

**MINUTES OF THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF CHATHAM COUNTY, GEORGIA, HELD ON FRIDAY, NOVEMBER 4, 2005, IN THE COMMISSION MEETING ROOM ON THE SECOND FLOOR OF THE CHATHAM COUNTY COURTHOUSE, LEGISLATIVE AND ADMINISTRATIVE BUILDING, 124 BULL STREET, SAVANNAH, GEORGIA.**

**I. CALL TO ORDER**

Chairman Pete Liakakis called the meeting to order at 9:30 a.m., Friday, November 4, 2005.

=====

**II. INVOCATION**

Chairman Liakakis gave the Invocation.

=====

**III. PLEDGE OF ALLEGIANCE**

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

=====

**IV. ROLL CALL**

The Clerk called the roll.

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

- Also present:     Russell Abolt, County Manager
- Jonathan Hart, County Attorney
- Sybil E. Tillman, County Clerk

=====

## YOUTH COMMISSIONERS

Chairman Liakakis welcomed the following Youth Commissioners who were in attendance: Kandace Butler, a Junior at Johnson High School, and Kyle Burnsed, a Senior at Savannah Arts Academy.

=====

### V. PROCLAMATIONS AND SPECIAL PRESENTATIONS

#### **1. PROCLAMATION DECLARING NOVEMBER 5, 2005, JUNKIN' FOR CHARITY DAY. MICHAEL DAVES, GENERAL MANAGER OF COMCAST CABLE, WILL BE ACCEPTING THE PROCLAMATION.**

Chairman Liakakis asked, Mike [Daves], would you come forth please and bring those up here with you.

Commissioner Stone read the following proclamation into the record:

**WHEREAS**, hunger affects many people in our community, it does not discriminate against social classes, gender or, individuals; and

**WHEREAS**, America's Second Harvest Food Bank of Coastal Georgia supports over 450 nonprofit agencies in 21 urban and rural counties, and distributed over 5.5 million pounds of food last year; and

**WHEREAS**, Comcast of Savannah and Turner South are joining together in the opening of "JUNKIN' Day" to bring Chatham County citizens together while reaching out to those that are less fortunate in our community; and

**WHEREAS**, "JUNKIN' for Charity" provides two powerful community outreaches through America's Second Harvest Food Bank of Coastal Georgia and the victims of Hurricane Katrina; and

**WHEREAS**, "JUNKIN' for Charity" allows citizens an outlet to donate their unused household items and to see the same items benefit those less fortunate.

**NOW THEREFORE**, I Pete Liakakis, on behalf of the Chatham County Board of Commissioners, do hereby proclaim, Saturday, November 5, 2005 as:

**JUNKIN' FOR CHARITY DAY**

in Chatham County, and urge all citizens to resolve on this day to promote those qualities and attributes that will strengthen the bond between the citizens of Chatham County that will allow for demonstration of selfless acts that benefit those less fortunate in our community.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the Seal of Chatham County, Georgia to be affixed this the 4<sup>th</sup> day of November 2005.

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

**ATTEST:**

\_\_\_\_\_  
Sybil E. Tillman, Clerk

Chairman Liakakis said, Mike [Daves], would you identify yourself and we'd like to hear from you.

Mr. Daves said, yes, thank you, Mr. Chairman. I'm Mike Daves. I'm the Vice President and General Manager of Comcast in Savannah. On behalf of Comcast and Turner South, I greatly appreciate this honor. I think this is a great attribute of what two members of this community with both ourselves and Turner South can do, such as Junkin' for Charity. We'd like to see all of you at Home Depot tomorrow to bring everything that you can and support a great cause. Thank you.

Chairman Liakakis said, Mike [Daves], on behalf of the Chatham County Commission and the citizens of Chatham County, we thank you very much because we know that Comcast under your leadership has done a number of charitable things and helping a lot of people in our community that are less fortunate and unable to help themselves sometimes, but the things that you sponsor really makes a difference and has changed a lot of people's lives. So, Mike Daves, on behalf of the Chatham County Commission I appreciate that very much.

Commissioner Odell said, Mike [Daves], could you identify the people who are here? They took the time to come here this morning and let's see who they are.

