

MINUTES OF THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF CHATHAM COUNTY, GEORGIA, HELD ON FRIDAY, OCTOBER 7, 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 9:35 a.m., Friday, October 7, 2005.

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II. INVOCATION

Alderman Van Johnson introduced R. Nathaniel Neal, Presiding Elder of Savannah District of the African-Methodist-Episcopal Church, who gave the Invocation.

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III. PLEDGE OF ALLEGIANCE

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

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IV. ROLL CALL

The Acting Clerk called the roll.

- Present: Pete Liakakis, Chairman
- 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
- Absent: Dr. Priscilla D. Thomas, Vice Chairman, District Eight
- Also present: Russell Abolt, County Manager
- Jonathan Hart, County Attorney
- Barbara B. Wright, Acting County Clerk

Chairman Liakakis said, Commissioner Thomas is out for medical assistance to a family member.

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V. PROCLAMATIONS AND SPECIAL PRESENTATIONS**1. PRESENTATION OF REFUND FROM JUDICIAL COUNCIL OF GEORGIA FOR PUBLIC DEFENDER PROGRAM—MICHAEL EDWARDS. *Postponed from meetings of September 9 and 23, 2005.***

Chairman Liakakis said, I'd like to call on Michael Edwards from the Public Defenders' office.

Mr. Michael Edwards said, good morning, Mr. Chairman. Chairman Liakakis said, good morning. Mr. Edwards said, I am Michael Edwards, your Public Defender. I thank the Chairman and the Commissioners for allowing me to have a few moments with you this morning. As we told you about this time last year, part and parcel of our mission, in addition to providing the very best possible representation to the population of Chatham County, is to do so in a fiscally responsible manner, and I am pleased to tell you —, many of you are likely already aware of this —, but I am pleased this morning to tell you that on August 31st delivered to Mr. Abolt the residual funds refund check from the State of Georgia in the amount of \$149,703.85, which reflects —, represents a refund to Chatham County for indigent defense costs paid through the Public Defenders' office for the first six months of operation. We are very pleased to have been able to demonstrate this level of fiscal responsibility in the first six months of our operation and are committed to continuing to do so into the future. So I'm happy to let you know that we've done that to this point, and I think that we have gotten off on a very, very good step partnering with the Commission in establishing both a very fine Public Defenders' office and one that is going to be a fiscally responsibly office for Chatham County.

Mr. Edwards said, one other matter, if I may, just while I'm here. I'm deeply pleased to introduce to the Commission the newest member of the Public Defenders' staff. Harold DuCloux, III, joins us from New Orleans. He is coming on board with us next week. We are working with the Louisiana Supreme Court to try to expedite his ability to join the Georgia Bar, but he will be working with us as a Legal Assistant beginning next week. He is a seven-year member of the Louisiana State Bar, where he's practiced as a Public Defender in the City of New Orleans during those years, so we are very, very pleased to have Harold [DuCloux] on board and want to just take this opportunity publicly to welcome him to Savannah and we look forward to his service to our community.

Chairman Liakakis said, thank you very much. We welcome you to our area, and, Michael [Edwards], thank you very much for that reimbursement of that \$149,000, but we really need the State of Georgia, instead of putting these unfunded mandates on us, and we need to get a million or two million dollars from the State so that we don't put that burden on our taxpayers, as has been done in the past by the State given these mandated things that we have to do. But thank you and we appreciate your leadership and what's going on in the Public Defenders' office. Mr. Edwards said, thank you, sir. Chairman Liakakis said, thank you.

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YOUTH COMMISSIONERS

Chairman Liakakis said, what I'd like to do right now is introduce our Youth Commission today that we have. We have Danielle Cummings, who's an Executive Member of the Youth Commission, and she's a Junior at Jenkins High School. And then we have Akhil Anumolu, who is a Junior at Savannah Country Day School, and then Katherine Blackburn, who is enrolled in Savannah Country Day. We welcome the three of you and appreciate you coming today on behalf of the Youth Commission.

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WELCOME TO GUESTS

Chairman Liakakis said, what I'd like to do also is recognize, we have Chief Flynn in the audience and I saw Senator Regina Thomas, who's with us also, and State Representative Bob Bryant, who do an excellent job in representing our community. And, let's see —, okay —, and Spencer Lawton, who is our District Attorney, along with his Assistant David Lock and some other members. We'll get to them shortly.

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VI. CHAIRMAN'S ITEMS

1. STATUS OF SETTING MEETING DATE WITH LEGISLATIVE DELEGATION.

Chairman Liakakis said, we're setting the meeting with our Legislative Delegation. What we do every year is the County Commission meets with their State Representatives and State Senators to go over legislation that are being proposed by the County that will help us in our area, and it's being set now for October 19th at 12:00 Noon in the County Commission meeting room, and so we welcome them to come and we appreciate that because we have some legislation that's very important that hopefully we can get some of it passed in this upcoming legislative. Some of the things, of course, is where the State owes us millions and millions of dollars on prisoners —, State prisoners that they are not paying for and, of course, Commissioner Helen Stone has been working really hard on that to lobby for the ACCG and others to come on board to see if we can get that reimbursement.

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2. FUNDING OF ASSISTANT DISTRICT ATTORNEY FOR ELDER ADVOCACY.

Chairman Liakakis said, what I'd like to do right now is call on our District Attorney to come forward please.

District Attorney Spencer Lawton said, this is two lawyers in a row. Michael [Edwards] is, of course, the Public Defender here. In truth, he's not the Public Defender. We are. But he is in charge of Indigent

Defense in Chatham County and —, through no fault of his own, I might add. Mr. Chairman, did you want remarks from me on any particular part —.

Chairman Liakakis said, yeah, I'll talk to you in a second. But what has happened in the past, the District Attorney needed additional assistance in his office to come back and to do a better job of prosecution and to help the citizens in our community. Well, what we were doing our priorities because —, we were doing the budget hearings —, there were two Assistant District Attorneys that were needed. One for the Juvenile Court, which was needed, and another one for elderly abuse, and we were able with the monies that we had at the time to fund the one for Juvenile Court, but we were unable with the monies of that time to fund for the elderly abuse Assistant District Attorney. So we waited and, of course, when we looked at what has occurred is that our department heads and other monies that we had coming in from the G-8 Funding and from our Tax Commissioner Danny Powers was able to collect some more of the delinquent taxes, and so some of that money we are putting into starting and approving —, I'll ask for the Board to approve it in just a minute —, the funding for the assistant elderly abuse attorney, so if you will comment on that now, sir.

District Attorney Lawton said, thank you very much. I want to say first, I was very grateful for the support that this Board has given to me in respect of the Juvenile Court Assistant DA. Of course, you know, that a year ago the Juvenile Court took on a third judge, and of course we have to staff for the case load for that third judge. We now are doing that and it's working out, I think, quite satisfactorily and now it's a particular pleasure to come here on the occasion of what I hope will be a favorable vote on money to start our elder abuse program. What we want to do here is to bring the some sort of specialized prosecution resources to the problem of elder abuse, which we all recognize to be a burgeoning problem, the same sort of resources that we have brought to the advocacy for Child Victims, which we've been doing now for 20-some years under the leadership of Gregory McConnell, Assistant DA in my office. He has achieved a national reputation for the work he's done on behalf of the prosecution of Child Abuse cases, and we want to do the same thing here with respect to elder abuse, which we know is not only a growing problem now, but it's going to continue to be, and you can see that for the near future. For the long term future, for that matter. So I have stood here before and advocated for this additional resource to put in place, and now we are upon the occasion where I trust you will give us that opportunity. And I want to introduce to you now Meg Heap, who has been an Assistant DA in our office for 10 years, who has done an outstanding job. She is as good as they get in prosecution, and she has a particular interest in elder abuse and particularly vulnerable crime victims, and so she is going to be heading up our effort in this regard. And, like I say, I can't say enough good about Meg [Heap]. Harris [Odell] will second that, I'm sure. And so I —, this is just a proud moment for me, and I just want to thank you for making this opportunity available. Thank you very much. Meg [Heap], do you want to say anything? [Inaudible] smaller than 12 or larger than 12.

Chairman Liakakis recognized Commissioner Odell.

Commissioner Odell said, I tell you, this is a great day for me, too, because this is something that I voted for in the budget. It was number one as far as my priorities. That level of in-depth specialization like we have with the Child Abuse by Greg McConnell out of your office, I mean, there's no substitute for that. I mean, I think the conviction rate on cases that go to trial there is like 99.9%. I've litigate cases with Meg [Heap] on the other side. I think she's an excellent choice. She's intelligent, hardworking, and the fact that I currently have a case with her now —. District Attorney Lawton said, I was going to say, you're

getting [inaudible]. Commissioner Odell said, no, but for my fellow Commissioners, this is really great. You know, lawyers no longer can be like we're different than doctors. If you have a heart attack, you do not go to an ophthalmologist. I mean, you just don't —, you can, but the rate of survival for ophthalmologist treatment for arterial attacks is very low, and to say that the DA's office is known through —, to a level of specialization, I'm extremely encouraged. I think this is good for the community, and Spencer [Lawton] and I will soon be in that elder category. District Attorney Lawton said, we want to get this up and running in a hurry. Commissioner Odell said, right.

Chairman Liakakis recognized Commissioner Shay.

Commissioner Shay said, a request that was made in the budget appropriations and the annual process before was for \$130,760 for an annual allocation. Is what you're requesting today half your allocation in this year's budget with the anticipation that will continue funding that on an occurring basis in the future? District Attorney Lawton said, that is my expectation, yes sir. Commissioner Shay asked, so it would be for \$65,180 more or less?

Chairman Liakakis said, no, because we want to start it in December now because the way that they want to set up, get that other Assistant District Attorney, because we have a real problem in our community in elderly abuse. You know, our elderly citizens, senior citizens are being taken advantage of, and I know that they work hard at the District Attorney's office, and if the people out there see that the people are harming and taking advantage of and committing crimes against the elderly, that once they get prosecuted, you know, that will send a message out also to help reduce the elderly abuse that we have in our community with this prosecution. So, really to set it in motion and everything and get it started right at January, because of all the processing, it's \$80,000. District Attorney Lawton said, but we plan to begin in December. Chairman Liakakis said, first of December, right.

Commissioner Shay said, well, I'd like to make that motion, if I may, that we allocation \$80,000 from the M&O, I guess, reserve at this point? County Manager Abolt said, just —, I don't want to be financial on here —, the motion would be to approve the \$80,000 from M&O Contingency. Commissioner Shay said, Contingency, okay. County Manager Abolt said, and then what will happen during the year, as it becomes necessary to supplement the Contingency, we'll draw down on reserves, but right now you have an allocation in your budget of \$145,000 and change for Contingency M&O, just draw that down by \$80,000 and then as the need arises between now and the 30th of January, we'll draw on [inaudible]. Commissioner Shay said, right. So the motion would be \$80,000 to be taken from the M&O Contingency and then with the anticipation, the Commission understands, that next year we're going to have to fund —, consider funding a full year at that amount. Commissioner Kicklighter said, second.

Chairman Liakakis said, all right, we have a second. Any other discussion?

Commissioner Kicklighter said, one thing, Mr. Chairman. Chairman Liakakis said, yes. Commissioner Kicklighter said, I want to recognize Mr. Lawton's Assistant District Attorney out there, Mr. David Lock. He does an unbelievable job also and I just want to recognize him. He's quite a man that protects the public also. District Attorney Lawton said, he does, he does. Thank you very much.

Chairman Liakakis said, okay. Let's go on the board. The motion carried unanimously. [NOTE: Commissioner Thomas was not present.] Chairman Liakakis said, motion passes.

District Attorney Lawton asked, may I say one other thing before we leave? Chairman Liakakis said, yes. District Attorney Lawton said, I just want you all to know that in 25 years of dealing with Boards of Commissioners, it has never once happened to me before now that the Chairman of the Board would give me assurances in advance that he was going to do everything that he could to make a project of mine work and then keep his eye on the ball throughout, and then when the opportunity arose and he saw the opening, take it, and then call me up —. I didn't call him badgering him, he called me excited with the prospect that now there was this window of opportunity, it was going to do something that he thought was good, beneficial to the community, and a new idea, which often you know you meet resistance when you propose something to do that's new and it's going to cost money. But he called me up excited with the prospect of this, told me that he thought the opportunity was available and invited me here today to see it through. That has never happened to me in my 25 years of dealing with Boards of County Commissioners, and I just want to —, I want you all to know, as I'm sure you already do, the leadership that Chairman Liakakis is providing and my particular appreciation for it on behalf of the community we serve. Thank you, sir. We appreciate it.

Chairman Liakakis said, thank you. I appreciate that.

ACTION OF THE BOARD:

Commissioner Shay moved that the Board approve \$80,000 to be taken from the M&O Contingency for an Assistant District Attorney for Elderly Abuse, with the understanding that in future years the Board will have to consider funding a full year for that position. Commissioner Kicklighter seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present.]

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3. EXCUSE ABSENCE OF COMMISSIONER THOMAS.

Chairman Liakakis said, let's do this right now so that our Acting Clerk can do this. I'd like a motion on the floor to excuse Commissioner Thomas from the meeting because of a situation with a family member. She has to help with —.

