a vote of five to four.

**AGENDA ITEM: IX-4**  
**AGENDA DATE: July 8, 2005**

**TO:** Board of Commissioners  
**THRU:** R. E. Abolt, County Manager  
**FROM:** Linda Cramer, Finance Director

**ISSUE:**

Adoption of year 2005 Chatham County General Maintenance and Operations, Special Service District, and Chatham Area Transit District millage levy resolution pursuant to advertisement having been published in accordance with O.C.G.A. 48-5-32.1.

In addition, Form PT-35 County Millage Rate Certification and Form PT 32.1 Computation of Millage Rate Rollback and Percentage Increase in Property Taxes for Tax Year 2005 must be certified and submitted to the Georgia Department of Revenue for digest approval for the tax year 2005.

**BACKGROUND:**

A tax levy resolution must be submitted to the State of Georgia Department of Revenue, and is scheduled for delivery by the Tax Assessor's Office during the week of July 25, 2005.

**FACTS AND FINDINGS:**

- (1) At its June 10, 2005 meeting, the Chatham County Commission instructed staff to proceed with the necessary advertisements and schedule the public hearings necessary to adopt the millage rates for the 2005 Tax Digest. Subsequently, millage rates were advertised for the year 2005 as follows:
  - (a) General M&O, 11.367 mills. This exceeds the calculated rollback millage rate of 9.891 mills by 1.476 mills. The current millage rate is 10.367 mills.
  - (b) Special Service District, 3.925 mills. This exceeds the calculated rollback millage rate of 3.380 mills by .545 mills. The current millage rate is 3.475 mills.
  - (c) Chatham Area Transit District .820 mills. This exceeds the calculated rollback millage rate of 0.785 mills by .035 mills and is therefore considered a millage increase. The current millage rate is .820 mills.
- (2) The 5-year history of levy for Chatham County was advertised on June 23, 2005, as required by State Law and incorporated the above millage rates.
- (3) In addition to the rollback rate calculation relating to reassessed values as documented on Form PT-32.1, State law also requires that the County compute a millage rate and rollback rate associated with Local Option Sales Tax and Insurance Premium Tax (OCGA 48.8.91 and OCGA 33-8-8.3 respectively). The M&O Sales Tax rollback rate is computed at 1.126 mills. The SSD Insurance Premium Tax rollback rate is computed at .877 mills. These rollback rates are documented in the attached resolution.
- (4) The Board of Commissioners has the option of adopting a millage rate that does not exceed the advertised rate for the General M&O, Special Service District and Chatham Area Transit District.

**FUNDING:**

N/A

**ALTERNATIVES:**

- (1) Adopt the year 2005 levy resolution pursuant to advertisement having been published and the Millage Rates as follows:
  - (a) General M&O, 11.367 mills (net of sales tax rollback of 1.126).
  - (b) Special Service District, 3.925 mills (net of insurance premium rollback of .877 mills).

(c) Chatham Area Transit District .820 mills.

(d) Authorize the Chairman to sign the Georgia Department of Revenue Forms PT 35 and PT 32.1.

(2) Modify the tax levy resolution.

**POLICY ANALYSIS:**

State law requires that the Board adopt a tax levy resolution annually for submission of the digest to the State of Georgia, Department of Revenue (Ga. Code 48-5-302). Georgia law 48-5-32 and 48-5-32.1 further specifies method of publication by County of ad valorem tax rate.

**RECOMMENDATION:**

For Board consideration.

Attachments

STATE OF GEORGIA	)	
	)	CHATHAM COUNTY BOARD OF COMMISSIONERS
COUNTY OF CHATHAM	)	IN RE: TAX LEVY YEAR 2005

IT IS ORDERED that a net tax of Eleven Dollars and Thirty-Six and Seven Tenth cents per One Thousand Dollars (\$1,000) (rate of 11.367 mills) is hereby levied and assessed on all taxable property in Chatham County, Georgia, in the year 2005 to pay the cost of the following General Maintenance and Operation Services to be provided by the Chatham County Government during the fiscal year beginning July 1, 2005: General Government, Judiciary, Health and Welfare, Public Safety, Public Works, Culture and Recreation, Housing and Development, Debt Service and Other Financing Uses. The Sales Tax Rollback, as required by State Law, is One Dollar and Twelve and Six Tenths Cents per One Thousand Dollars (\$1,000) (rate of 1.126 mills).

IT IS FURTHER ORDERED that the gross tax rate for General Maintenance and Operations taxes for Chatham County and the sales tax rollback be calculated based upon applicable sales tax collections during 2004 and the final 2005 Chatham County digest. The resulting gross tax rate as reduced by the sales tax rollback for General Maintenance and Operations shall result in a net tax rate of Eleven Dollars and Thirty-Six and Seven Tenth Cents per One Thousand Dollars (\$1,000) (rate of 11.367 mills).

IT IS FURTHER ORDERED that a net tax for Special Service District of Three Dollars and Ninety-Two and Five Tenth Cents per One Thousand Dollars (\$1,000) (rate of 3.925 mills) be levied and assessed on all taxable property in Chatham County located outside the incorporated limits of the Municipalities of Bloomingdale, Garden City, Pooler, Port Wentworth, Savannah, Tybee Island, Thunderbolt and Vernonburg for the year 2005 to pay for the support and maintenance of the following during the fiscal year beginning July 1,

2005: General Government, Judiciary, Public Safety, Public Works, Housing and Development, Debt Service and Other Financing Uses. The Insurance Premium Rollback, as required by State Law, is Eighty-Seven and Seven Tenth Cents per One Thousand Dollars (\$1,000) (rate of .877 millage).