Mr. Daves said, this is —. Ms. Holliday said, I'm Julia Holliday with Turner South and this is Cynthia Free and Jamelia Law. Mr. Avery said, I'm Jerry Avery with Comcast.

Chairman Liakakis said, thank each and every one of you. I appreciate it. Thank you.

=====

## **2. PROCLAMATION RECOGNIZING VETERAN OF THE YEAR, CHARLIE HEARN.**

Chairman Liakakis said, I'm happy to do this, Charlie [Hearn], because I know all the wonderful things that you have done for the veterans in our community and other things also, and it's really great that the Veterans Council of Chatham County has elected you this year as Veteran of the Year because you well deserve it. You have put a lifetime in helping others, whether it's somebody with medical problems or some projects that the veterans have, you've been outstanding in doing that, and I'd like to read this proclamation now.

**WHEREAS**, in the eyes of veterans, the Veteran of the Year is a special person that has demonstrated a willingness to sacrifice time and energy on behalf of veterans, and today we salute that special person, the Veteran of the Year 2005, Charlie Hearn; and

**WHEREAS**, Charlie Hearn spent the best years of his life as a soldier - part of it behind a .50 caliber gun in the sub-zero cold and waist deep snow of the Belgain Ardennes, resisting the last major German offensive of World War II, the Battle of the Buldge; and

**WHEREAS**, he entered the battle wearing his summer uniform and was given an overcoat by an injured friend which helped kept him alive as German artillery shells destroyed the Ardennes Forest; and

**WHEREAS**, after fighting for 45 days in the severely cold weather, Charles Hern, suffering from frozen feet, had to leave the battle

**WHEREAS**, at the youthful age of 81, he is continuing his dedication to his county by helping other veterans.

**NOW, THEREFORE**, I, Pete Liakakis, Chairman, on behalf of the Chatham County Board of Commissioners, do hereby salute Veteran of the Year 2005:

**CHARLIE HEARN**

for receiving the highest honor a veteran in Chatham County can receive and applaud his dedicated devotion to fellow veterans.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the Seal of Chatham County, Georgia to be affixed this the 4<sup>th</sup> day of November 2005.

---

Pete Liakakis, Chairman

Chatham County Commission

ATTEST:

\_\_\_\_\_  
Sybil E. Tillman, Clerk

Mr. Hearn said, thank you for this great honor. I'd like to say that Joe Markwalter, who is Chairman of the Veterans Council, has brought five new organizations or posts into the Veterans Council this year. He's a Vietnam veteran, he got wounded in combat, he come off with a Silver Star. He's a real hero and he's a real asset to the Veterans Council of Chatham County. I'd like to also say that I'd like to invite all of you to participate in the parade, and when you go down Montgomery Street and turn east on Broughton Street and you look up overhead and you see those deceased veterans' flags flying, if that doesn't bring tears to your eyes and let you know that you're in the greatest county in the State of Georgia and you're also in the most beautiful city in the world. Joe and I would like to invite all of you to come and participate with us and let the nation know that we honor our deceased veterans and we support our soldiers at Hunter Field and all our soldiers overseas, MIA's and the Prisoners of War, and we'd just like to have y'all come and honor those people. Thank you.

=====

**3. PROCLAMATION RECOGNIZING VETERANS DAY PARADE MARSHAL, JOHNNY McKENZIE.**

Chairman Liakakis said, I'd now like to call on Commissioner Holmes to do the proclamation recognizing Veterans Day Parade Marshal Johnny McKenzie. Johnny, would you step us with Commissioner Holmes please.

Commissioner Holmes read the following proclamation into the record:

**WHEREAS**, originally called Armistice Day, November 11<sup>th</sup>, now known as Veterans Day, is a declared holiday commemorating all service men and those killed in battle. To be named Parade Marshall of the Veterans Day Parade is a special honor and we salute the 2005 Veterans Day Parade Marshall, Johnny McKenzie; and

**WHEREAS**, Johnny McKenzie is a veteran of the U. S. Navy and served on the USS Franklin D. Roosevelt in the Gulf of Tonkin during the Vietnam War; and

**WHEREAS**, he served as a plane captain responsible for readying F-8G Crusaders and their pilots for battle, a job that almost cost him his life when a fire broke out in an artillery hold that he wanted to help extinguish when a fellow sailor held him back and informed him that everyone that went down that hole had died; and

**WHEREAS**, Johnny McKenzie, Chairman of Georgia's POW/MIA Fund, volunteers much of his time working fund-raisers and other events and is dubbed one of the hardest working veterans.