Commissioner Shay said, so moved, Mr. Chairman. Commissioner Farrell said, second.

Chairman Liakakis said, okay. Go on the board. The motion carried unanimously. [NOTE: Commissioner Thomas was not present.] Chairman Liakakis said, the motion passes.

ACTION OF THE BOARD:

Commissioner Shay moved that Commissioner Thomas be excused from attending the meeting due to illness of a family member. Commissioner Farrell seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present.]

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VII. COMMISSIONERS' ITEMS

None.

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REMARKS BY LEGISLATORS

Chairman Liakakis asked, Senator Regina Thomas, would you like —, I spoke about it earlier about us having the Legislative Delegation meet with us on October 19th at 12:00 Noon. Would you like to say anything to our Commission or people here today? If you'd just come up to the microphone? You're really used to that.

Senator Regina Thomas said, good morning. Thank you so much. None other than to let you know that I did clear my calendar for the 19th so that I would be present and accounted for. Looking for to your Legislative Agenda.

Chairman Liakakis said, thank you. We appreciate that. Representative Bob Bryant, would you like to say anything?

Representative Bob Bryant said, I'll be there on the 19th.

Chairman Liakakis said, okay. Thank you.

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CHATHAM AREA TRANSIT AUTHORITY

Upon motion made by Commissioner Stone, seconded by Commissioner Odell and unanimously approved, the Board recessed as the County Commission at 9:55 a.m., and convened as the Chatham Area Transit Authority.

Following adjournment of the Chatham Area Transit Authority, the Board reconvened at 10:37 a.m., as the County Commission.

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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. PURCHASING ITEM N. TABLED AT MEETINGS OF SEPTEMBER 9 AND 23, 2005.**

<u>ITEM</u>	<u>DEPT.</u>	<u>SOURCE</u>	<u>AMOUNT</u>	<u>FUNDING</u>
N. Construction contract for the Islands Precinct	SPLOST	Dabbs-Williams General Contractors, LLC	\$1,513,060	•SPLOST (2003-2008) - Police Merger •SPLOST (2003-2008) - Unincorporated Roads (Pending Board Approval of Transfer)

Chairman Liakakis said, I'd like a motion on the floor to take off the table under Item 1, N. Construction contract for the Islands Precinct. Commissioner Farrell said, so moved. Commissioner Kicklighter said, second. Chairman Liakakis said, let's everybody go on the board. The motion carried unanimously. [NOTE: Commissioner Thomas was not present.] Chairman Liakakis said, the motion passes. Okay, Mr. County Manager.

County Manager Abolt said, Mr. Chairman, Commissioner Stone and gentlemen, keying off the inquiry on point by Commissioner Gellatly, I view your options in front of you at this moment as the following: (1) You award the contract as advertised on your agenda, (2) you award the contract anticipating modest change orders that would not change the scope, or (3) you reject and look to redesign and readvertise it.

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

Commissioner Farrell said, I'd like to propose a motion on Item 3 [sic] that we reject the current bid and redesign and rebid the project. Commissioner Kicklighter said, second.

Chairman Liakakis said, okay. Discussion?

Commissioner Farrell said, these —, in addition to that motion with the following additional parameters to the existing plan that we, number one, increase the wind resistance from 120 miles an hour to 130 miles per hour; that, number two, we increase the finished floor elevation to a minimum of 20 feet mean sea level using the most current data and staying within the current limits of construction; number three, that we make the building recoverable from flooding to include but not limited to not using sheetrock, using masonry materials on all the walls to include the soffit material; (c) [sic] place electrical receptacles, jacks, et cetera, as high as is reasonable above the finished floor elevation; number four, that we have an above-storage tank with three days supply of fuel, properly secured, for the 60kw generator that's in the current plan; and, five, that we have a deep-water well on site that can be run with the generated power for potable water. And those are the parameters that I would like to redesign the building to and rebid it.

Commissioner Kicklighter said, and also you may want to add and stick with the current floor plan as much as possible.

Commissioner Farrell said, as much as possible. I mean, these items can be —, we don't have to throw the baby out with the bath water, just the bath water. We've got a floor plan, we've got a site plan. As much as is practical to use on our existing plan, I'd like to use it. I would also like to say that the

additional funding would not impact any other plan for police precinct, that the funding would have to come from another source, and I would suggest the SSD Contingency or the CIP money.

Commissioner Kicklighter said, and I'll amend my second to include his —.

Chairman Liakakis said, go ahead.

Commissioner Shay said, as a matter of discussion, I'd like to point out that the building that's already been designed, although the bids —, the building —, by this motion being rejected, that doesn't mean that that floor plan, that that set of plans is useless, and in fact what we have are two prototypes for precinct houses: one that will be presumably built in an area that's very, very prone to disastrous flooding, and another that could be built in other areas of Chatham County where we have sites that have enough ground elevation where they don't have to be reinforced to the level that was just described. So it's not like the money has been spent on plans today that's wasted.

Chairman Liakakis recognized Commissioner Stone.

Commissioner Stone asked, do we know for sure that this would have to be rebid? County Manager Abolt said, yes ma'am. No doubt. Commissioner Stone said, my concern is the time limit. In talking with the police chief and the urgency of this precinct and to a couple of residents in the area, I know that they have waited for this precinct and I really don't want this to delay it for extended periods of time. So I was hoping that possibly this could be done without the rebid.

Commissioner Shay said, certainly, staff could be creative about this, but there's also the possibility that there might be, given that you already know everything that you need to know about the design of the building, opportunity for build or owner rebuild, you know, but I think that it doesn't have to delay the project for many, many months. Certainly the good process itself probably itself will take six to eight weeks, so rebuilding will take some time and redesign will take some time, but we're not talking about years. We certainly should not be talking about several months.

Chairman Liakakis said, go ahead, Katherine [Blackburn].

Youth Commissioner Katherine Blackburn said, well, my —, I was considering the same thing that Ms. Stone was. I do remember that, that she was [inaudible] comments of that, you know, this has been a long awaited idea, and I was just wondering about the amount of time and whether the quality of the building for the purpose of housing, you know, people after a hurricane is one point and then the time period of when this can be done.

Commissioner Kicklighter said, so the public won't feel as if safety is being jeopardized waiting, it's not as if we don't have the police officers already staged out there. They may not be in the comforts of a brand new 6,500 square foot facility, but they're there. They're presence is there, and delaying a few months for something that if, God forbid, hopefully it won't happen, a major hurricane comes by, they'll have a place to go then, and we can rush right through, put the one is as planned, and then there's a good chance once a major hurricane came through, there's not going to be a building whatsoever for the police to get back to, so a delay, considering their already housed out in the area, in which they don't, thank goodness, sit around in there anyway. I mean, you have your, you know, the office staff, I guess,

if you will, in there, but with the patrol officers out and about, and so as far as protecting the people, they're good now, but what Commissioner Farrell has proposed, they'll be good in the future even if a major disaster happens, and hopefully that won't happen.

Youth Commissioner Danielle Cummings asked, oh, is this the only location where it's possible for this to build or does it have to be done there or is there another building where that could be made into?

Chairman Liakakis said, they were looking at another location, but since the Board of Education, they donated this land to us, there's no cost factors to the taxpayers about utilizing that property where it's being considered now, so that would save money, you know, to do that. But a number of areas were looked at, not only across the street, but around in that general area where was the best place to place this substation.

Chairman Liakakis said, you know, I think that Commissioner Farrell is really concerned, you know, and wants to do things for the future and have these particular structures built so that, you know, if some disaster was to come that we still have the available of using them by hardening the structures so that if something does occur that we have the availability to use that. But one thing we need to look at, too, is when we come up with these things to see about what all the cost factors are going to be and the difference in it, like Commissioner Stone was talking about, but I'd also like the County Manager, if you will see this process about for rebidding, you know, we'll have to reject the bids and putting that out for rebidding and get your staff, and especially Al Bungard, who's done an excellent job working on this now, and whatever's necessary in the bid process to —, and the essence of time we can get this thing done. County Manager said, we'll give it a priority, sir. Chairman Liakakis said, okay.

Ms. Marianne Heimes and I live on Whitmarsh Island. We're very pleased to have the police presence that we have on the Islands. It's really made a difference for all of us and we're all anxious to see the precinct built, and I applaud Mr. Farrell for his concern about safety. We're very happy with the safety we feel the police are affording us. I would like to caution you. I was quite involved when the community center was built and it is, as you know, a hardened facility. They were very careful at that time to say that this was not a shelter. If you're going to call this a shelter, and even refer to it in any way as shelter, you will have people who will say, hey, we don't have to get on [sic], there's a shelter here, and this was a 6,000 square foot building, which is maybe twice the size of a large personal home. You can't stack too many people in there and I just think you need to lose that shelter reference completely, otherwise you're going to confuse the citizens out there and you're going to cause more problems than you will save. Thank you.

Commissioner Shay said, good comment.

Commissioner Kicklighter said, I call for the question.

Chairman Liakakis said, the question's been called for. Let's go on the board. The motion carried unanimously. [NOTE: Commissioner Thomas was not present.] Chairman Liakakis said, the motion passes.

ACTION OF THE BOARD:

Commissioner Farrell moved that the item be rejected and rebid with the following additional parameters to the existing plan: (1) that we increase the wind resistance from 120 MPH to 130 MPH; (2) that we increase the finished floor elevation to a minimum of 20 feet mean sea level using the most current data and staying within the current limits of construction; (3) that we make the building recoverable from flooding to include, but not limited to, not using sheetrock, using masonry materials on all the walls to include the soffit material; (4) that we place electrical receptacles, jacks, et cetera, as high as is reasonable above the finished floor elevation; (5) that we have an above-storage tank with three days supply of fuel, properly secured, for the 60 KW generator that's in the current plan; and (6) that we have a deep-water well on site that can be run with the generated power for potable water. Commissioner Kicklighter seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present.]

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*** 2. PURCHASING ITEM H. Tabled at meeting of September 23, 2005. See additional memo from staff. NOTE: See different vendor recommendation, Item X-10-D--Mallard withdrew.**

<u>ITEM</u>	<u>DEPT.</u>	<u>SOURCE</u>	<u>AMOUNT</u>	<u>FUNDING</u>
H. Contract to provide adjunct yard waste processing	Solid Waste	Mallard Forest Products	\$6.75/ton	Solid Waste Restricted Reserve Fund

Chairman Liakakis said, the next item we'll need to take off the table, Purchasing Item H. We tabled this at the meeting of September 23rd, and this is a contract to provide adjunct yard waste processing. Chairman Liakakis recognized County Manager Abolt.

County Manager Abolt said, again, you'll have to have a motion to take it off the table, sir.

Commissioner Stone said, so moved. Chairman Liakakis said, okay, we have a motion on the floor. Do we have a second? Commissioner Holmes said, second. Chairman Liakakis said, let's go on the board. The motion carried unanimously. [NOTE: Commissioner Thomas was not present.] Chairman Liakakis said, the motion passes.

County Manager Abolt said, Mr. Chairman, it's my understanding, because I was not present at your last meeting, but that Commissioner Stone had made a motion to table to allow some conversation with at least one resident in proximity to the Thomas Avenue Landfill. I believe that's occurred. There would be no need for further action on this item because you'll notice the note that the low bidder and now proposer backed out, and there's no bid bonds. So, unless there's some reason to discuss this particular issue further, when you adopt your purchasing report, you'll have the now the new recommended contract to do the work.

Chairman Liakakis recognized Commissioner Stone.

Commissioner Stone said, Mr. Chairman, I would just like to make a couple of comments on this issue. I did meet with the one of the residents in the area along with Mr. Drewry yesterday afternoon to discuss what the problem is. A berm has been put into place to see if we can deflect the odor, the noise and the debris that is going into the neighborhood, and that is the goal to see that if we can ensure their quality of life is not affected by the grinding of this debris. They are backed up there. We're going to try this and, Mr. Drewry, do you have anything to add to that? That is where we left it. If the noise and the odor and the debris continues to affect the residents of the area, then we'll have to take a more aggressive stance and maybe move the grinder location from that —, the grinding facility from that location.

Mr. Robert Drewry said, good morning. My name's Robert Drewry. The only thing I have to add —, I'd like to add to that is that this is a price per ton figure, so we can discontinue, continue, you know, we can regulate how much contract it does out on Thomas Avenue.

County Manager Abolt said, again, to follow the bouncing ball on this, you wouldn't be taking any action on what's before you as far as the tabled item, but on your Purchasing report, Item D, you'd be awarding the contract not to the firm mentioned in the tabled item, but to Evergreen Tree Care for a price that's now \$10 per ton as opposed to \$6.75, the reason being that Mallard Forest Products backed out of the bid.

Chairman Liakakis said, okay, no action on this item because of what has just been stated.

ACTION OF THE BOARD:

Commissioner Stone moved to untable this item and place it before the Commissioners for consideration. Commissioner Holmes seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present.]