IT IS FURTHER ORDERED that the gross tax rate for Special Service District taxes for Chatham County and the insurance premium rollback be calculated based upon insurance premiums received in 2004 and the final 2005 digest. The resulting gross tax rate as reduced by the Insurance premium rollback for Special Service District shall result in a net tax rate of Three Dollars and Ninety-Two and Five Tenth Cents per One Thousand Dollars (\$1,000) (rate of 3.925 mills).

IT IS FURTHER ORDERED that a Special Service District tax of Eighty-Two Cents per One Thousand Dollars (\$1,000) (rate of .820 mills) be levied and assessed on all taxable property in Chatham County located within the Chatham Area Transit District for the year 2005 to pay for the support and maintenance of the Chatham Area Transit Authority.

IT IS FURTHER ORDERED that the Chairman be authorized to execute the documentation for submission of the 2005 Tax Digest to the State of Georgia Department of Revenue in accordance with this resolution.

IT IS FURTHER ORDERED that the said taxes be collected by the Tax Commissioner of the County or his successor in office.

APPROVED THIS 8TH DAY OF JULY 2005, IN OPEN COURT.

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Pete Liakakis, Chairman  
Chatham County Commission

ATTEST:

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Sybil Tillman, County Clerk

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- 5. BOARD CONSIDERATION OF REQUEST FOR TAX REFUND OF REBECCA BENTON FOR TAX YEARS 2002-2004 IN THE AMOUNT OF \$2,906.83 FOR TAX YEAR 2002, \$32,235.14 FOR TAX YEAR 2003 AND \$3,530.28 FOR TAX YEAR 2004, ON PROPERTY LOCATED IN POOLER. [DISTRICT 7.]**

Mr. Hart said, Mr. Chairman, the Tax Commissioner and the attorney for Ms. Benton contacted our office right before we started the meeting today to indicate that there's some issues there as far as the numbers that need to be reconciled and they requested that we delay this and put it on the next agenda. I absolutely have no problem with that.

Commissioner Kicklighter said, so moved. Commissioner Stone said, second. Chairman Liakakis said, go on the board. The motion carried unanimously.

**ACTION OF THE BOARD:**

Commissioner Kicklighter moved that this issue be tabled to the meeting of July 22, 2005. Commissioner Stone seconded the motion and it carried unanimously.

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**6. REQUEST BOARD APPROVE REQUEST OF ISLANDS COMMUNITY CHURCH TO FORGIVE OR ABATE ANY PREVIOUSLY ASSESSED TAXES FOR PARCELS 1-0004-06-27, 1-0044-06-028 AND 1-0044-06-029. [DISTRICT 4.]**

**ACTION OF THE BOARD:**

This item was handled under Commissioners' Items, Item VII-2.

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**7. SIX-MONTH REVIEW OF LAND USE HISTORY IN ACCORDANCE WITH SECTION 11-3 OF THE COUNTY ZONING ORDINANCE. (INFORMATION REPORT.)**

**ACTION OF THE BOARD:**

Information only, no action required.

**AGENDA ITEM: IX-7**  
**AGENDA DATE: July 8, 2005**

TO: BOARD OF COMMISSIONERS

THROUGH: R. E. ABOLT, COUNTY MANAGER

FROM: GREGORI S. ANDERSON, DIRECTOR OF BUILDING SAFETY  
AND REGULATORY SERVICES

SUBJECT: APPLICATION OF SECTION 11-3 OF THE COUNTY ZONING ORDINANCE

ISSUE

List of properties which received a Map Amendment within 24 months.

BACKGROUND

Section 11-3 of the County Zoning Ordinance was adopted in 1987. The Zoning administrator is responsible to report the status of subject properties for development activity within 24 months of the zoning approval date.

FACTS AND FINDINGS

1. The listed property obtained a map amendment through the MPC between January 1, 2003 and June 30, 2003.
2. The listed properties have initiated development activities through building permits.

ACTION

For information only.

**Property Rezoning From January 1, 2003 Through June 30, 2003**

<b>MPC FILE NO.</b>	<b>ADDRESS</b>	<b>PIN</b>	<b>ZONING CHANGE</b>	<b>PERMIT ISSUED</b>
Z-021220-38327-1	21 Properties on Sundew Rd.		PUD-B(N) to PUD-R	06/27/03
Z-030214-41420-1	Basin Rd.	1-029-02-020	PDR-SM/R-A to R-1/R-A-1	Annexed by City
Z-030514-30448-1	U.S. 17 Quacco to Larchmont	1-1006-02-001	PUD-M-12 to PUD-B-C	09/03/04

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**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, before we go into that, I'd like for this Commission and the people in the audience to pray for Sybil Tillman. She's had an illness and she's been out for a couple of weeks, but I hope and pray, and I'm asking all the citizens to pray for Sybil. She's been a dedicated, loyal, County employee for many years, and right now, she could use our prayers.

Commissioner Shay said, I'd like to move to accept the remainder of the Action Calendar except Item 1 unless there are any objections from any of the individual Commissioners. Commissioner Thomas said, second. Chairman Liakakis said, we have a motion on the floor to accept the rest of the Action Calendar items and a second. Go on the board. The motion carried unanimously.

**ACTION OF THE BOARD:**

Commissioner Shay moved to approve, with the exception of Item 1, the actions of the Action Calendar 1 through 9-D. Commissioner Thomas seconded the motion and it carried unanimously.

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

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**1. APPROVAL OF THE MINUTES FOR THE PRE-MEETING AND REGULAR MEETING OF JUNE 10 AND JUNE 24, 2005, AS MAILED.**

**ACTION OF THE BOARD:**

Commissioner Thomas moved to approve the minutes of the pre-meeting and regular meetings of June 10 and June 24, 2005, as mailed. Commissioner Odell seconded the motion and it carried unanimously.

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**2. CLAIMS VS. CHATHAM COUNTY FOR THE PERIOD JUNE 16 THROUGH JUNE 29, 2005.**

**ACTION OF THE BOARD:**

Commissioner Shay moved to authorize the Finance Director to pay the claims against the County in the amount of \$6,257,383. The motion was seconded by Commissioner Thomas and it carried unanimously.