**NOW, THEREFORE**, I, Pete Liakakis, Chairman, on behalf of the Chatham County Board of Commissioners, do hereby salute:

**JOHNNY MCKENZIE**

for being named Parade Marshall of the 2005 Veterans Day Parade and extend sincere appreciation for his dedication and commitment to veterans in the Chatham County community.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the Seal of Chatham County, Georgia to be affixed this the 4<sup>TH</sup> day of November 2005.

---

Pete Liakakis, Chairman

Chatham County Commission

**ATTEST:**

---

Sybil E. Tillman, Clerk

Mr. McKenzie said, it's a great honor to be the 2005 Parade Marshal and also it's a great privilege to be a member of and associated with these great veterans and heroes of Chatham County. I'm proud of the Veterans Council of Chatham County, and they're heroes to me. I don't consider being a hero because I was safe on a ship, but like the proclamation said, I come close to losing my life, but anyway thank y'all for having me as the Parade Marshal.

Chairman Liakakis said, Johnny [McKenzie], we thank you because I see as a member of the Veterans Council the hard work that you do in our area to help veterans in many ways and we do appreciate that very much, and we're also proud that you are the Parade Marshal for this year. Thank you. Mr. McKenzie said, thank you, Pete [Liakakis].

Chairman Liakakis said, what I'd like to do, Joe Markwalter, would you come forward and I'd like you to speak out. I want everybody to know that Joe, if you'll identify yourself because he is the Chairman of the Veterans Council and there are quite a number of veterans organizations that belong to the Veterans Council who have been working hard over the years to lobby Congress for veterans' rights and benefits.

Sometimes many of the veterans that have worked hard over the years that have served the country and, of course, we have many of them that have lost their life, and sometimes what the Veterans Administration has done they have not given the benefits to the veterans like they should have, but we've got a great Veterans Council here who has lobbied along with other veterans organizations around the country and, Joe, we do appreciate your leadership.

Mr. Markwalter said, thank you, Chairman Liakakis. First of all, I'd like to acknowledge the fact that these two gentlemen with me today, the Veterans of the Year and the Parade Marshal, were both in their 20's when they were in the military service, they came out of the service, they went to work, they both retired from a regular job at the railroad, and then they went to work again serving veterans. They've never ceased serving the veterans and the community and both of them are wonderful guys, and what we have in the Veterans Council today we owe to our predecessors, people like Colonel Dan Fogarty, who is out here, who gives us good guidance. If we had time, I could tell you stories about every veterans here how much he does, and you know most of them, and we appreciate everything that you and the County Commission does to help veterans. Thank you very much.

Chairman Liakakis said, thank you, Joe [Markwalter]. Would all the veterans in the audience please stand up. I think we ought to recognize them. [Applause was given for the veterans.]

=====

#### **4. PROCLAMATION DECLARING NOVEMBER 15, 2005, V.A. STAND DOWN FOR HOMELESS VETERANS DAY. PAULA BARRETT WILL RECEIVE THE PROCLAMATION.**

Chairman Liakakis said, Commissioner Farrell will do the proclamation declaring November 15, 2005, V. A. Stand Down for Homeless Veterans Day. Paula Barrett and whoever else is with you, would you come forth please.

Commissioner Farrell said, I'd like to present this proclamation:

**WHEREAS**, the Nation's veterans often face difficulties readjusting to civilian life after serving in the Armed Forces and the lack of seamless transition from the military to civilian life contributes to homelessness among veterans; and

**WHEREAS**, the original Stand Down for homeless veterans was modeled after the Stand Down concept used during the Vietnam War to provide a safe retreat for units returning from combat operations; and

**WHEREAS**, in 1988, two Vietnam veterans, Robert Van Keuren and Dr. John Nachison, created an annual outreach event in San Diego, California known as "Stand Down" to provide services and hope for homeless veterans

and this has been replicated in over 100 cities nationwide and benefitted over 100,000 homeless veterans; and

**WHEREAS**, for combat veterans, the deep psychological effort can make the readjustment period more difficult and often leads to mental illness, substance abuse, inability to obtain employment, and homelessness; and

**WHEREAS**, it is estimated that every night 275,000 veterans, are homeless and more than 500,000 are homeless at some time during the course of any given year.