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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. REQUEST BOARD APPROVAL OF THE FOLLOWING: (1) TRANSFERS BETWEEN PROJECTS WITHIN THE 1993-1998 ONE PERCENT SALES TAX II FUND AS FOLLOWS: \$235,636 FROM OGEECHEE FARMS DRAINAGE, AND \$7,084 FROM UNINCORPORATED DRAINAGE CONTINGENCY TO THE JAIL EXPANSION PROJECT, (2) A TRANSFER OF \$65,000 FROM CAPITAL IMPROVEMENT PROGRAM CONTINGENCY TO THE OLD COURTHOUSE PROJECT, (3) AN AMENDMENT TO THE GENERAL FUND M&O APPROPRIATE \$164,160 OF UNRESERVED FUND BALANCE TO TRANSFER OUT TO THE CAPITAL IMPROVEMENT PROGRAM FUND, AND (4) AN AMENDMENT TO THE CAPITAL IMPROVEMENT PROGRAM FUND TO RECOGNIZE THE TRANSFER**

IN FROM THE GENERAL FUND M&O AND APPROPRIATE \$164,160 FOR THE CHARLIE BROOKS PARK PROJECT.

Chairman Liakakis asked, do we have a motion on the floor? Commissioner Kicklighter said, I've got a question. Commissioner Kicklighter asked, discussion first, can we, or we need a motion first. Chairman Liakakis said, we need a motion first. Commissioner Kicklighter said, I'll make the motion to approve, but I have a question. Chairman Liakakis said, okay. Do we have a second? Commissioner Odell said, I'll second it for the same reason. Chairman Liakakis said, okay. Discussion?

Commissioner Kicklighter said, first of all, I don't want the Sheriff to jump up and talk because know we need the money for the expansion. I'm questioning where this money as far as the —, I support that, Sheriff, so stay back there —, he's off the chair —, but \$235,636 from the Ogeechee Farms Drainage Project. Russ [Abolt], what is that? County Manager Abolt said, my understanding from Mr. Bungard, and I appreciate his financial creativity as well as Colonel Holmes, but in this particular case the project referenced Ogeechee Farms Drainage, as I understand, has been wrapped up, as is the money for the Soccer Complex, so he's shifting existing SPLOST money out into a priority project. Commissioner Kicklighter asked, where exactly is this project, or was this project? County Manager Abolt asked, are you referring to Ogeechee Farms? Commissioner Kicklighter said, yes. Where it is? County Manager Abolt said, I'll have to defer to Mr. Bungard.

Commissioner Odell said, and while we're getting him, what does wrapped up mean? County Manager Abolt said complete. Commissioner Odell asked, so we're not doing any additional work on the culverts on any of the drainage projects on the Ogeechee? County Manager Abolt said, my understanding is that the project, as envisioned under SPLOST, is complete. Here's the expert.

Chairman Liakakis said, as the question. Go ahead. In this individual action, we're talking about now, is the transfer between projects within the 1993-1998 One Percent Sales Tax II fund as follows: \$235,636 from Ogeechee Farms Drainage, and \$7,084 from Unincorporated Drainage Contingency to the Jail Expansion project. That's —, wanted to know —, he just stated that Ogeechee Area Drainage has been resolved? County Engineer Al Bungard said, that is a multi-phased project. Sales Tax II contemplated setting up some funds for starting design of some of the bigger projects, like Pipemakers/Hardin anticipating follow-on funds from Sales Tax III, which we're doing now, and we also did some smaller projects. They were named by area, but there were no specific dollar amounts, and so in Ogeechee Farms, in particular, we did Phase I of the project, and these were the funds that were remaining. So —, and then we just —, we have also set up an account in Sales Tax III to continue with the later phases of Ogeechee Farms.

Commissioner Kicklighter said, well, if Dr. Thomas were here, there's four of us curious, where exactly is this property because we kind of all overlap somewhere in that area. Where —. Commissioner Odell said, we've all got a little piece of Ogeechee. County Engineer Bungard said, I see. It's in the area of Chevis Road, back in there. Commissioner Kicklighter said, that's in Commissioner Thomas' district. Commissioner Odell said, that's Priscilla's [Thomas] —. County Engineer Bungard said, I think it's Commissioner Gellatly's. Commissioner Gellatly said, Chevis is mine. County Engineer Bungard said, I always have to go back and look at a map, too, about, you know, where it is. Commissioner Odell said, I don't have any question.

County Engineer Bungard said, but the bottom line is it's not enough money there left to complete either phases, but we have —, the SPLOST law says you must do something for that in that area. We have done that. We've accomplished Phase I, set up an account in Sales Tax III to continue the later phases, and this is about the only account we have where there's flexibility in the SPLOST language to move it from a project which has been phased into another project. Yes, sir?

Commissioner Odell asked, may I ask? Chairman Liakakis recognized Commissioner Odell. Commissioner Odell said, I applaud your efforts. I don't know how you keep up with this. This is as complicated as anything that I've ever seen. We have on-going projects which are from a different SPLOST for this particular area. Is that true? Okay. For what we designed for the 1993 to 1998, we've completed that task, as Russ [Abolt] has said. County Engineer Bungard said, yes sir. Commissioner Odell said, okay. This are excess funds. County Engineer Bungard said, correct. Commissioner Odell said, okay. And will not affect long term what we're doing as far as drainage? County Engineer Bungard said, it should not. I mean, we don't —, in Sales Tax III we had a \$61.5 million and that's not enough to do all of our drainage —. Commissioner Odell said, right. County Engineer Bungard said, — but we're do —, we keep working down each of those. Commissioner Odell said, and when we transferred these funds out from the designated areas, we transferred them to areas that can be approved for the transfer. County Engineer Bungard said, correct. Commissioner Odell said, I have no further questions.

Commissioner Stone said, Mr. Chairman, I have a question about the \$164,160 for the Charlie Brooks Park, but that's under the Action Calendar 10-D, but I just would like to ask a question about that when the time comes. Do you want me to go ahead and ask it? In reading through the information about the sod, and I was wondering if there was a possibility that we could use some rye grass instead of this large amount of money for this sod at this time and then re-sprig it at a later date? I believe that there's a name of a rye that grows very quickly, it's very aggressive, and —. County Manager Abolt said, I defer to Commissioner Farrell. My experience with rye grass is usually winter grass, and you would establish a turf that by the time they start playing on it, it would become dirt. This is done, and there's some history, and I appreciate again the creativity of staff, in this case Mr. Lipsey and Mr. Drewry, but you remember on the project when Charlie Brooks was also a very high project, we came in with terribly high bids and we decided to become the general contractor and that there —. Commissioner Stone said, it was just a question of would this save the County —. County Manager Abolt said, no ma'am, I think you're highest priority here, permit me, is to get those playing fields available to a pin-up demand, appearance, coaches and players. The Chairman, Commissioner Farrell, and y'all have had contact with the very eager, highly motivated and energetic individuals, and we want to give them a place to play on come March of next year.

Chairman Liakakis said, and the other thing with rye grass, too, as Commissioner Farrell knows, it's not hearty and you play on it and you can destroy what you've got down there in a very short period of time. Okay, Akhil [Anumolu].

Youth Commissioner Anumolu asked, about the Charlie Brooks Park Project, what kind of fields are they putting out there? County Manager Abolt said, high-class fields.

Commissioner Farrell said, there's four baseball diamonds and a multi-purpose field, which can be used for football or soccer, and some other grassed areas and some paved parking, so —, lighting, and when it's done it's going to be a very impressive project. I look forward to its completion.

Chairman Liakakis said, okay. Yes, Katherine [Blackburn].

Youth Commissioner Blackburn said, just on behalf of these, we would like to just comment on what a great idea we think this is. Chairman Liakakis said, thank you.

Commissioner Farrell said, the extra expense is —, for sodding, you know, I always have reservations spending more money, but the drawback to not funding the sodding at this late date, we're —, we have delays in the project and we're not able to catch the growing season, there's a good chance we could lose many valuable months in the Spring or early Summer of playing time. So it's a difficult choice of whether to keep the folks off the field for a long period of time or to spend the additional funding.

Chairman Liakakis said, and one of the things, too, is because being fiscally responsible in the past by ignoring our recreation areas instead of spending a few hundred thousand dollars, the taxpayers in our community are saddled with over \$4,000,000 to correct that, and this is part of that than having to spend this money because if it had been spent before, we wouldn't —, could possibly not spending this \$164,000 because anybody that's been out there at that field can see, you know, how it deteriorated over a period of time, Katherine [Blackburn], so do that. We've got good Commissioners, they're concerned about, you know, upgrading our recreation now and to do that, but we need to look at when we finance things and if we do projects in our community, we need to see about not costing the taxpayers additional monies, you know, in that particular area.

Commissioner Kicklighter said, Mr. Chairman. Chairman Liakakis said, go ahead. Commissioner Kicklighter said, in the previous Commission I believe we spent —, we appropriated through SPLOST about — what, Russ [Abolt] — \$2,000,000, a million and a half to \$2,000,000 that actually is the whole project except for this site. We start a while back on the plan for this. The grass is nice and we're doing all now, but, you know, the whole overall nice place you're going to have, we've been doing that. So, we might need to extend neglect back a couple —, couple of terms way back because we started this process with the last go around, and I'm proud that this current group has continued to commit to bringing it up to par.

Chairman Liakakis said, okay, let's go on the board. The motion carried unanimously. [NOTE: Commissioner Thomas was not present.] Chairman Liakakis said, the motion passes.

ACTION OF THE BOARD:

Commissioner Kicklighter moved that the Board approve the following: (1) Transfers between projects within the 1993-1998 One Percent Sales Tax II fund as follows: \$235,636 from Ogeechee Farms Drainage, and \$7,084 from Unincorporated Drainage Contingency to the Jail Expansion project, (2) a transfer of \$65,000 from Capital Improvement Program contingency to the Old Courthouse Project, (3) an amendment to General Fund M&O to appropriate \$164,160 of unreserved fund balance to transfer out to the Capital Improvement Program fund, and (4) an amendment to the Capital Improvement Program fund to recognize the transfer in from the General Fund M&O and appropriate \$164,160 for the Charlie Brooks Park Project. Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present.]

AGENDA ITEM: IX-I

AGENDA DATE: October 7, 2005

DATE: September 29, 2005
TO: Board of Commissioners
THRU: R.E. Abolt, County Manager
FROM: Linda Cramer, Finance Director

ISSUE: To request approval of the following: (1) transfers between projects within the 1993-1998 One Percent Sales Tax II fund as follows: \$235,636 from Ogeechee Farms Drainage, and \$7,084 from Unincorporated Drainage Contingency to the Jail Expansion project, (2) a transfer of \$65,000 from Capital Improvement Program contingency to the Old Courthouse Project, (3) an amendment to the General Fund M&O appropriate \$164,160 of unreserved fund balance to transfer out to the Capital Improvement Program fund, and (4) an amendment to the Capital Improvement Program fund to recognize the transfer in from the General Fund M&O and appropriate \$164,160 for the Charlie Brooks Park Project.

BACKGROUND:

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

FACTS AND FINDINGS:

1. The County Engineer has requested transfers within the 1993-1998 One Percent Sales Tax II fund totaling \$242,720 to the Jail Expansion project as described above. A copy of correspondence is attached.
2. A request has been made to provide funding for fund repairs to the copper gutters and waterproofing at the Old Courthouse. A transfer of \$65,000 from Capital Improvement Program contingency to the Old Courthouse Project will be required. A copy of correspondence is attached.
3. The Director of Public Works and Parks Services has received three proposed change orders for the Charlie Brooks Park Project. The total funding required is \$164,160. The funding source of funds would be an appropriation of unreserved fund balance in the General Fund M&O. The funds will be transferred to the Capital Improvement Program fund. A budget amendment to the CIP fund has been prepared. Copies of the change orders are attached.

4. Funding the above change orders will result in utilizing funds for a CIP project that was scored with a rating of 94, and a Priority of Maintenance in the Capital Improvement Program (CIP) for fiscal years 2006 through 2010. There are 33 projects that score above this one in the Capital Improvement Program. The CIP does not include funding for fiscal year 2006 for this project. Funding was presented starting with FY2007.

FUNDING:

Funds are available within the 1993-1998 One Percent Sales Tax II fund, in the Capital Improvement Program contingency, and the General Fund M&O unreserved fund balance.

ALTERNATIVES:

- (1) That the Board approve the following:

ONE PERCENT SALES TAX II (1993-1998) FUND

transfers between projects as follows: \$235,636 from Ogeechee Farms Drainage, and \$7,084 from Unincorporated Drainage Contingency to the Jail Expansion project.

GENERAL FUND M&O

an amendment to appropriate \$164,160 of unreserved fund balance to transfer out to the Capital Improvement Program fund.

CAPITAL IMPROVEMENT PROGRAM FUND

- a) a transfer of \$65,000 from contingency to the Old Courthouse Project,
 - b) a budget amendment to recognize the transfer in from the General Fund M&O and appropriate \$164,160 for the Charlie Brooks Park Project,
- 2) Amend or deny the request.

POLICY ANALYSIS:

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

RECOMMENDATION:

That the Board approve Alternative 1.

Prepared by: Read DeHaven

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ORDER OF BUSINESS

Commissioner Odell said, Mr. Chairman, point of parliamentary procedure. Just for clarification, Jon [Hart], we have one —, the second item, Presentation on Best Value, which I understand from Mr. James will take about 10 to 15 minutes, but we have the Action Calendar, which there were no questions in executive [sic] session go out of order, do the Action Calendar, get rid of that, and then take just a few moments because there's some people out there waiting on some things to be approved, and then we move back to the Best Value.