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**3. REQUEST FROM THOMAS & HUTTON ENGINEERING COMPANY, ENGINEER FOR THE DEVELOPER, FOCUS DEVELOPMENT, INC., TO RECORD THE SUBDIVISION PLAT FOR BERWICK PLANTATION, TRACT A, AND ACCEPT THE SUBDIVISION AGREEMENT AND FINANCIAL GUARANTEE.  
[DISTRICT 7.]**

**ACTION OF THE BOARD:**

Commissioner Shay moved to approve the request from Thomas & Hutton Engineering Company, engineer for the developer, Focus Development, Inc., to record the subdivision plat for Berwick Plantation, Tract A, and accept the Subdivision Agreement and Financial Guarantee. The motion was seconded by Commissioner Thomas and it carried unanimously.

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4. **REQUEST FROM THOMAS & HUTTON ENGINEERING COMPANY, ENGINEER FOR THE DEVELOPER, SOUTHBRIDGE DEVELOPMENT COMPANY, TO APPROVE THE CONSTRUCTED IMPROVEMENTS FOR SOUTHBRIDGE AT BERWICK, PHASE F-2A, INITIATE THE WARRANTY PERIOD, AND REDUCE THE FINANCIAL GUARANTEE.  
[DISTRICT 7.]**

**ACTION OF THE BOARD:**

Commissioner Shay moved to approve the request from Thomas & Hutton Engineering Company, engineer for the developer, Southbridge Development Company, to approve the constructed improvements for Southbridge at Berwick, Phase F-2A, initiate the warranty period, and reduce the financial guarantee. The motion was seconded by Commissioner Thomas and it carried unanimously.

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5. **REQUEST BOARD APPROVE AN AGREEMENT WITH ARMSTRONG ATLANTIC STATE UNIVERSITY TO FORMALIZE AN ACTION BY THE BOARD ON DECEMBER 7, 2003, FOR A COUNTY CONTRACT FOR CONSTRUCTION OF THE INTERSECTION OF STATE ROUTE 204 AND ARTS DRIVE.  
[DISTRICT 6.]**

**ACTION OF THE BOARD:**

Commissioner Shay moved to approve an agreement with Armstrong Atlantic State University to formalize an action by the Board on December 7, 2003, for a county contract for construction of the intersection of State Route 204 and Arts Drive. The motion was seconded by Commissioner Thomas and it carried unanimously.

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6. **REQUEST BOARD APPROVE AN AGREEMENT FOR THE DISTRIBUTION OF SPECIAL PURPOSE SALES TAX PROCEEDS FROM THE 2003-2008 SPLOST TO THE TELFAIR MUSEUM OF ART FOR CAPITAL OUTLAY PROJECTS.  
[ALL DISTRICTS.]**

**ACTION OF THE BOARD:**

Commissioner Shay moved to approve an agreement for the distribution of Special Purpose Sales Tax proceeds from the 2003-2008 SPLOST to the Telfair Museum of Art for capital outlay projects. The motion was seconded by Commissioner Thomas and it carried unanimously.

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

**ACTION OF THE BOARD:**

Commissioner Shay moved to approve an agreement for the distribution of Special Purpose Sales Tax proceeds from the 2003-2008 SPLOST to the Coastal Heritage Society for capital outlay projects. The motion was seconded by Commissioner Thomas and it carried unanimously.

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**8. REQUEST FOR NEW BEER, WINE AND LIQUOR POURING AND SUNDAY SALES LICENSES FOR 2005. PETITIONER: THOMAS E. WHITE, D/B/A GRAND LAKE LODGE AND SPA, LOCATED AT 815 SOUTHBRIDGE BOULEVARD. [DISTRICT 7.]**

**ACTION OF THE BOARD:**

Commissioner Shay moved to approve the petition of Thomas E. White, d/b/a Grand Lake Lodge and Spa, located at 815 Southbridge Boulevard, for new Beer, Wine and Liquor Pouring and Sunday Sales licenses for 2005. The motion was seconded by Commissioner Thomas and it carried unanimously.

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**9. 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. Moving services for records from the Judicial Courthouse and "Old Jail"	Administrative Services	Port City Logistics	\$48,000	CIP - Bond Funds - Records Storage Facility
B. Renew the annual contract and extend it for one year for towing services	Fleet Operations	Sapp's Wrecker Service	No charge to the County	N/A
C. Renew liability and hull insurance for four (4) Mosquito Control aircraft	Finance	Phoenix Aviation	\$80,151	Risk Management Internal Service Fund

<u>ITEM</u>	<u>DEPT.</u>	<u>SOURCE</u>	<u>AMOUNT</u>	<u>FUNDING</u>
D. Contract for Causton Bluff Bridge Deck Replacement	Bridges	TIC, Inc.	\$321,422	M & O, CIP - Bridge Repairs (Pending Board approval of budget amendment)

Commissioner Shay moved to approve Items 9-A through 9-D. Commissioner Thomas seconded the motion and it carried unanimously.

**ACTION OF THE BOARD:**

Commissioner Shay moved to approve Items 9-A through 9-D. Commissioner Thomas seconded the motion and it carried unanimously.

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**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. On first reading, presentation by MPC staff and discussion only by Commissioners will be heard. 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.

- ADOPT NEW ANIMAL CONTROL ORDINANCE (SEE ALTERNATIVES). (NOTE: *The County Attorney met today with several representatives from animal welfare organizations. Because of their last minute suggestions, the related agenda item will not be available until Wednesday.*)**

Chairman Liakakis said we will speak to this at the next meeting.