**NOW, THEREFORE**, I, Pete Liakakis, Chairman, on behalf of the Chatham County Board of Commissioners, do hereby proclaim, Tuesday, November 15, 2005 as:

**2005 V. A. STAND DOWN FOR HOMELESS VETERANS DAY**

in Chatham County and commend Ms. Paula Barrett, Coordinator, Domiciliary Care Homeless Program at Carl Vinson V. A. Medical Center; doctors and nurses of V. A. hospitals in Dublin and Savannah, Georgia; Hunter Spouses Club; Ken Seymour, Chatham County Military Liaison and all other organizations dedicated to improve the lifestyle, physical and mental conditions of veterans who served the United States proudly and protected the freedoms of all Americans.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the Seal of Chatham County, Georgia to be affixed this the 4<sup>th</sup> day of November 2005.

---

Pete Liakakis, Chairman

Chatham County Commission

**ATTEST:**

---

Sybil E. Tillman, Clerk

Ms. Barrett said, I'm Paula Barrett. I'm a social worker at the Domiciliary Care Program for Veterans that are homeless at the Carl Vinson V. A. Medical Center in Dublin, and I'm a native daughter of Savannah and it's an honor to stand before you this morning. You did a great job of describing what a Stand Down is so I won't belabor you with additional information regarding that. As you know, Stand Downs provide resources for veterans and other individuals who are homeless, one of which is Domiciliary Care Program which are located throughout the nation and VA Hospitals, and one is located in Dublin, Georgia. This program is a six month back-to-work program and in 2005 there were 178 veterans served, both male and female. Their average age was 47, their racial makeup is 65 white and —, 35% White and 65% Blacks or African-Americans and [inaudible], at discharge from our program 91% were housed, 57% were unemployed. Some of our expectations for those veterans who participated in the program is to save their money, to establish a bank account and find employment and find housing. Stand Downs would not take place without the support of many individuals and the community. Therefore, I would like to recognize, first of all, the Chatham County Commissioners or their support of individuals who are experiencing homelessness, including veterans and non-veterans alike, and also for their support of veterans in the Coastal Georgia area and their support of active duty military. I would also like to recognize Mr. Ken Seymour, who is the Military Liaison of Chatham County, for his tireless efforts and superb organizational abilities, which without him this event would not have been a success that it will be on November 15<sup>th</sup>. Chatham County is very fortunate to have such an asset in their community. I would also like to recognize Ms. Ann [inaudible], who's my colleague at the Carl Vinson V. A. Medical Center, who's care and concern for veterans is unprecedented. I don't think Mr. Wolfe has joined us today, but I do need to recognize Mr. Wolfe of the Salvation Army for his commitment and care to individuals experiencing homelessness, both veterans and non-veterans. I'd also like to recognize the Savannah's Homeless Authority, who provides a plethora of resources to homeless, both veterans and non-veterans, in the Savannah area. And joining us today are Carlos Baker and his colleague, Sharon Hill. I'd also like to recognize the Savannah [inaudible], Ms. Keith, who's a social worker there, and Mr. Spence, who's the Business Manager, and Social Worker Ms. Parks. Next, I'd like to recognize those individuals who supported this effort from Hunter Army Airfield, and before I do that, I want to also recognize Mr. Jerry Walker, who's with the Vice Commander Purple Heart —, did I get this right, Mr. Walker? Mr. Walker said, yes. Ms. Barrett said, of the State of Georgia and he was instrumental in our Stand Down last year, and we're very excited to have him join us again this year. A second significant group at Hunter Army Airfield is the South Club. I was a daughter of an Air Force officer, and I realize the value of spouses and support of a spouse in our military endeavors. Had it not been for my father's life, my mother, you know, our lives probably would have been different and so I think that's very significant. So I'm very proud to introduce to you Isabelle Harmon, who's spouse is the [inaudible] Ranger Battalion, and Ms. Baze, who's spouse is a pilot with [inaudible] Aviation. I think that's right. I don't have that much familiarity with Army, I apologize. And Ms. Karen Kaufman, who's been instrumental. These spouses will provide meals for the homeless individuals who will serve on the 15<sup>th</sup>. There are many others in their groups who also provide support. I'd like to also, as part of that group, is Lori O'Neil [phonetic], who's spouse is the General Officer of the 3rd I.D. at Hunter. So I certainly appreciate their support.