County Attorney Hart said, you can do that by a motion. This Commission has the right to adjust the agenda, you just need a motion to say that, vote on it.

Commissioner Odell asked, is there any opposition? I'll make the motion then that we adjust —. Chairman Liakakis said, the Action Calendar? Commissioner Odell said, yes sir. Commissioner Shay said, second. Commissioner Kicklighter said, second. Chairman Liakakis said, go on the board. The motion carried unanimously. [NOTE: Commissioner Thomas was not present.] Chairman Liakakis said, the motion passes.

ACTION OF THE BOARD:

Commissioner Odell moved that the order of business be adjusted by considering Item X at this point on the agenda prior to the presentation on Item IX-2. Commissioners Shay and Kicklighter seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present.]

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2. PRESENTATION ON BEST VALUE CONTRACTING—ROBERT JAMES, DIVERSIPLEX.

Chairman Liakakis said, we have Robert James here from Diversiplex. County Manager Abolt —.

County Manager Abolt said, very briefly, because the expert's in front of you, Mr. James, but this is a long-standing commitment of this County to do something unique and hopefully nationwide recognizes a new way of doing business for the betterment of our community. Mr. James is a contractor hired by a previous Board that has done truly a superior job in walking through all the legal obstacles and even the most recent action of the State Legislature. I'm very impressed by his work, as well as the participation we've received from labor, trades and other interested groups.

Mr. Robert James said, thank you very much, Mr. Chairman, and thank you, the County Manager. Again, my name is Robert James. My company is Diversiplex, Incorporated. We were hired by the Chatham County Commission in 2004 primarily to review and revise the County's minority and women's business enterprise participation program, and you'll receive another presentation from me later on this year with the result of that effort. As a part of that contract we were also asked to look into Best Value Contracting for Chatham County. Best Value Contracting, just in a nutshell, is a manner in which the County would elect contractors for construction projects with an eye towards the best value for the community and

essentially the community was interested in primarily the kinds of benefits that contractors were providing to their employees, and I want to very quickly again thank you for this opportunity and also I want to recognize first the staff committee that helped to work on this. The staff committee has done an excellent job and actually has been pushed forth by the County Manager, Mr. Abolt, but I worked with Mr. Monahan, Mr. Kaigler, Mr. Parson, and the County Attorney Jonathan Hart, and all of them spent a lot of time and energy reviewing all the material that I would present to them on this issue, and I very much appreciate their input. I also want to recognize members of the Trades and Labor Community that have also participated in this process and sort of looked over our shoulders as we've gone along and I think several members of the Trades and Labor are represented here today: Mr. Brett Hulme, Mr. Meddy Settles and Mr. Calvin Kennedy, and I also want to recognize the contributions of Paul Raulerson [phonetic] and Joseph Walker, who were not able to be here today. Finally, I think it's great that members of the Legislative Delegation are here, Senator Regina Thomas and Representative Bob Bryant, because as you'll see some of what the 2005 Legislature actually —, from the actions that were taken in the Legislature, have actually impacted what our local community wanted to do from a policy standpoint.

Mr. James said, so let me move forward so I can finish this and allow you to ask questions. First, we'll go through the actual committee —, Commission's resolution. We'll talk about the proposed Best Value Scorecard components, we'll talk about the State Legislative's action that I mentioned earlier, we'll talk about what's now permissible under State law, and then we'll talk about the recommended score card and the recommended procedure. The previous Commission on April 16, 2004, authorized the development of a pilot program to use in Best Value Contracting Scorecard in the Courthouse Renovation Project and also to recommend the use of that scorecard once it's developed in the Library Renovation Project for the Library Board. The Commission also again directed my company as the County's MWBE Consultant to assist the staff in the scorecard development.

Mr. James said, the initially proposed criteria essentially were ten different points. The first point was health insurance for contractors' employees, some type of health insurance, identifying some type of wage payment over the prevailing wage standards set by the State Department of Labor, the provision of employee pension and retirement plan, on-the-job training, employee safety training program, employee drug testing, looking at the qualifications and past performance of the contractor, looking at the bonding capability, looking at the utilization of local labor because you sometimes have a problem with the importation of labor on certain contracts, and then also adherence to the MWBE subcontracting goals of the County. And those were the originally proposed criteria that were set forth, and that's what we started out to look at.

Mr. James said, in 2005 the State General Assembly passed a new Section 34-4-3.1, and that was House Bill 59, and essentially what that bill did is it prohibited all local governments in the State of Georgia from using your contracting procedures to effect the contractors' employee wages or benefits, so essentially what the State has done is said that local communities can no longer use your contracting procedures to impact how contractors pay their workers or impact what benefits are provided to workers. Certain of the criteria that we had initially proposed were then moot by the State's action. It's important to note that this new law does not appear to invalidate the existing prevailing wage standards for the State. There was some confusion about that and while we did not get an official opinion from the State Attorney General's office, we made contact with some individuals in the State Attorney General's office

who, while they wouldn't go on record, were able to say that they did not believe it was the Legislators intention to invalidate the existing prevailing wage standards that are set forth by the State Department of Labor because essentially they would be talking about is invalidating a whole section of the Department of Labor and all the work that they do, and I don't think that's really what was intended by this law. And so now if you look back at the criteria, you see that the top three are now invalid. We can't do them pursuant to the law, and so now you're let with on-the-job training, safety training, employee drug testing, qualifications and past performance, bonding capability, utilization of local labor, and adherence to the County's MWBE subcontracting goals. It is important that I also point out here that many of these items —, most of these items really —, are already a part of your contracting procedures. Most of these things you're already requiring contractors to do. You're already requiring them to do them in the contract and what we're doing is really scoring some of those items up front as opposed to waiting until you actually have selected a contractor and award the contract. There are a few things that are different here, but most of these items are things that you already do in your contracting procedure. We're just kind of reorganizing the procedure in terms of this process.

Mr. James said, our proposed process or how you implement this is a three step process. A contractor will submit a bid package and they'll go through a three step scoring process. You must pass the first two steps in order to get to the third step, which is your price consideration. Step one are pass/fail criteria. You either pass them all or you don't. If you don't pass them all, your bid is considered non-responsive. Again, all of the criteria you see, as you'll see later, that are pass/fail criteria, are already pass/fail criteria in a typical county RFP, or RFQ. So really what we're doing is just kind of simplifying that and making it very clear to the contractor up front that those things are pass/fail. Step two of the score criteria, and that's when we look at those seven items and really get into some detail as to apportioning a number of points in order to kind of separate one contractor from another, and then the third step is price consideration.

Mr. James said, Step One: Pass/Fail. A bidder must make a good faith effort towards MWBE goals, essentially certifying they'll make a good faith effort. They must post the required bid bond, again as required by State law. They must sign a certification that they'll maintain a drug-free workplace, they must sign a promise of non-discrimination in employment, and they must also sign a certification saying that they will maintain Georgia Department of Labor prevailing wage standards. Commissioner Shay?

Commissioner Shay said, how does this compare to what I call —, maybe — correct me —, maybe erroneously the Davis-Bacon Wage Rates? Are those possibly the same? Mr. James said, that's what it is. County Attorney Hart said, they're similar in intent, but they have a tendency to follow really the lead —. Commissioner Shay said, okay, fair enough. County Attorney Hart said, so as —.

Mr. James said, there's a lag and I think that's one of the reasons why the previous Commission wanted to look at some wage rates that were higher than that because by the time you gather the data, it's not necessarily contemporaneous with what the real market is showing. Again, failure to meet any of these above would disqualify a bid.

Mr. James said, Step Two would be the actual score criteria. Experience/past performance on similar projects would be 40 points of the total 100. Local labor utilization would be 30 points. We thought that was a —, based on what the previous Commission directed, we thought that the percentage of dollars

that they're actually maintaining and is keeping in the community would be a pretty important criteria in terms of —, like a contractor. So you want to encourage them to hire people here in the local community and to support the tax base here in the local community with dollars that the County spends. So that's why it's 30 points of the total 100. And then the on-the-job safety training program —, on-the-job training program, I'm sorry, the workplace safety program and the drug testing program each count for 10 points.

Chairman Liakakis said, Robert [James] —. Mr. James said, yes sir. Chairman Liakakis said, — a question. I've seen over the years with both the City and the County what has occurred is some where we put out, whether it's the City or the County, put out for bid for a specific project and the low bidder gets the project. Mr. James said, yes sir. Chairman Liakakis said, and they don't really meet all of this criteria and all and one thing the reason why they beat out local contractors is because we have found out in investigation that, number one, they're paying cash basically to the employees. They're not paying their social security and they're not taking withholding taxes out. Those two are the main things. So consequently they are able to bid lower on the contract, you know, and what we have found out a lot of times they'll bring in employees who are not trained, they don't have any training, and they do not good work, and what happens once in a while, like what happened over at the Trade Center, that they use these employees where they had to call back on, like the ironworkers here in Chatham County, the carpenters and others, so are we setting up some kind —, some kind of provisions, requirements that we can monitor them because it's most important that they're monitored. They can say that they're going to meet all of these and they, you know, the criteria is their, but are there some steps in there that you can put in there so that we can monitor that to make sure that they just don't say, hey, women participation, minority participation, they've had the training and those kind of things because —, to show that the documentation is there, that on previous contracts they did have training processes that's going through and that way we can look at it objectively, you know, at the people that are putting in the bids because we need to be fair to our citizens, we need to be fair to those people that work in our community, organized labor and others, you know, to make sure that this thing is done right and not having scams pulled on us? Mr. James said, yes sir. We have looked at the issue of enforcement and given a lot of consideration to that. I mean, you know, it's one thing to say, you know, we're going to put all these requirements up front and it's another thing to say, well, how are you actually going to enforce this, and what the penalty for it is —, and I'll talk about in a little bit more detail later on —, but the County has an approved position that is going to be hired, a person is going to be the Minority and Women's Business Enterprise coordinator for that program. That position has not yet been filled, but it's my understanding from Mr. Kaigler that a part of that person's job responsibility will be to actually audit contractors and sort of police some of these requirements. But that's not even really enough because one person, once you start talking about bond and projects, and that person having other responsibilities is not enough to be on the job site every single day to monitor everything, and so one of the things that came out of a meeting that we had with Trades and Labor representatives was that they have agreed to use some of their resources on their own jobs to survey workers and to help police this. Meaning, it needs to be a staff effort, but it also needs to be a community effort from some of the subcontractors and some of the people who are actually working on projects to help monitor some of these items because, you know, you can pull a lot of different things in place in terms of requirements, but we also need to be very realistic about how we're going to enforce them so that they actually happen. But we did give a lot of consideration for that and we do have some penalties for violating some of these provisions, but it's going to be very important that not only the staff be mindful, but also just the workers out there in the community be mindful of some of these requirements as well.

Mr. James said, just very quickly, you can read this at your leisure really —, the detail of how the points are apportioned. We spent a lot of time trying to apportion the points in a fair way and particularly we looked very closely at the number of projects that are similar that a contractor bid. We look at on-time performance and we also look whether the contractor has kept their completed project cost within their original bid, and that's really to look at the issue of excessive change orders and excessive changes in specifications. Now to be fair to the contractors who are bidding on this, we also allow the contractors to submit mitigating circumstances, things that were beyond their control, that may have caused a project to be delayed in completion for —, over budget, and if you are digging up in a site and you find that it's a Native American burial ground and you can't do the project there, and you need to do some environmental mitigation that you didn't know about before, then we need to give the contractor an opportunity to mitigate those kinds of things and not to be penalized for those past experiences. In the utilization of local labor, we decided to award points in a sort of stair step fashion, so if a contractor [inaudible] that 25% of their employees are Chatham County residents, then they'll get nine points. If they're convinced that they'll have at least 50%, then they'll get another nine, and then if they're convinced that 75% of the workforce will be from Chatham County, then they'll give 12%, and we look at who are their existing employees as well as who are the other employees that are going to be actually working on the job. And that's the way we capture all the subcontractors and all independents because you just know —. Commissioner Shay?

Commissioner Shay said, I didn't mean to interrupt you. Mr. James said, oh, that's okay. Commissioner Shay said, when you say the current employees on the project, this would not just be the employees that work for a paycheck directly drawing against the general contractor, but the subcontractors as well? Mr. James said, yes sir. We're doing a house for all these requirements to be passed all the way down the line to the subcontractors.