Mr. Hart said, Mr. Chairman, at the next meeting, we're going to actually try to adopt that ordinance, and the only issue there that we have is, we've got a number of provisions that we need clarification on how you want the ordinance drafted, because you can go one way or the other on a number of issues. If you all wish to discuss it among yourselves this morning and give Staff direction as to which one of those sub-parts you want, we could then have an ordinance at the second reading that would have all the information you need. I'm still receiving other comments.

Chairman Liakakis recognized Commissioner Odell.

Commissioner Odell said, Jon, because we've got a lot of stuff to do today — Mr. Hart said, okay, I understand. Commissioner Odell said, — what I'd like for us to do is, anyone who has comments, to get those comments to you on the suggested alternative. I doubt very seriously if we will ever come to a

consensus. This is long. This is a long ordinance. And to hash it out today, I just don't think is in the best interest of anyone. Mr. Hart said, I'll do whatever the Commission wishes.

Chairman Liakakis recognized Commissioner Stone.

Commissioner Stone said, I actually have some concerns that have been sent to me that I would like to get with you on. Mr. Hart said that'll be great. Thank you.

Chairman Liakakis said, let's do this. Any of the Commissioners that have any concerns, alternatives for the Animal Control Ordinance, please contact our County Attorney, and any citizen, of course, that might like to contact him, because we'll vote at the next meeting.

Chairman Liakakis recognized Commissioner Shay.

Commissioner Shay said, I had a phone call from somebody who said that they might want to speak to us today at the First Reading, though. Are we allowed to ask for comments on First Reading or not? Mr. Abolt said, just to keep this even for all, I've had requests from folks and followed your previous direction. On First Reading, you all talk among yourselves. Testimony will be taken on Second Reading, so you might want to consider that. Commissioner Shay said, I think I wasted somebody's morning this morning to come here, and I apologize to you for that, but if you'll come back next time, we'll certainly look forward to hearing from you. I apologize.

Chairman Liakakis said on the Second Reading, they can make comments, and once they have a copy of the ordinance and any additional things that Helen Stone or any Commissioners or any of the public get in touch with the County Attorney, and on the Second Reading, which is customary, is where we have comments at that time.

#### **ACTION OF THE BOARD:**

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

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## **XII. SECOND READINGS**

### **1. AMENDMENT TO ARTICLE VII OF THE CHATHAM COUNTY TAXATION AND REVENUES ORDINANCE TO ADD SECTION 7-707 IN ORDER TO CHANGE THE DEADLINE FOR THE FILING OF PERSONAL AND REAL PROPERTY RETURNS FROM APRIL 1 TO MARCH 1.**

Mr. Hart said, this is more of a housekeeping issue that we were asked by the Board of Assessors to modify the ordinance. There's been some filing deadlines changed in state law and we need to make sure our ordinances conform with that. And other than a little bit of housekeeping, there's not a real issue in regard to this.

Chairman Liakakis recognized Commissioner Farrell.

Commissioner Farrell asked, can I ask you a question? Does this mean that when you get your tax return and you want to protest it, that you have one month less as a citizen entitled to protest? Is that what we're talking about, sir? Mr. Hart said, no, sir, I don't believe so. We're talking about moving a deadline -- they're moving up the notification date and therefore, as they move up the notification date, they shift -- the same amount of time, just different -- Commissioner Farrell said, so citizens still have the same amount of time to appeal their taxes. Is that correct? Mr. Hart said, correct. Commissioner Farrell said, thank you.

Commissioner Stone moved to approve, Commissioners Odell and Holmes seconded the motion, and the motion passed unanimously. [NOTE: Commissioners Gellatly and Kicklighter were out of the room.]

**ACTION OF THE BOARD:**

Commissioner Stone moved to approve the amendment to Article VII of the Chatham County Taxation and Revenues Ordinance to add Section 7-707 in order to change the deadline for the filing of personal and real property returns from April 1 to March 1. Commissioners Odell and Holmes seconded the motion and it carried unanimously.

STATE OF GEORGIA     )  
  )  
COUNTY OF CHATHAM    )

TAXATION AND REVENUES ORDINANCE

AN AMENDMENT TO ARTICLE VII OF THE CHATHAM COUNTY  
TAXATION AND REVENUES ORDINANCE

BE IT ORDAINED by the Chatham County Board of Commissioners as follows:

Article VII is hereby amended to add Section 7-707 shall read as follows:

ARTICLE VII

Payment of Taxes

§ 7-707     Time for Making Returns. The deadline for filing real and personal property returns shall be March 1. The effective date of this amendment shall be January 1, 2006.

ADOPTED AND APPROVED, this \_\_\_\_ day of \_\_\_\_\_, 2005.

\_\_\_\_\_  
Pete Liakakis, Chairman  
Chatham County Commission

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Sybil Tillman, Clerk  
Chatham County Commission

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**2. ADOPT A NEW ETHICS ORDINANCE. (Please See Memo from the County Attorney Regarding Hypothetical Questions.)**