Commissioner Farrell asked, may I ask a question? Mr. James said, yes sir. Commissioner Farrell asked, what's the litmus test for a Chatham resident? Mr. James asked, the litmus test for a Chatham resident is where you have a Chatham County address and whether that —, and that's what we get into, Chairman Liakakis [sic], looking the actual payroll records of seeing where the actual check is being sent. So you're actually do have a built-in process to review payroll as well as to review —, to find these addresses and make sure that those individuals to make sure that those individuals actually —, at least have a Chatham County address. You do have problems where you have contractors coming in from outside who move into motels and that type of thing, and we'll try to be mindful of that. Some of these kind of practical problems are difficult ones to deal with. Another issue that was brought up by the Trades and Labor representatives, which I think with which the staff and I agree was a legitimate issue but probably more of a policy issue for the Commission, is the issue of whether you want to regionalize your approach to labor as opposed to saying that the people are Chatham County residents, because obviously we live in a region where this is the major metropolitan area and you have folks from Effingham or Liberty or Bryan who travel in here and still contribute to the tax base and still contribute to the economy here, but they just don't live, they aren't domiciled here in Chatham County. And so that's an issue that you may want to consider, and obviously this is still a work in progress. If you decide that you want us to consider regionalizing that labor approach as opposed to dealing with only —, strictly Chatham County residents, we could go back and make some changes to that.

Commissioner Odell said, I'd like for region. I don't see how we can do it otherwise. The underlying goal was that with the Trade Center, we didn't want companies to bring people from Memphis, Tennessee, doing a lot of work when they didn't paying them any benefits, they'd get sick, go to Memorial, and we would end up paying for it. They were paid cash and if they brought a family, they put them up in these little mobile estates, paid no taxes, went to school. How to control those elements of the cost [inaudible]? Our people who contribute to the tax base, in fact, are first in line to benefit from that base, and I think I prefer regional. When I say regional — Effingham, Bryan, those surrounding counties — and I think that's reasonable. The underlying goal was if you're in Pennsylvania, that's not part of our region.

County Manager Abolt said, and it's not today, because you're receiving for the first time, but staff is planning to come back to you at your next meeting at which time you'll officially adopt the scorecard. So all you're taking in now is —. Commissioner Odell said, just info. County Manager Abolt said, — info now, come October 21st y'all will be having a motion to adopt the scorecard.

Commissioner Odell said, and we will adopt —, this will be a policy decision. County Manager Abolt said, it would be in place before we begin advertising so we're legit. County Attorney Hart said, there several of these that just adopt to you as the county, to the main county. In our case, you might want to consider Bulloch County because you've got Statesboro, and we do have a lot of people who bid out of Statesboro, and it does help with competitive nature.

Chairman Liakakis said, any the other thing that just was mentioned by you, Commissioner Odell, is that those people that come in and a lot of them that are untrained and getting money and they're not paying what they're required to do by law is that they get sick or hurt on the job, they go to one of the hospitals and sometimes our taxpayers in our community are saddled with a 30, 40, 50, \$60,000 medical bill that the taxpayers in Chatham County are paying and have paid over the years in circumstances that have occurred, and we need to do what we can, you know, to help that situation because it's not fair for our citizens to pay these hundreds of thousands of dollars, like they have in the past, to have these people come in and, you know, have this process like that.

Mr. James said, yes sir, and just to reiterate, I understand that concern and I know that the previous Commission had that concern. Just to reiterate, the State Legislature and the Governor have enacted a new law that prohibits you from requiring your contractor to provide any type of health insurance to workers, and I'm not going to comment on the quality of that policy decision, but I would say that, you know, perhaps it would be in the interest of Chatham County, if that's still your desire to do that on a local standpoint, that you make sure that your State Legislative Delegation understands your desire and tries to gets some adjustment to that law because right now as an instrumentality of the State, Chatham County is prohibited from making any kind of requirements for your contractors to support the health benefits of their workers. So you're really kind of, you know, at a loss.

Commissioner Odell said, you know, I think that that is monumental, which should not be allowed to have. We are in an area where people are promoting family values, and yet they vote against having employers who bid on State and county contracts from even offering health insurance. That, to me, appears to be a paradox or a bald-faced lie. It's incredible that our people are so naive that they can't see through —, if you are out there working and you have to pay this tax base and yet the government

steps in for big business and says you don't have to provide these workers health insurance, to me, that's incredibly a disconnect between family values and valuing the members of the family. I'm off my soapbox.

Chairman Liakakis said, go ahead, Robert [James].

Mr. James said, just quickly, on the —, go back one slide here. On the training or apprenticeship program, we're asking for documentation of a training or apprenticeship program, skilled labor, and they're awarded 10 points for that. We're awarding 10 points for workplace safety and the subsets there as you can see in terms of how you're approaching that 10 points. Then, finally, drug testing, which is also already a part of your contract. You want a commitment up front from the contractor as to their drug testing programs and policies. So we want mandatory pre-employment drug testing and then random drug testing post-employment. And then finally, on the enforcement issue, on the Enforcement and Penalties, again I believe the County is going to bring on a staff person who is going to have as part of his job responsibility just to kind of monitor all of the compliance issues with regard to County contracts, but in addition to what the Engineer and the County Manager's office already on the [inaudible], so we're envisioning job site audits, worker surveys, as well as citizen and subcontractor reports and tips, as well as a penalty if a contractor deviates from their commitment that they gave when the awards were awarded for the contract that there would be an additional 10% retainage and the possible contract termination.

Mr. James said, thank you very much for your time and I hope I didn't bore you too much for this. If you have any specific questions for me now, I'll be happy to answer them. If you have any questions for me later, I'd be happy to entertain them.

Commissioner Shay said, I'm real pleased that you found a way to have some wage standards in this [inaudible]. I know that the State Legislature's wisdom decided that living wage was a dirty word and it couldn't be used in municipal contracts, but I think those Georgia DOL standards do, even if they're not completely in sync with Davis-Bacon, at least identify that the Trades people will get what I believe a living wage, so I think that's a very, very good thing, and I appreciate overall the work was excellent. I mean, I'm excited. I'm real excited to see how it works on the pilot projects and see how difficult it is to enforce. It might not be as difficult as we think.

Chairman Liakakis asked, okay. Any other questions for Robert [James]. Okay. All right, thank you very much. We appreciate that Robert [James] and giving us the information because we want to good projects for our citizens, we want to save them money, and we want to provide, you know, work for our people in this area that have worked hard, they're paying taxes and all of those things, as opposed to people coming from out of town and pulling these really scams on our citizens, you know, by paying under the table and not doing the things that they are required by Federal law. This has just been a local law, and then put the burden —. We must, you know, we have to do everything that we can to help citizens to make sure they have medical treatment, our citizens, but to bring somebody, unskilled, from out of town and to do these kinds of things that are wrong, you know, we need to alleviate that.

Commissioner Odell said, may I just make a comment for the Youth Commissioners. Mr. James is a graduate of local high schools here, Savannah Country Day —. Mr. James said, before you were born.

Commissioner Odell said, long time ago —, and Harvard Law School, and we are very proud of him. Mr. James said, thank you very much for that and I also just wanted to echo something that the District Attorney said earlier about the Chairman. Chairman Liakakis was not the Chairman when this resolution was adopted, but he picked up the ball and has been monitoring the progress on this, and we had an individual meeting on this issue and it's important that everyone understand it. The Chairman, you know, really feels passionately about this issue and has really pushed us to continue moving forward that despite the action of the State Legislature. So I just wanted to make note of that for the record. And thank you very much. I'll be back before you at some point later on this year. Thank you so much.

Chairman Liakakis said, thank you, Robert [James]. Okay, Meddy [Settles].

Mr. Meddy Settles said, yes sir. Chairman Liakakis said, no, identify yourself please. Mr. Settles said, my name is Meddy Settles. I'm with United Brotherhood [inaudible] and the Local 256, Savannah, Georgia. Chairman Liakakis said, go ahead. Mr. Settles said, I would like to say I appreciate the opportunity to be able to stand before you all today, and thank you for your wisdom and putting it together. April 16, 2004, it's been a long grueling process, a lot of meetings with Mr. James and Mr. Abolt, the County Attorney and we do thank you for giving us a foundation to build on. We feel like we can take this to other boards in the County and the cities surrounding our area and show them where the wisdom of the Chatham County Commission has come up to give us the foundation to build on, and we are intending to go to the City with this, the Library Board, the Airport Commission and other surrounding areas. We thank you and we applaud you for your actions today. Thank you.

Chairman Liakakis said, thank you. Brett [Hulme].

Mr. Brett Hulme said, my name's Brett Hulme. I'm with the Trades and Labor Assembly of Savannah, Georgia, and I will be unable to attend on the 21st, so I encourage your vote, and if you would please allow me a few comments. The whole purpose of this initiative was to make our community a better place to live. That was the initial thought in this process. Commissioner McMasters introduced this to the Board. Commissioner Odell put it through and got it to a vote to gain this process. I must admit this was a test in patience for those of us not use to the pace of bureaucracy, but the end result we feel is tremendous within the given guidelines of the State Legislature. Mr. James, Mr. Kaigler, Mr. Monahan, obviously Mr. Abolt and Mr. Hart, tremendous effort on something that is basically unchartered territory in a redefinition and reallocation for policies that's already in the Commission's standards. What is ended up happening in the process is you've taken the shell game completely out of the contractor business. More and more you see here coming or general contractors that might have one or two employees and the subs; they sub everything out and sometime they sub out and they sub out. So the accountability standards up and down the line is tremendous and really common sense because when the County built these standards, you are in a position to enforce a policy that you've adopted. The unfortunate wisdom of the Legislature, and unfortunately our own Senator Johnson, highly promoted House Bill 59 and, as Commissioner Odell stated, in other terms this bill promotes indigent care because of —, I don't have to pay benefits to my employees. Why would I to be eligible to bid on municipal projects. Again, as Commissioner Odell said, it almost defies logic to profess to be about the community. So I would ask that the Commission suggest this to the delegation to revisit this bill. The wage standards, the requirements and safety, training, will end up being a better community. Yes, we did suggest the regional approach because, the fact of the matter is, not only are skilled craftsmen

coming from neighboring counties, making a living here, contributing to the tax base, but the other side of the coin is those contractors working in those areas not paying benefits come to Memorial. They don't go to the Bulloch Hospital, to Effingham County Hospital. They come here. So at the end of the day we've got local residents traveling to make a living at their craft, paying taxes here in addition to the cost of the indigent care for the work they rightfully should have at least had an opportunity to do. This is a tremendous step if we can somehow some way get the Legislature to see the light and address this issue of benefits and perhaps even pension and retirement, because let's face it, the retirees are going to be taken care of whether it's through a fair contribution or through us as taxpayers. Memorial's not going to say we're closed. Okay? And being a valuable contributor to this community will benefit everybody, including the youth of the future, because as most know knowledge is power, and once it's up here it cannot be taken, whether it's white collar work, blue collar work, knowledge is power. I want to thank Commissioner Shay and Commissioner Holmes for periodically monitoring the progress on this, and obviously the Chairman because, again, this is really our first attempt at some sort of influence in the way the County does business and we're not use to the time lag. So thank you again and encourage the adoption of this on the 21st.

Chairman Liakakis said, thank you. Senator Thomas.

Senator Regina Thomas said, thank you so much Mr. Chairman and Commissioners. I certainly appreciate Mr. James and his presentation, and the State Legislature did not exercise any wisdom in passing House Bill 59, and if you look at the roll call you would see that those who truly believe in family values, those who truly want to have less government intrusion, those who truly want to take care of their own, voted against House Bill 59. I saw the light, Mr. Hulme, and I voted against House Bill 59. I just want to say that —, and one of the reasons why I voted against the bill is because of the ambiguity of the language, the attribution by some thinking that you cannot implement your own policy or keep the policy that you have in place. You can. It only really says that if you don't want to offer these things, then you don't have to. It just gives them more play. I understand that —, I don't have anything against big business, but I don't think that big business should come in at the penalties of the families that live in our counties, that they deserve horrible things in passing House Bill 59, and the Governor concerning House Bill 59, but on the other hand we still can do those things that's going to help, and I enjoyed your presentation and I think that that would also help out. And as long as we do not —, and I think House Bill 59 just set the parameters of what can be done, not what should be done. Some may disagree with that. It's just interpretation. You can give 10 people a sentence to give the definition, and you may get 10 different meanings of that sentence, so I think that we should not look and think that we can't do what's right for the people here. In all the mandates, the unfunded mandates that the State has put on the counties throughout this State, we need to continue to try to increase our tax base, and by using local people first, give experience, we would do a lot more for this County than if we tried to follow the rules of the State. I have not received the ruling of the Attorney General as of yet, but I have sent him something to find out can we go on and implement our policy, keep what we have, or adopt those things outside of what House Bill 59 says. And I just want to encourage you, and I don't have anything with regional, but when you look at residents of the State, those who drive cars, those who pay for their tags here in Chatham County, I think we need to look at those people first if we have the labor and the skills here to use, and I certainly commend you for taking so much time on this issue, and whatever I can do to assist you, I'll be glad to. And when that time comes to vote for this, I certainly hope that you're in favor of doing what we can do for the citizens of Chatham County. Thank you.

Chairman Liakakis said, thank you very much.

ACTION OF THE BOARD:

Received as information. The issue of Best Value Contracting will be considered on October 21, 2005.

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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, okay, Action Calendar. We have a number of items on there. You had that in your agenda package. I'd like everybody to look it over, see if there's any specific items that you'd like to hold out. I see that there's one here, Item 8, Request from the Tax Commissioner's Office, and then Item 9, I think that's from Commissioner Shay, and Item 10-F, the County Manager will discuss that. Do we have a motion on the floor to approve all other items except those specific ones that I just outlined. Do we have a motion?