Chairman Liakakis said, Mr. County Attorney, there's one thing that was discussed about hypothetical questions. Mr. Hart said, yes, sir. First of all, let me say that one of the first things this Commission did when it came into being was to create a committee and charge that committee to go out and review the material that was out there, look at other jurisdictions, take the information that we had provided them, and try to sit down and come up with an Ethics Code. They've done an excellent job. They've worked real hard. They've had a number of public hearings. There's been much discussion and debate. At the time that that occurred, the discussion was that they would then deliver the proposed ordinance back to the County Attorney's office to see if there were any additional comments or changes. For the most part, we don't have any criticism whatsoever of the ordinance, with the exception of one issue that we wanted to bring to the attention of the Board that we do think does have a potential to cause some concern. There's a provision in there that discusses the possibility of having hypothetical questions, and that's under Subsection 4, which would, in effect, allow anybody to dream up a question, present it to you, and the very nature of hypothetical questions are, they're based on assumptions of fact that may not in fact be fact, and it would provide a mechanism where I think people could attempt to make an end run around the intent of the Ethics Ordinance where you provide a written sworn statement of facts and the Ethics Ordinance can rely on those written, sworn statements of facts to make a decision. If the hypothetical -- and as currently written, any person can bring that. Any citizen could ask a hypothetical question. I don't think the intent is to make it that broad. I think if you're going to have it, you should limit it to Commissioners but, in all candor, I would recommend that you delete the hypothetical question portion of the statute, because you're not going to be able to have sworn hypothetical questions that cover all future facts. The other part of that provision, we want to make sure that we comply with the Open Meetings law and, therefore, I would suggest some language in there that would clearly delineate that if the original Board were to decide that the Board needed a hearing, that that hearing be a public hearing, where they accept evidence and testimony at the public hearing. They would still reserve the right to deliberate among themselves, but they have to issue a written opinion, and once they have made a final written opinion and made a decision, that decision would then have to be published and become a matter of public record. That's generally the procedures that's performed. I've talked to the chairman of this committee. That's sort of how the State Ethics Committee operates, and I think it's worthy of consideration. We don't want to run afoul of the Open Records law.

Chairman Liakakis recognized Commissioner Shay.

Commissioner Shay said, I share the County Attorney's concern about opening this up to hypotheticals. I don't know, I'm not a lawyer, but I don't know how you would swear to a hypothetical. Mr. Hart said, I don't, either. Commissioner Shay said, you could postulate whatever question you want, and I'm just concerned that, especially in the months running up to an actual election, that the difference between a hypothetical question and a real question of fact would be used deliberately to try and impugn the reputation of somebody that was subject to the ordinance. I think it's better that we have the opportunity,

at least those on the Commission, we can ask our hypothetical questions of the County Attorney. Right after I was elected, I asked a hypothetical question to the County Attorney about whether or not my firm, as an architectural firm, would be allowed to continue to provide services for a client that received money from SPLOST. It was a difficult question. You took a lot of time to answer it, and you answered it in a way that made it very clear to me that I should refrain from seeking any future business from Chatham County for the period that I am a County Commissioner, something that I did the last time, something I'll do the next time. But if we say that the general public is allowed to take the time of this Ethics Board to ask hypothetical questions, there might be some who would be confused by the difference between hypothetical and a real question of fact. Commissioner Odell said, I'll agree. Hypothetical goes. It has to go. Otherwise, that's how it will be done.

Chairman Liakakis said, well, we don't need to impugn anybody with hypothetical questions, hypothetical situations like that, because once that is made, then you have damaged that particular person, even if you find out or you see it's not true, and, you know, they could make a hypothetical question that somebody has committed a crime, which never ever happened, and ruin a person's reputation, whether it's us or a county employee or whoever. So right now, we have a recommendation on Subsection 4 to —, it is the responsibility of the Board of Ethics for the interpretation of this Code. The Board shall have hearings that conform to the Open Meetings law in regard to the accepting and hearing of evidence. The Board, in its discretion, and to the extent permitted by law, may deliberate in private concerning the drafting of a written opinion, but the Board shall, upon completion of the written decision, shall publish the decision and make it readily available to the public for examination. Mr. Hart said, that is the recommendation of our office.

Chairman Liakakis said, that's what the recommendation is. Do we have a motion on the floor?

Commissioner Odell asked, Jon, this proposal strikes the hypothetical? Mr. Hart said, yes, sir. What the motion should be, delete Section 4 as written, and in lieu thereof insert the language that was just read into the record.

#### **ACTION OF THE BOARD:**

Commissioner Farrell moved to approve the adoption of a new Ethics Ordinance. The motion was seconded by Commissioner Holmes and it passed unanimously. [NOTE: Commissioner Kicklighter was not present.]

## **ARTICLE II**

### **General Provisions**

#### **Chatham County Code of Ethics**

**§2-201.**        **Short Title.** Ordinance will be known as and may be referred and cited as the "Ethics Code of Chatham County" ("Ethics Code").

**§2-202.**        **Declaration of Policy.**

1. The Board of Commissioners of Chatham County believes that public service is a public trust. Maintaining that public trust requires Chatham County to protect against improper influence or the appearance of improper influence. The purpose of this ordinance should be to ensure that public officials will be impartial and use independent judgment in carrying out their duties. To help ensure this quality, the Board of Commissioners finds and declares the need to establish appropriate ethical standards for conduct.
2. The Board of Commissioners of Chatham County does not intend that this chapter impede the desire for those who want to seek and serve in public office. To this end, public officials should not, except as otherwise provided by law, be denied the opportunity available to all other citizens. Public service should not restrict the ability to acquire and maintain private, economic and other interests. Only in those cases in which a conflict of the public's trust and interest would result should a restriction be applied.
3. This Ethics Code follows the precedent of earlier Federal, State and Local Code. It makes clear those standards of ethical conduct that will apply to public officials in the discharge of their official duties; implements the objective of protecting the integrity of the government; and prescribes only such essential restrictions against conflict of interest so as not to impose unnecessary barriers against public service.

**§2-203. Definitions.** The words used in this chapter shall have their normal accepted meanings except as set-forth below:

1. **“Agency or Entity”** shall mean a person, sole proprietorship, partnership, limited partnership, firm, corporation, professional corporation, holding company, joint stock company, receivership, trust or any other entity recognized by law through which business may be conducted.
2. **“Board of Commissioners”** means the elected Chairman and the elected Board of Commissioners of Chatham County.
3. **“Board of Ethics/The Board”** means the Chatham County Ethics Board established pursuant to this chapter.
4. **“Censure”** means any expression of severe criticism or reproach.
5. **“Personnel Code”** means the Chatham County ordinance that governs personnel.
6. **“Chatham County/County”** means Chatham County, subdivision of the State of Georgia.
7. **“Employee or Public Employee”** means any person, employed full or part-time by Chatham County government. The County Manager, department heads and

other employees exempt under the Personnel Ordinance shall be considered employees for the purpose of this chapter. The Board of Commissioners of Chatham County and appointed and elected officials shall be or be considered employees but are defined in this chapter.