Commissioner Odell said, move for approval, Mr. Chairman. Chairman Liakakis asked, do we have a second?

ACTION OF THE BOARD:

Commissioner Odell made a motion to approve Items 1 through 10-G, with the exception of Items 8, 9 and 10-F. Commissioner Holmes seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present.]

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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 SEPTEMBER 23, 2005, AS MAILED.

ACTION OF THE BOARD:

Commissioner Odell moved to approve the minutes of the regular meeting of September 23, 2005. Commissioner Holmes seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present.]

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2. CLAIMS VS. CHATHAM COUNTY FOR THE PERIOD SEPTEMBER 15 THROUGH SEPTEMBER 28, 2005.

ACTION OF THE BOARD:

Commissioner Odell moved to authorize the Finance Director to pay claims against the County for the period of September 15, 2005, through September 28, 2005, in the amount of \$2,187,961. Commissioner Holmes seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present.]

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

ACTION OF THE BOARD:

Commissioner Odell moved to approve a request from Thomas and Hutton, Engineer for Southbridge Development Company, to approve the constructed improvements for Southbridge at Berwick, Phase F-2B, initiate the warranty period, and reduce the financial guarantee. Commissioner Holmes seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present.]

AGENDA ITEM: X-3

AGENDA DATE: October 7, 2005

TO: Board of Commissioners

THRU: R. E. Abolt, County Manager

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

ISSUE: To approve the constructed improvements for Southbridge at Berwick, Phase F-2B, initiate the warranty period, and reduce the financial guarantee.

Background: The engineer, Thomas and Hutton, for the developer, Southbridge Development Company, requests that the County approve the constructed improvements for Southbridge at Berwick, Phase F-2B, initiate the warranty period, and reduce the financial guarantee.

FACTS AND FINDINGS:

1. Southbridge at Berwick, Phase F-2B is a single-family residential community. This phase of Southbridge consists of 81 lots on 33.7 acres. The paving and drainage improvements will be maintained by the County. The water and sewer improvements are maintained by Consolidated Utilities, Inc.
2. Construction of the required improvements is complete. Paving and drainage improvements were inspected and found to be satisfactory. Consolidated Utilities, Inc. has accepted the water and sewer improvements.
3. The developer submitted a maintenance bond issued by Safeco Insurance Company of America in the amount of \$249,837, which is 50% of the cost of the dedicated improvements.

ALTERNATIVES:

1. Approve the constructed improvements for Southbridge at Berwick, Phase F-2B, initiate the warranty period, and reduce the financial guarantee.
2. Do not approve the request.

POLICY ANALYSIS: This action is consistent with the subdivision regulations.

RECOMMENDATION: That the Commissioners adopt Alternative number 1.

District 7

PREPARED BY: Suzanne Cooler
10-07-05 Southbridge phase F-2B warranty.wpd

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4. **REQUEST FROM HUSSEY, GAY, BELL & DEYOUNG, ENGINEER FOR KONTER DEVELOPMENT COMPANY, TO APPROVE THE CONSTRUCTED IMPROVEMENTS FOR SALT CREEK LANDING, PHASE 1, INITIATE THE WARRANTY PERIOD AND REDUCE THE FINANCIAL GUARANTEE.
[DISTRICT 7.]**

ACTION OF THE BOARD:

Commissioner Odell moved to approve a request from Hussey, Gay, Bell & DeYoung, Engineer for Konter Development Company, to approve the constructed improvements for Salt Creek Landing, Phase 1, initiate the warranty period, and reduce the financial guarantee. Commissioner Holmes seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present.]

AGENDA ITEM: X-4

AGENDA DATE: October 7, 2005

TO: Board of Commissioners

THRU: R. E. Abolt, County Manager

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

ISSUE: To approve the constructed improvements for Salt Creek Landing, Phase 1, initiate the warranty period, and reduce the financial guarantee.

BACKGROUND: The engineer, Hussey, Gay, Bell & DeYoung, for the developer, Konter Development Company, requests that the County approve the constructed improvements for Salt Creek Landing, Phase 1, initiate the warranty period, and reduce the financial guarantee.

FACTS AND FINDINGS:

1. Salt Creek Landing is located on Cottonvale Road. It consists of 108 lots on 28.75 acres. Water and sanitary sewer will be maintained by Consolidated Utilities. Paving and drainage will be maintained by Chatham County.
2. Construction of the required improvements is complete. Paving and drainage improvements were inspected and found to be satisfactory. Consolidated Utilities, Inc. has accepted the water and sewer improvements.
3. The developer submitted a letter of credit issued by The Savannah Bank in the amount of \$261,832, which is 50% of the cost of the dedicated improvements.

ALTERNATIVES:

1. Approve the constructed improvements for Salt Creek Landing, Phase 1, initiate the warranty period, and reduce the financial guarantee.
2. Do not approve the request.

POLICY ANALYSIS: This action is consistent with the subdivision regulations.

RECOMMENDATION: That the Commissioners adopt Alternative number 1.

District 7

PREPARED BY: Suzanne Cooler

10-07-05 Salt Creek Phase 1 warranty.wpd

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**5. REQUEST BOARD APPROVE A REVISED UTILITY RELOCATION CONTRACT AGREEMENT WITH SAVANNAH ELECTRIC AND POWER COMPANY FOR THE RELOCATION OF ITS FACILITIES FOR THE CONSTRUCTION OF TRUMAN PARKWAY, PHASE 4.
[DISTRICT 1.]**

ACTION OF THE BOARD:

Commissioner Odell moved to approve a Revised Utility Relocation Contract Agreement with Savannah Electric and Power Company for the relocation of its facilities for the construction of Truman Parkway, Phase 4. Commissioner Holmes seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present.]

AGENDA ITEM: X-5
AGENDA DATE: October 7, 2005

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

ISSUE: To approve a Revised Utility Relocation Contract Agreement with Savannah Electric and Power Company for the relocation of its facilities for the construction of Truman Parkway, Phase 4.

BACKGROUND: The Board approved an agreement with Savannah Electric on April 12, 2002, for relocating facilities for the project. This is an agreement whereby the County is responsible for reimbursing Savannah Electric for the cost of relocating electrical facilities to construct roads.

FACTS AND FINDINGS:

1. The Savannah Electric facilities are located on its own easements in the vicinity of the Forest City Gun Club property. The facilities (e.g. power lines) have been relocated to construct the project.
2. Savannah Electric estimated the total cost of the project at \$275,000, with the County's share being \$125,000 and Savannah Electric's share being \$150,000.
3. The work is complete and the company has submitted a revised agreement based on the actual cost

4. Actual cost was \$398,601.25 with the County's share being \$181,164.27 for an increase of \$56,164.27
5. The reason for the increase was due to wet conditions, GDOT field changes, temporary work at a box culvert and increases in the cost of contract labor.

ALTERNATIVES:

1. That the Board approve the Revised Utility Relocation Contract Agreement with Savannah Electric and Power Company for the relocation of its facilities for the construction of Truman Parkway, Phase 4.
2. That the Board not approve the agreement.

FUNDING: Funds are available in the SPLOST 1985-1993 Truman Parkway, Phase 4.

POLICY ANALYSIS: It is the policy of the Board to approve agreements.

RECOMMENDATION: That the Board approve Alternative No.1.

District 1

PREPARED BY: Allan R. Black

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6. REQUEST BOARD APPROVE THE FIRST AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT BETWEEN CHATHAM COUNTY AND THE SECRETARY OF STATE OF GEORGIA TO UPGRADE THE UNIFORM STATEWIDE VOTING SYSTEM WITH THE EXPRESSPOLL, AN ELECTRONIC VOTER VERIFICATION AND CHECK-IN SYSTEM.

ACTION OF THE BOARD:

Commissioner Odell moved to approve and authorize the Chairman to execute the First Amendment to the Intergovernmental Agreement between Chatham County and the Secretary of State of Georgia to upgrade the uniform statewide voting system with the ExpressPoll, an electronic voter verification and check-in system. Commissioner Holmes seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present.]

AGENDA ITEM: X-6

AGENDA DATE: October 7, 2005

DATE: September 26, 2005
TO: Board of Commissioners
THRU: R. E. Abolt, County Manager
FROM: Russell Bridges, Elections Supervisor

ISSUE:

To approve the First Amendment to the Intergovernmental Agreement ("Agreement") between Chatham County and the Secretary of State of Georgia to upgrade the uniform state-wide voting system with the ExpressPoll, an electronic voter verification and check-in system.

BACKGROUND:

In 2002 the Secretary of State of Georgia implemented a uniform state-wide voting system of direct recording electronic equipment. The Secretary of State is deploying the ExpressPoll to enhance the state-wide system. The ExpressPoll will use a state-wide database to locate voters during check in, will record voting activity, and will program voter access cards.

Chatham County will abide by the requirements of the Georgia Election Code, as well as rules and regulations that are currently being implemented by the State Election Board. The terms of the Agreement cover the ownership, delivery, care and maintenance, use, insurance, risk management and warranty coverage on the voting system.

FACTS AND FINDINGS:

1. In 2002 the State implemented a uniform state-wide voting system.
2. The State is upgrading the uniform system with ExpressPoll.
3. The State has determined that Chatham County should receive 215 ExpressPoll units.
4. The ExpressPoll will be stored in the existing Elections warehouse.
5. The State will provide insurance coverage.
6. The State will provide technical support for preparing the ExpressPoll.
7. The State has negotiated warranty coverage until December 31, 2006.
8. The attached Intergovernmental Agreement has been reviewed by the County Attorney who has found it to be appropriate.

ALTERNATIVES:

1. That the Board authorize the Chairman to sign the Agreement.

2. That the Board not authorize the Chairman to sign the Agreement.

FUNDING:

The ExpressPoll units are being furnished to the County at no cost. The County will be responsible for maintenance coverage following the expiration of the warranty. The maintenance coverage for the 215 units would be \$20,245 annually, beginning January 1, 2007.

POLICY:

Entering into the Agreement with the State of Georgia is in the best interest of the County.

RECOMMENDATIONS:

Approve Alternative #1.

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- 7. REQUEST FOR NEW BEER AND WINE RETAIL PACKAGE LICENSE FOR 2005. PETITIONER: ROY WILBUR SMITH, D/B/A KROGER STORE #645, LOCATED AT 5720 OGEECHEE ROAD. [DISTRICT 4.]**

ACTION OF THE BOARD:

Commissioner Odell moved to approve the petition of Roy Wilbur Smith, d/b/a Kroger Store #645, located at 5720 Ogeechee Road, for a new beer and wine retail package license for 2005. Commissioner Holmes seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present.]

AGENDA ITEM: X-7

AGENDA DATE: October 7, 2005

TO: BOARD OF COMMISSIONERS

THROUGH: R. E. ABOLT, COUNTY MANAGER

FROM: GREGORI S. ANDERSON, DIRECTOR OF BUILDING SAFETY
AND REGULATORY SERVICES
DANIEL W. FLYNN, POLICE CHIEF

ISSUE

Request for new beer and wine retail package license for 2005, Roy Wilbur Smith, d/b/a Kroger Store #645, located at 5720 Ogeechee Road.

BACKGROUND

Mr. Smith requests approval for a new beer and wine retail package license in connection with a new grocery store. The business at this location meets the requirements of the Chatham County Alcoholic Beverage Ordinance.

FACTS AND FINDINGS

1. The application was reviewed by the Police Department for compliance of the applicant and approved.
2. The returned application was reviewed by Regulatory Services. The county Fire Marshall inspected the site for compliance with the current safety codes requirements and approve the facility.
3. The applicant and business meets the requirements of the Chatham County Alcoholic Beverage Ordinance.
4. The request has been advertised in the newspaper as required by county ordinance.
5. The applicant has been notified in writing of the hearing time and date.

RECOMMENDATION

The Police Department and Regulatory Services recommend approval.

District 4

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- 8. REQUEST FROM THE TAX COMMISSIONER'S OFFICE TO WRITE OFF UNCOLLECTIBLE PERSONAL PROPERTY TAXES FOR THE PERIOD 1998 THROUGH 2005, WITH AN ADDITIONAL REQUEST FOR THE BOARD TO INSTRUCT THE ASSESSOR'S OFFICE NOT TO CREATE A 2005 2006 ASSESSMENT AND/OR ANY SUBSEQUENT ASSESSMENT OF THE SAME PROPERTIES.**

Chairman Liakakis said, I'd like to call on the Tax Commissioner to come forth.

Tax Commissioner Danny Powers said, good morning. This is just simply uncollectible accounts that we've come here periodically to have cleared off the receivable list.

Commissioner Kicklighter said, I make a motion to approve Number 8. Commissioner Shay said, second.

Chairman Liakakis said, okay, let's go on the board. The motion carried unanimously. [NOTE: Commissioner Thomas was not present.] Chairman Liakakis said, the item passes.

ACTION OF THE BOARD:

Commissioner Kicklighter moved to approve the request from the Tax Commissioner's office to write off uncollectible personal property taxes for the period 1998 through 2005, with an additional request for the Board to instruct the Assessor's office not to create a 2006 Assessment and/or any subsequent assessment of the same properties. Commissioner Shay seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present.]