- 8. **“Employer”** means any person paying or agreeing to pay compensation to another person for services rendered.
- 9. **“Interest”** shall be:
  - a. **Remote interest** shall mean an interest of a person or entity, including an elected official, who would be affected in the same way as the general public. The interest of an elected official in the property tax rate, general county fees, county utility charges, or a comprehensive zoning ordinance or similar decisions is incidental to the extent that the elected official would be affected in common with the general public.
  - b. **Incidental interest** shall be an interest in a person, entity or property which is not a substantial interest and which has insignificant value.

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**XIII. INFORMATION ITEMS**

**1. LIST OF PURCHASING ITEMS BETWEEN \$2,500 AND \$9,999 (SEE ATTACHED).**

**ACTION OF THE BOARD:**

Status report was attached for review.

**AGENDA ITEM: XIII-1**  
**DATE: July 8, 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 cost for web-site hosting services for the Vendor Application Registration Form program	Purchasing and Contracting	Integrated Office Solutions, Inc. (MBE)	\$8,950	General Fund/M&O - Purchasing and Contracting

<u>ITEM</u>	<u>DEPT.</u>	<u>SOURCE</u>	<u>AMOUNT</u>	<u>FUNDING</u>
18 office chairs	Board of Equalization	VIP Printing and Office Supply (WBE)	\$2,970	General Fund/M&O - Board of Equalization
Xerox phaser 5500DN laser printer	Clerk of Superior Court	Disys Corporation (State Contract)	\$3,190	Escrow - Superior Court Clerk
One (1) Bush Hog aerator	Public Works and Park Services	Holland Equipment Limited	\$7,370	General Fund/M&O - Park Services
Grass fertilizer and weed control fertilizer	Public Works and Park Services	Lesco, Inc.	\$8,711	General Fund/M&O - Park Services
400gl striping paint for Sports Complex and 20gl yellow filed marking paint	Public Works and Park Services	The Paint Store	\$9,420	General Fund/M&O - Park Services
Soccer goals for Soccer Complex	Public Works and Park Services	M.A.S.A.	\$3,347	General Fund/M&O - Park Services
Three (3) 20GHz computers with 17" monitors	Public Works and Park Services	Dell Marketing (State Contract)	\$3,860	General Fund/M&O - Park Services
Remove old gate, replace with new 28ft metal aluminum gate	Police	Central Fence Company, Inc.	\$6,930	SSD - Police
Purchase and installation of new 4 ton Carrier cooling unit	Police	McDevitt Air, Inc.	\$9,712	SSD - Police
Miscellaneous building supplies	Juvenile Court	Savannah Architectural	\$4,907	CIP - Juvenile Court
Dictation equipment for Courtroom	Juvenile Court	Sinclair Business Machines	\$3,070	CIP - Juvenile Court
Purchase and installation of acoustical wall panels for Courtroom	Juvenile Court	Bonitz of Georgia	\$7,926	CIP - Juvenile Court
Miscellaneous building supplies	Administrative Services	Savannah Architectural	\$3,305	CIP - Bond Funds - Records Storage Facility
One (1) reconditioned forklift	ANG Property	CMH Services	\$8,500	Bond Fund - ANG Property - Equipment

<u>ITEM</u>	<u>DEPT.</u>	<u>SOURCE</u>	<u>AMOUNT</u>	<u>FUNDING</u>
Three (3) Bush Hog 285 rotary cutters	Public Works and Park Services	Hendrix Machinery, Inc. (WBE)	\$5,280	SSD - Public Works
200 - 28" traffic cones	Public Works and Park Services	Safety Products, Inc.	\$2,666	SSD - Public Works
One (1) 48" cut riding lawn mower	Public Works and Park Services	Andy's Lawn Machinery, Inc.	\$6,459	SSD - Public Works
One (1) map copier	Public Works and Park Services	Ikon Office Solutions	\$7,097	SSD - Public Works
Painting and repair of the exterior of the Anderson-Cohen Weightlifting Center	Weightlifting Center	Painting by Lynn	\$6,950	General Fund/M&O - Weightlifting Center
Pro Pool ADA lift with accessories	Aquatic Center	Kiefer and Associates	\$4,740	General Fund/M&O - Aquatic Center
Two (2) laptop computers	CNT	Dell Marketing (State Contract)	\$3,677	Confiscated Funds - CNT
One (1) GPS system with accessories	Engineering	ESRI	\$7,210	SSD - Engineering
Demolition of County owned property at 9013 Whitfield Avenue	SPLOST	D S, Inc. (MBE)	\$3,908	SPLOST (1993-1998) - Whitfield Avenue Widening project
Installation of 18" RCP for crossing at Old Basin Road	SPLOST	T Clearing	\$9,405	SPLOST (1998-2003) - Hardin Canal
Demolition of County owned property at 1924 Blue Jay Avenue	SPLOST	American Clearing and Hauling (MBE)	\$3,800	SPLOST (1998-2003) - Westlake Project
Demolition of County owned property at 1930 Blue Jay Avenue	SPLOST	D S, Inc. (MBE)	\$3,320	SPLOST (1998-2003) - Westlake Project
Demolition of County owned property at 1933 Westlake Avenue	SPLOST	D S, Inc. (MBE)	\$3,320	SPLOST (1998-2003) - Westlake Project

<u>ITEM</u>	<u>DEPT.</u>	<u>SOURCE</u>	<u>AMOUNT</u>	<u>FUNDING</u>
300gl herbicide sprayer for Public Works	SPLOST	Walker Rhodes Tractor	\$9,165	SPLOST (2003-2008) - Vehicle Replacement

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## 2. ROADS AND DRAINAGE REPORTS.

Status reports were attached as information.

**AGENDA ITEM: XIII-2 Roads**

**DATE: July 8, 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). A new TIP and Long Range Transportation Plan (LRTP) were approved by the CUTS Policy Committee on June 22, 2005. Most projects are delayed due to reductions in federal funds. Key milestone events are summarized in the attached table.

### **FACTS AND FINDING:**

1. Truman Parkway.
  - a. Phase 4. Under construction. Phase 4 should be complete by September 2005.
  - b. Phase 5. The Concept Report was signed by the GDOT on February 9, 2005. Right of way plans were approved on June 30, 2005. The acquisition process will begin immediately.
2. US 17, Ogeechee River to SR 204: Under construction. GDOT resolved the design issues and the contractor resumed work in May on the south end of the project. Traffic southbound from near Canebrake Road has been shifted to the new roadway for reconstruction of the old bridge.
3. Middleground Road/Montgomery Cross Road Widening. Under construction. Power lines, telephones and water/sewer facilities are being relocated along the three mile length of the project.
4. Stephenson Avenue. Substantially complete as of April 1. Liquidated damages totaling \$54,450 were assessed from December 1, 2004 to March 31, 2005. The contractor has been provided a Certificate of Substantial completion with a lengthy list of corrective work. A Final Inspection was conducted on June 14, 2005. GDOT, in company with the County, City of Savannah and APAC performed the inspection. A final punch list was compiled by GDOT with input from the County and

the City of Savannah. This was given to APAC on June 21, 2005. APAC and or their subcontractors are working on the 129 items identified by the punch list.

5. Whitfield Avenue Widening. The FHWA approved the EA on February 13, 2004, which authorized the County to proceed with preliminary design (completed in June, 2004). Staff was advised in January, 2005, however, that the widening of the median for 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 and increases the GDOT's right of way acquisition costs.

6. Diamond Causeway Widening. The Draft EA was approved by the FHWA on February 25, 2005, for advancement to public hearing. The GDOT held a public information open house on June 9 at the Skidaway Island Methodist Church.

7. 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, 2005, the FHWA issued six additional comments requiring changes and an update of the Conceptual Stage Study. The revised Conceptual Stage Study was delivered to the GDOT on May 12, 2005.

8. Skidaway Widening: The Final EA was approved by the FHWA on December 30, 2004. The County's consultant submitted a proposal (over \$750,000) which staff is evaluating for an amendment to the engineering services contract or a new contract to incorporate all new GDOT requirements known to date to complete the design. 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 look at the feasibility of requesting that GDOT break this project into several construction contracts.

9. White Bluff/Coffee Bluff Road. A Public Information Open House (PIOH) was held on August 12, 2004.. Approximately 200 attended. GDOT is reviewing letters to respondents of the public meeting. 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 Report was revised to reflect the changed terminus from Deerfield Road to Largo Drive and sent to GDOT on June 28, 2004. This project is affected by other projects currently under design (intersection improvements at Largo, and Truman Parkway, Phase 5).

12. Bay Street Widening from I-516 to Bay Street Viaduct. The Concept Report was approved by the GDOT on February 9, 2005. The Draft EA was sent to the GDOT on May 20, 2005.

13. Islands Expressway Bridge Replacement. LPA Group (consultant) is under contract with County to develop the Concept Report. A Public Information Open House was held on May 26, 2005,

presenting three alternatives to construct high span bridges. Approximately 75 attended. The consultant will now prepare the final report and submit it to the GDOT for approval.

14. 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 Long Range.

15. Local Roads

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

(1) Fountain Road. Final plans and ROW plats have been sent to Moreland/Altobelli for right-of-way acquisition which is underway. 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. Final plans were provided to GDOT on Mobley, Yucca and Perkins Place. They sent the preliminary estimate for the County Contract to Atlanta for these three streets on June 29, 2005. GDOT has authorized a County Contract for the projects. Contract documents will be sent to the County soon for execution.

b. Andrews Street. On February 4, 2005, the Board directed staff to put the road to the bottom of the paving list and to meet with the property owners to discuss the possibility of the County quit claiming the right of way. Staff sent letters to every property owner on Andrews Street. 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 (Ms. Doris Love) to change her mind. They have since written a letter to the County requesting the action be taken to quit claim the roadway to them. Staff followed up with a letter to the property owners on April 5, 2005, explaining the actions the County must take before placing the issue before the County Commission. On April 29, 2005, Ms. Doris Love called the County Manager to voice her strong objection to any effort that would make Andrews a private road.

c. Dulany Road, Cramer Street, Palm Drive and Old Pine Barren Road. On May 27, 2005, the Board of Commissioners authorized entering into contract with the consulting firm of McGee Partners to survey and design to pave these roads. The kick-off coordination meeting was held on June 23. Surveying will start shortly. The schedule calls for a construction contract to be ready for bidding on Old Pine Barren Road in December 2005, on Dulany Road in January 2006, and on Cramer Street and Palm Drive in June 2006.

**RECOMMENDATION:** For information.

Districts: All

SUMMARY OF ROAD PROJECT STATUS  
July 2005

PROJECT	ELEMENT	MILESTONE FOR COMPLETION	AGENCY RESPONSIBLE	NOTES
Truman Parkway, Ph 4	Construction	Sep 2005	GDOT	
Truman Parkway, Ph 5	Environmental ROW	Complete July 2006	County County/GDOT	EIS approved 8/12/99 ROW plans approved 6/30/05.
	Final Design Construction	Feb 2007 TBD	County/GDOT GDOT	CST LR
US 17: Ogeechee Riv/SR204	Construction	Jan 2006	GDOT	Will be extended.
Middleground/Montgomery Cross Road Widening	Construction	May 2006	GDOT	Will be extended.
Jimmy DeLoach Pkwy, Ph 2	Environmental ROW Construction	Unknown	County County GDOT	CST LR
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 Design ROW Construction	Unknown	County County GDOT GDOT	Draft EA signed Feb 25.  ROW FY 2007 CST LR
Skidaway Road Widening	Environmental Design ROW Construction	Complete	County County County GDOT	Final EA signed 12.30.04 Change order or new contract 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 Ck - I-516 to Victory Drive	Environmental Environmental	Unknown Unknown	GDOT GDOT	CST LR CST FY 2007
White Bluff/Coffee Bluff	Environmental	Unknown	County	CST LR
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: CST = FY in which the projects are programmed for construction in the CUTS 2006-2008 TIP.