AGENDA ITEM: **X-8**

AGENDA DATE: OCTOBER 7, 2005

TO: Board of County Commissioners

THROUGH: Russell Abolt, County Manager

THROUGH: Daniel T. Powers, Tax Commissioner

FROM: Shirley F. Creel, Revenue Collector Deputy Ex-Officio Sheriff

ISSUE:

To present a request to the Board for the Tax Commissioner's office to write off uncollectible Personal Property taxes for the period 1998 through 2005. With an additional request for them to instruct the Assessor's Office not to create a 2006 assessment and/or any subsequent assessment of the same properties.

BACKGROUND:

During the period of 1998 through 2005 numerous personal property tax accounts on the County's Tax Digest remained uncollected. These accounts are uncollectible for many reasons such as the owner(s) cannot be located; the owner(s) have moved; the owner(s) are deceased; the business is no longer in operation or has no assets or a bankruptcy judgement has paid less than 100 cents on the dollar. Therefore, the balance outstanding in these accounts cannot be collected.

The amount of uncollectible personal property taxes determined thus far for the period of 1998 through 2005 total \$226,344.42, that consist of 278 accounts and 688 bills as summarized below:

<u>Tax Year</u>	<u>Total Tax Due</u>	<u>County Portion</u>
1998	\$14,880.75	\$ 6,316.49
1999	\$15,882.35	\$ 6,210.54
2000	\$22,478.35	\$ 8,288.69
2001	\$50,801.73	\$18,500.33
2002	\$41,615.90	\$16,135.63
2003	\$37,574.81	\$14,313.47
2004	\$33,716.60	\$12,896.64
2005	\$ 9,473.93	\$ 4,076.59
Totals	\$226,344.42	\$86,738.38

FACTS AND FINDINGS:

- (1) When yearly audits are preformed by both External and State Auditors, this has been their recommendation to write off these uncollectible accounts.
- (2) A copy of the schedule listing all the accounts are attached.

ALTERNATIVES:

- (1) Approve the Tax Commissioner's request to write off these uncollectible accounts.
- (2) Do not approve the Tax Commissioner's request.

POLICY ANALYSIS:

By writing off these uncollectible personal property tax accounts the County will be working with an accurate Tax Digest and valid delinquent accounts receivable records.

RECOMMENDATIONS:

That the Board approve Alternative 1.

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9. CONFIRMATION ON SALE OF 5000 JASMINE AVENUE.

Chairman Liakakis recognized Commissioner Shay.

Commissioner Shay said, move for approval. Commissioner Kicklighter said, second. Chairman Liakakis said, all in favor go on the board. The motion carried unanimously. [NOTE: Commissioner Thomas was not present.] Chairman Liakakis said, the motion passes.

ACTION OF THE BOARD:

Commissioner Shay moved to confirm the sale of 5000 Jasmine Avenue for \$400,000 to the Chatham-Savannah Authority for the Homeless on the condition that the property will be operated in a zoning classification as a "Public Use," which is consistent with R-1 zoning under *The Chatham County Zoning Ordinance*. Commissioner Kicklighter seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present.]

AGENDA ITEM: X-9
AGENDA DATE: October 7, 2005

TO: Board of Commissioners
THRU: R. E. Abolt, County Manager
FROM: Patrick Monahan, Asst. County Manager

ISSUE:

To confirm the sale of 5000 Jasmine Avenue.

BACKGROUND:

At the April 29, 2005 meeting, the Board voted to approve the sale of 5000 Jasmine Avenue to the Chatham-Savannah Authority for the Homeless on the condition that Chatham County and Union Mission work out use restrictions which would be acceptable to the adjoining homeowners, called the Mulberry Hill Community Association. The Board intended to allow Union Mission as the Homeless Authority's partner to acquire the property once the Mulberry Hill community received protection that a proposed use as a home for unwed mothers would not be inconsistent with historical use (Florence Crittendon Home) of the property nor become adverse to the neighborhood's quality of life. After several meetings and the development of deed restrictions, which shall run with the land regardless of any future owner, the property can be sold.

FACTS AND FINDINGS:

1. With resolution of concerns by the Mulberry Hill Community Association, the sale can proceed as originally planned. As of October 1, Union Mission has occupied the building. Closing is anticipated within the next several days.
2. Because of the Homeless Authority's status as a *body politic* (created by local act of the General Assembly), Chatham County can enter into a negotiated sale. While the Homeless Authority will own title to the property, it will be leased to Union Mission, SABHC's managing partner. Because the Homeless Authority will own the property, it will

maintain conformance with *The Chatham County Zoning Ordinance* as a "Public use," which is permitted with an R-1 zoning district with concurrence of the Board of Commissioners.

3. The property will be sold for \$400,000. Union Mission has received a grant of \$400,000 to acquire the property. While an appraisal valued the property at \$600,000, this was based on comparable sales of nursing and group living homes. Meanwhile, the Board of Assessors has placed a value of \$397,500.
4. Referred to as 5000 Jasmine Avenue, Chatham County owned the 9,650-square foot building and 2.5 acres of property off LaRoche Avenue in the unincorporated area. Acquired for the Chatham County Health Department (Tidelands) in September 1994, and funded through the Property Account, Chatham County leased the property until April 1, 2004, to Gateway. It became vacant and surplus when Gateway closed the Aging Services Program. The prior Board declared the property as surplus and authorized staff to proceed with its sale. When SABHC became interested in the property, the Board removed the property from public sale in July 2004 under a lease-purchase agreement with the Homeless Authority. At the September 24, 2004 meeting, the Board reconsidered its agreement based on concerns from neighbors about the Homeless Authority/SABHC's plan to use the 14-bedroom residence for "transitional housing." In April 2005, Commissioner Shay asked the Board to reconsider the sale of the property to the Homeless Authority, pending his working with affected parties on a mutually-beneficial plan.

FUNDING:

Proceeds from the sale will be received into the Land Bank/Surplus Property Account, since this funding acquired the property. Proceeds from this sale would fund FY 2004 and FY 2005 requirements of property maintenance and county SAGIS position.

ALTERNATIVES:

1. That the Board confirm the sale of 5000 Jasmine Avenue to the Chatham-Savannah Authority for the Homeless for \$400,000. In addition, the Board would concur in a zoning classification as a "Public Use," which is consistent with R-1 zoning under *The Chatham County Zoning Ordinance*.
2. That the Board take other action, as legal.

POLICY ANALYSIS:

Georgia Code § 36-9-3 et. al provides certain legal requirements for the disposition of publicly-owned property to maintain fiduciary responsibility for publicly-owned assets. A provision of this code section allows the sale of property to another government by negotiated contract.

RECOMMENDATION:

That the Board adopt Alternative 1.

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10. 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. Engineering services contract for a pilot project to create a GIS based road and drainage right of way inventory layer	SPLOST	Spatial Engineering, Inc.	\$47,322	SPLOST (1985-1993) - Administrative Expenditures
B. Change Order No. 2 to the contract for the removal and replacement of the fire alarm system at the Sheriff's complex for additional work and changes	CIP	Coastal Empire Fire and Security	\$11,800	CIP - Sheriff's Complex
C. Change Order No. 1 to the annual contract for daily janitorial services at the various "Southside" locations, to add to the scope of services, the rear portion of the Chatham County Citizens Service Center	Facilities Maintenance and Operations	Quality Cleaning Contractors, Inc. (FBE)	\$2,700 per year	General Fund/M&O - Facilities Maintenance and Operations

<u>ITEM</u>	<u>DEPT.</u>	<u>SOURCE</u>	<u>AMOUNT</u>	<u>FUNDING</u>
D. Withdraw from contract award and approve a new agreement to provide adjunct yard waste processing	Solid Waste	Evergreen Tree and Turf Care, Inc.	\$10 per ton	Solid Waste Restricted Fund
E. Confirmation for loading and hauling of free dirt	Solid Waste	Horizon Contracting (Sole Source)	\$18,897	Solid Waste Restrict Fund
F. Change Order No. 1 to the A/E design services contract for an Islands Police Precinct to assess the feasibility of design changes	SPLOST	Kern-Coleman and Company	\$12,880	SPLOST (2003-2008) - Police Merger (This leaves a contingency of only \$30,000 (2% of bid price) for this project)
G. Change Order No. 1 to the construction contract for the Charlie Brooks Recreation Complex - Phase I - Park Improvement project for additional services	Parks and Recreation	Benson Construction Co., Inc.	\$164,156	CIP - Parks and Recreation - Charlie Brooks Park (Pending Board approval of budget amendment)

As to Items 10-A through 10-G, except Item 10-F:

Commissioner Odell moved to approve Items 10-A through 10-G, except Item 10-F. Commissioner Kicklighter seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present.]

As to Item 10-F:

Change order No. 1 to the A/e design services contract for an Islands Police Precinct to assess the feasibility of design changes; SPLOST; Kern-Coleman and Company; \$12,880; SPLOST (2003-2008) - Police Merger (This leaves a contingency of only \$30,000 [2% of bid price] for this project)

County Manager Abolt said, Mr. Chairman, because of your previous action, just remove this from your agenda with no anticipated further disposition.

Commissioner Kicklighter said, so moved. Chairman Liakakis said, we have a motion on the floor. Do we have a second? County Manager Abolt said, remove it from the agenda. Commissioner Shay said,

second. Chairman Liakakis said, go on the board. The motion carried unanimously. [NOTE: Commissioner Thomas was not present.] Chairman Liakakis said, the motion passes.

ACTION OF THE BOARD:

- 1. Commissioner Odell moved to Items 10-A through 10-G, with the exception of Item 10-F. Commissioner Holmes seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present.]
- 2. Commissioner Kicklighter moved to remove Item 10-F from the agenda. Commissioner Shay seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present.]

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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.

None.

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XII. SECOND READINGS

None.

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XIII. INFORMATION ITEMS

- 1. **PROGRESS REPORT ON GENERAL FUND CONTINGENCY ACCOUNT - M&O AND THE SPECIAL SERVICE DISTRICT (SEE ATTACHED).**

ACTION OF THE BOARD:

A status report was attached for review.

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

ACTION OF THE BOARD:

No report was available for this agenda.

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3. ROADS AND DRAINAGE REPORTS.

ACTION OF THE BOARD:

Status report were attached for review.

AGENDA ITEM: XIII-3 Roads
DATE: October 7, 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 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, Phase 5. Right of way plans were approved on June 30, 2005. The acquisition process has started and will take until approximately December 2006 to complete (26 parcels acquired by early acquisition; 65 parcels to acquire). Design is underway.

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. A new contract completion date has not been established.

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. GDOT is waiting on a fee proposal from the contractor on the changes for the storm drainage.

4. Stephenson Avenue. Substantially complete as of April 1, 2005. Liquidated damages totaling \$54,450 were assessed from December 1, 2004 to March 31, 2005. GDOT, in company with the County, City of Savannah and APAC performed the final inspection on June 14, 2005. A final punch list (129 items) was compiled by GDOT with input from the County and the City of Savannah. This was given to APAC on June 21, 2005. Punch list items remain to be corrected. Staff is reviewing claims by APAC for additional costs and a time extension. Due to lack of activity on APAC's part to complete the punch list items, the GDOT is going to send a letter to them demanding justification for their inactivity. APAC will be given 10 days to respond. Should they fail to respond or not provide justification for their inactivity, they will then be given 30 days to complete the punch list. If they fail to meet these conditions, they may be found to be in breach of contract.

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. The revised Concept Report was submitted to GDOT on July 6, 2005. Waiting for GDOT approval so environmental document can be revised.

6. Diamond Causeway Widening. The Draft EA was approved by the FHWA on February 25, 2005, for advancement to public hearing. A Public Information Open House (PIOH) was held on June 9. GDOT staff is relooking design criteria (width of median and design speed of high span bridge) in the Draft EA. Also, County has offered to do improvements on Skidaway Island by County Contract. Guidance and decision by the GDOT is pending.

7. 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 for review on May 20, 2005. The GDOT has requested additional information regarding the Savannah Housing Authority's plans for Fellwood Homes.

8. Jimmy DeLoach Parkway, Phase 2 (I-16 to US 80). Another revised Final EA with a Finding of No Significant Impact (EA/FONSI) was forwarded to the GDOT on September 15, 2004. The GDOT forwarded the EA to FHWA on December 14, 2004, for approval. On March 1, 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. An updated Relocation Study was submitted on July 12, 2005. It was revised and resubmitted to GDOT on September 14, 2005.

9. White Bluff/Coffee Bluff Road. A Public Information Open House (PIOH) was held on August 12, 2004. GDOT is still 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. 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. 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 will need to evaluate 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.

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 has prepared responses to the comments received. The draft Concept Report needs estimated utility relocation cost from GDOT to complete it.

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. The GDOT hosted a PIOH on August 25, 2005, at the Tybee Island City Hall.

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 received July 12, 2005. GDOT executed the County Contract and gave notice to proceed on February 9, 2005. The contract, however, was apparently lost in the mail and was only recently received after staff inquired about it. Staff expected the solicitations for bids for a construction contract to be out by the end of August, however, right-of-way negotiations required some plan changes which delayed this process. Right-of-way issues will delay solicitations for bid for at least two months.