**AGENDA ITEM: XIII-2 Drainage**  
**DATE: July 8, 2005**

**TO:** Board of Commissioners  
**THRU:** R. E. Abolt, County Manager  
**FROM:** W. C. Uhl, P.E., County Drainage 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. Construction is underway. Approximately 85 percent of the channel widening is complete and the new sluice gates are being manually operated by the Contractor.
    - ii. The date for substantial completion is August 2005.
  - b. Phase 2 (From SR 21 to I-95). Double channel size and provide maintenance access.
    - i. ROW acquisition is underway.
    - ii. Staff has received and is reviewing the permit application package for this project.
  - 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. A contract to prepare the design was approved by the Board at its May 27, 2005 meeting.
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. Staff expects revisions to the design will be necessary in order to acquire a 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. Design of the associated drainage improvements is complete and under final review by staff. The necessary permits for construction are being prepared for submitting to the USACE in July, 2005.
    - c. The railroad undercrossing Final Design Report has been approved. Construction drawings have been reviewed by Staff and returned to the consultant. Plans were submitted to the railroad in June. USACE permit application will be made in July 2005.
  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. Preliminary construction and right of way plans have been reviewed and forwarded to the Consultant for corrections. 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. On site project walk through with the USACE was conducted to help define 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 utilized the consultant's recommendations to prepare an engineering scope of work for a design contract. During this work, Staff has identified new land development projects that may significantly impact the recommended drainage improvements. Staff is endeavoring to quantify these impacts before proceeding further.
  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. Surveying for alternative route is complete. Review of preliminary report and recommendations is underway.
      - 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 on Romney Place and along Parkersburg Road. Design is underway.
  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. Conditions of revised Intergovernmental Agreement with GDOT to construct crossing under SR 307 as a County contract are not acceptable. The Agreement has been rejected. Staff is evaluating options. Staff is coordinating with Garden City on right of way issues to be worked out with developer of the impacted parcels.
  - c. GDOT has approved new curb cuts at SR 307 to improve access to the canal for maintenance.
  - d. Consultant has applied to the USACE for an extension of the Wetland permit.
12. Louis Mills Canal Widen channel from Veterans Parkway downstream to outfall at Westlake Canal and improve crossing under Marshall Avenue. Design is complete. Acquisition of Easements and ROW is underway.
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.
15. Ogeechee Farms
- a. Phase 1. Improve internal collector system south of Vidalia Road. The project is substantially complete. The issue regarding sections of installed pipe determined by Staff to be unacceptable has been resolved. The Contractor's repairs to the pipe have been accepted. Completion of final punch list 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. Construction completed in August 2002. Other work to improve the function and appearance of the lagoons completed in May 2005.

- b. Phase 2. Provide increased storm water drainage capacity in areas affecting Red Fox Drive and White Hawthorne Drive. Acquisition of easements from the City of Savannah is complete. Design work is currently underway.
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. Additional information is required to alleviate issues brought by the State Historic Preservation Office (SHPO). A permit from USACE is expected after SHPO agrees with the project.
  - 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. Revisions to the Design Study Report are expected to be complete by August 2005.
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. Closing has been completed on 18 of 26 parcels.
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. Adversity to easement acquisitions

required by the project is being encountered from some affected property owners.

23. Georgetown Canal Upgrading roadway undercrossings to improve drainage capacity at St. Ives Way. 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. The final design report will be submitted in July 2005. Staff will then request a proposal for final design and other documents necessary for construction of the improvements.

**RECOMMENDATION:** For information.

Districts: All

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

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## **EXECUTIVE SESSION**

Upon motion being made by Commissioner Thomas and seconded by Commissioner Gellatly, the board recessed at 11:25 a.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 12:03 p.m.

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## **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 Odell moved approval, the motion was seconded by Commissioner Thomas and the motion was carried unanimously.

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**APPOINTMENTS**

Chairman Liakakis said, we have right now -- Commissioner Odell said, I didn't think we were going to do appointments this week. Chairman Liakakis said no, this is just this one. We said last time that we were going to talk about Art Gunter. Commissioner Odell said, for? Chairman Liakakis said, to reappoint him to the Board of Assessors. Commissioner Odell said, I'm not prepared to do that this week. I didn't know we were going to do that. Chairman Liakakis said, okay, we had mentioned it last meeting, but if somebody prefers, we'll go to the next meeting. Commissioner Stone said, I also have a resume someone sent to me for Tax Assessors. They sent it to me. Chairman Liakakis said, okay, let's get that. Let's do it at the next meeting for the Tax Assessor, and we could have some others, also, for the next meeting. We'll get those out to you.

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**ADJOURNMENT**

Chairman Liakakis said, all right, do we have a motion to adjourn the meeting? Commissioner Thomas moved for approval for adjournment. The motion was seconded by Commissioner Holmes and the motion carried unanimously.

There being no further business to be brought before the Board, Chairman Liakakis declared the meeting adjourned at 12:08 p.m.

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**APPROVED:** THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2005

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

\_\_\_\_\_  
BARBARA B. WRIGHT, ACTING CLERK  
FOR SYBIL E. TILLMAN, CLERK OF COMMISSION