(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 executed the County Contract for Bond, Heather, Betran and Shore, and gave notice to proceed on August 19, 2005. It was projected earlier that solicitations for bids for a construction contract would be sent out during September, but right-of-way issues on these projects are also delaying the bid process. These issues will now require more plan changes. Staff is waiting on GDOT for the County Contract on Mobley, Yucca, Perkins and Stone.

b. 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. 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
October 2005

PROJECT	ELEMENT	MILESTONE FOR COMPLETION	AGENCY RESPONSIBLE	NOTES
Truman Parkway, Ph 5	Environmental ROW	Complete Dec 2006	County County/GDOT	EIS approved 8/12/99 Acquisition underway as of 7/1/05.
	Final Design Construction	Feb 2007 TBD	County/GDOT GDOT	COMMISSIONER STONE 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	COMMISSIONER STONE 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 COMMISSIONER STONE 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 COMMISSIONER STONE 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	Draft EA pending approval by GDOT. COMMISSIONER STONE LR
US 80 Widening - Bull River to Lazaretto Ck - I-516 to Victory Drive	Environmental Environmental	Unknown Unknown	GDOT GDOT	COMMISSIONER STONE LR COMMISSIONER STONE FY 2007
White Bluff/Coffee Bluff	Environmental	Unknown	County	COMMISSIONER STONE 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: COMMISSIONER STONE = FY in which the projects are programmed for construction in the CUTS 2006-2008 TIP.				

AGENDA ITEM: XIII-3 Drainage**DATE: October 7, 2005****TO:** Board of Commissioners**THRU:** R. E. Abolt, County Manager**FROM:** A. G. Bungard, P.E., County Engineer**ISSUE:** To provide information on the status of Chatham County drainage projects.**BACKGROUND:** For construction contracts that have been awarded, this report provides the latest scheduled completion dates. For projects pending environmental permits, start dates are best estimates. All project scopes include varying degrees of canal widening, bank stabilization, larger bridges and culverts.**FACTS AND FINDING:**

1. Pipemakers Canal

- a. Phase 1 (From the outfall at Savannah River to SR 21). Double channel size, replace bridges, replace tidegate, and provide maintenance access.
 - i. The channel widening is complete and the new sluice gates are now able to function automatically. The Contractor continues to manually operate the gates in order to complete the final stages of the work.
 - ii. Staff expects substantial completion will be achieved by mid October 2005, with final cleanup and adjustments taking several more weeks to complete.
 - b. Phase 2 (From SR 21 to I-95). Double channel size and provide maintenance access.
 - i. ROW acquisition is underway.
 - ii. The permit application package and drawings for this project were returned to the consultant for corrections in early June 2005. Staff is still waiting on the consultant for the revised documents in order to assemble the required application package.
 - c. Kahn Mitigation Site. The final mitigation package for Phase 2, which includes the Kahn Site, is being designed concurrently with Phase 2 design. Staff is waiting on the consultant to provide the final project documents.
 - d. 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.
 - e. 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. Design is underway.
2. Hardin Canal
- a. Phase 1 (From SR307 to I-16). Widen channel and replace bridge crossings.
 - i. Efforts to acquire necessary permits from the USACE are ongoing. Strong objections from various review agencies have not been overcome. Staff has determined withdrawal of the permit application for Phase 1, and re-application for a separate permit to cover only the crossings at SR307, is the most promising way to acquire a permit enabling construction work to begin.
 - 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. Construction drawings and specifications for required drainage improvements are complete.
 - ii. All property acquisition is complete.
 - iii. Pavement and utility demolition will be accomplished as the next step. Staff is investigating the soils at the site. If the soil is acceptable, Staff intends to construct the proposed detention basin by using this soil as structural fill for the County's proposed Jail expansion project, thereby realizing a saving in cost to the County.
 - c. The railroad undercrossing Final Design Report has been approved. Construction drawings have been reviewed by Staff. Plans have been reviewed and accepted by the railroad. Staff is negotiating for access onto Hunter Army Airfield property (required for project construction). Other easements for construction are being acquired under the Louis Mills Drainage Improvement Project.
 - d. Perimeter Road Repairs. In late March 2005, Staff was advised by HAAF that a portion of Perimeter Road sustained flood damages, and requested assistance from Chatham County for its repair. The Board approved funding for the repairs on April 15, 2005. During the repairs, Staff determined that the cause of the damage was related to modifications made by HAAF to the drainage structure. Staff requested HAAF to reimburse the County for the cost of the repairs. HAAF subsequently denied any responsibility and has refused to reimburse the County. Staff is considering options.
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. 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 construction and right of way plans have been returned to the Consultant for corrections. Coordination with GDOT for the crossing at Highway 80 is ongoing. Application for approval of wetland delineation has been submitted to the USACE. Due to budget constraints, Phase 1 is to be further

- divided into Phases 1A, 1B and 1C. Phase 1A shall extend from Pipemakers Canal to Conaway Road. Consultant has been directed to work on construction and right of way plans for Phase 1A.
- ii. Phase 1B shall extend from Conaway Road to Main Street. Construction of these improvements is subject to additional funding.
 - iii. Phase 1C includes the additional area west of Maple Street requested by City of Bloomingdale. 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. The impacts of proposed land development projects by GPA and a private development in the City of Port Wentworth are being investigated by Staff. Under the Freedom of Information Act, Staff is attempting to acquire information from the USACE that the GPA has not voluntarily provided.
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. Design of a project to provide slope stabilization at Wilmington Island Road is underway. Staff is reviewing preliminary recommendations.
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. Progress has been delayed since March 2005. A significant cause of the delay has been the time required to obtain a completed Title Exam on an affected property, finally received in September 2005. Design work on the drainage improvements is now able to proceed.
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. Drawings of the Preliminary Design

have been provided on schedule by the consultant and are under review by Staff.

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. Extension of the wetland permit has been obtained from the USACE.
 - e. Staff submitted comments to the USACE on the Joint Public Notice related to proposed private commercial development on subject property.

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. Easements at the downstream portion of this project will be used, and are necessary for, construction of the Westlake Undercrossing project (See item 3.c. above).

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 have been reviewed Staff and returned to the consultant for minor revisions. Acquisition of easements and ROW is underway.

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 underway. As a result of several liens on the property, Staff expects acquisition might take several more months to complete. Staff

requested a Right-of-Entry agreement from the property owner. Construction work can begin as soon as the agreements are secured.

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. Efforts to acquire the permit from the USACE continues. Additional information is required by the State Historic Preservation Office (SHPO) has been provided and a release obtained by that agency. A permit from USACE is expected soon.
 - b. Acquisition of easements is underway.

18. Quacco/Regency Park Storm collector improvements to relieve severity and frequency of flooding within community. The final Design Study Report final report was expected from the consultant in September, and is now expected in early October. Based upon the report's recommendations, Staff prepared a scope of work for design of the drainage improvements and is currently negotiating a price for the professional design services.

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.

Construction progress is slower than anticipated, partially due to the Contractor's inability to provide adequate manpower on the project. Other significant causes of delay include the weather and slow responses by utility companies to relocate their facilities. Staff continues to work with the Contractor to address this concern.

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 24 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 This project was initiated in mid 2003 as a drainage improvement project intended to correct nuisance flooding (flooded yards as reported by one of the area's residents). Staff initiated a project to correct the problem, beginning with a study to identify a proper solution and then to acquire the needed drainage easements and rights of way. A solution was identified, having features including increased drainage capacity and provisions for access and continued system maintenance. The resident that reported the flood condition, and who would benefit the most from the improvements, has indicated strong opposition to selling land for easements and/or rights of way to the County, and was opposed to the provisions that were proposed for County access to maintain the improvements. Staff is not aware of any structural flooding problems in this area. The project is therefore being terminated. It may be reactivated at a later time in the event more serious drainage problems become known.

23. Georgetown Canal Upgrading roadway undercrossings to improve drainage capacity at St. Ives Way. Construction work is approximately 80 percent complete. High demand for construction materials in the local area has slowed completion of the work.

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. Efforts continue to secure the necessary permits for the project. Staff is working to address concerns raised by the Coastal Resources Division of the Department of Natural Resources over impacts to marshland habitat that has grown in the manmade Walthour Canal.

- 25. Wilmington Outfall A project to correct storm sewer drainage pipes between Wilmington Road and the Wilmington River. Staff prepared a scope of work for design of the drainage improvements and is currently negotiating a price for the professional design services with the consultant that investigated the problem and prepared the Design Study Report.

RECOMMENDATION: For information.

Districts: All

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

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4. MONTHLY STATUS REPORT ON NEW RECREATION RESOURCES (RAP).

ACTION OF THE BOARD:

A status report was attached for review.

AGENDA ITEM: XIII-4

AGENDA DATE: October 7, 2005

TO: Board of Commissioners

THRU: R. E. Abolt, County Manager

FROM: Robert Drewry Director, Public Works and Park Services

ISSUE: Provide Board a status update on RAP

BACKGROUND:

At the Board's request, staff has developed a Recreational Action Plan (RAP) that best utilizes the \$500,000 allocated to Parks and Recreation for FY 06. It is staff's overall commitment to improve the visibility of the recreation facilities and the quality of recreational programs for the citizens of this community.

FACTS AND FINDINGS:

- 1. To provide Board with a status update on RAP
- 2. The RAP is as Follows:

I. Personnel**Tasks:****1. Purchase equipment for Carpentry Crew:**

Purchased additional carpentry tools. Crew has begun making repairs as noted further in update.

II. Facility Repairs**Task:****1. Lake Mayer**

- A. Replace roof on large pavilion
 - Staff will continue their search to hire a structural engineer to certify existing supports can accommodate span of new roof
- B. Renovate restrooms
 - Staff recommend that this task be contracted out, and will seek qualified contractors.
 - Staff has asked County Maintenance and Operation employees for input.
- C. Repairs Made at Lake Mayer
 - Repaired broken post in parking lot
 - Repaired walkways leading to large pavilion and restroom.

2. Ambuc Park

- A. Renovate restroom
 - Staff is in the process of securing cost on all needed material.
- B. Re-establish baseball infield
 - Staff will begin improving the infields at the conclusion of football season. Cost of infields mix is \$39 per cubic yard
- C. Install concrete walk at concession building
- D. Install new back stop fencing
- E. Replace old wooden dugouts with chain link
- F. Replace score clocks

Note: To avoid construction during football season, staff will secure all material to have on hand at the conclusion of football season for the above.

3. L. Scott Stell Park/Jim Golden Complex

- A. Renovate restroom
- B. Re-establish baseball infield. Cost of infield mix is \$39 per cubic yard.
- C. Install concrete walk at concession building
- D. Install new back stop fencing
- E. Replace old wooden dugouts with chain link
- F. Replace score clocks
- G. Ran new wire to two score clocks

Note: Staff is currently securing the material cost to begin construction.

4. Memorial Stadium

- A. Replaced Plexi-glass in Press Box
- B. Rejected bids for replacing restroom, and locker roofs.
- C. Repaired all electrical lights and outlets
- D. Repaired concession stands and vents on both sides

5. Frank W. Spencer Boat Ramp

- A. Repairs to restroom and fishing pier deck

III. Recreational Programs

Task

1. Create a local sports panel of select coaches, parents, volunteers.

Staff is in the process of putting together a panel of 6 coaches, parents, and volunteers. To date, two coaches have volunteered to serve on the panel.

2. The panel will solicit and recruit more coaches with particular emphasis in the unincorporated neighborhoods.

For the upcoming football season, we were able to recruit 2 teams from Wilmington Island, 1 team from the Georgetown area, and 1 from the Ogeechee Road and Burroughs Community.

3. In baseball/softball programs, an open division will be offered along with the recreational league to create opportunities for youth to compete within their own skills and abilities.

Staff is in the process of formalizing plans to start a Select League in March 2006, with a Recreational League in April 2006.

4. Take advantage of public school facilities for programs such as basketball when available.

Staff will stay in contact with the Board of Education to take advantage of any available dates.

Note: Staff recently met with coaches that were interested in starting a Select League in the Spring. This league is not currently offered in this area, and will focus on teams from public and private middle schools. Items discussed were, Entry Fee, Divisions, Practices and Games, General Rules, and Players Eligibility. Another meeting is scheduled for December 6, 2005, to finalize the number of teams to participate. Staff will inform the Board after the next meeting of the exact number of participants, and when the season will start.

Funding:

N/A

FOR BOARD INFORMATION ONLY

Various Districts

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EXECUTIVE SESSION

Upon motion being made by Commissioner Farrell and seconded by Commissioner Odell, the board recessed at 11:45 a.m. to go into Executive Session for the purpose of discussing land acquisition and personnel.

Following adjournment of the Executive Session, the meeting of the Board of Commissioners was reconvened at 12:19 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 to approve a motion to authorize the Chairman to execute an Affidavit that the Executive Session was held in compliance with the Open Meetings Act. Commissioner Shay seconded the motion and it carried unanimously. [NOTE: Commissioners Kicklighter and Thomas were not present.]

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ADJOURNMENT

There being no further business, the Chairman declared the meeting adjourned at 12:20 p.m.

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APPROVED: THIS _____ DAY OF _____, 2005

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

SYBIL E. TILLMAN, COUNTY CLERK