Chairman Liakakis said, thank you.

Commissioner Kicklighter said, Mr. Chairman, may I —. Chairman Liakakis said, yes. Commissioner Kicklighter said, I just want to thank all of you. Basically, in this country anyone with a mental illness I don't believe they should be homeless, but these folks, these veterans that fought for our freedom and

maybe developed some kind of mental illness fighting for our freedom, they should never, ever, ever be homeless, and I think your work is just absolutely awesome, and again to not sound compassionate, I know we're a wealthy country and anyone with mental illness shouldn't be homeless, but especially these folks that fought for us to sit here and talk freely. I appreciate it. That's just awesome work.

Chairman Liakakis said, thank you. We appreciate each and every one of you.

=====

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

### **1. RELIGHTING THE FLAME OF FREEDOM AT THE MONTGOMERY STREET COURTHOUSE.**

Chairman Liakakis said, I'd like for Ms. Sasser, Joe Markowitz [phonetic], Dan Fogarty, Billy Quinan, Richard Barrow, Jimmy Ray, and anybody else that's here that has worked on that committee, would you please come up to the microphone, to the podium please, all of you. One of the things that was concerning us, some of you might not know, we have a Flame of Freedom that's in front of the Montgomery Street Courthouse and what had occurred is that it had some mechanical problems and the light went out. In fact, it had deteriorated over the years because the way the flame unit was set up, it had leaked in there, the water, some of the wiring and all. So it was a substantial amount of money that it was going to cost to replace that, and Dan Fogarty had called me and some of the other veterans talking about that. I had called him and spoke to him about it also, and what Dan was going to do as chairman of the relighting of the committee [sic], is to go out and seek funding from different individuals in the community who would pay for the putting in the new flame and all the necessary items to make it work and for it to last for a longer period of time. And when he did talk to Mrs. Sasser, who's here today, Mrs. Sasser on honoring her husband, who was a real hero in World War II, and he was a great individual and we can see from his great record the sacrifices that he made when he put his life in jeopardy on numerous occasions that he has one of the real heroes. He passed away not to long ago and I know a group of veterans went to his home to tell him how much they appreciate him and what a good guy he is, and over the years you can see with the wonderful things he did on Wilmington Island giving a lot of employment to a lot of other people. Ms. Sasser, on behalf of the Chatham County Commission, I'd like to thank you very much because your deed in contributing the entire amount of this relighting of this Flame of Freedom to honor all veterans, those that have passed and those that are still living, is wonderful that you would do that, and I'd like for you now, if you would like to comment to us.

Ms. Sasser said, well, thank you. You would be amazed. He was a hero. It's just a wonderful opportunity and a way of showing our appreciation to him and all the veterans.

Chairman Liakakis said, thank you very much, Ms. Sasser. And now I'd like to call Dan Fogarty, who is Chairman of that committee, to come forth and we are going to have a relighting ceremony and I'd like Dan to come up. And there's something about Dan Fogarty, too. He has been a hard worker for veteran's affairs for many years and, in fact, the VA Clinic that we have in Chatham County, we can thank Dan Fogarty for his hard work because he went to Washington on numerous occasions and what he did, he lobbied a number of the House of Representatives and the US Senators to come and get that

VA Clinic. He had some other people on his committee, but he did an outstanding job and the veterans and all of us can thank Dan Fogarty for his hard work in getting that VA Clinic in Chatham County. So that helped a lot of veterans that would not have to go to Dublin and other areas around the country for medical help. Dan, if you would come forth now, Colonel Fogarty, Retired, and tell us about the time element for relighting the Flame of Freedom.

Colonel Dan Fogarty said, thank you, Mr. Chairman. I want to thank my committee here today, and you've already recognized two of them. We have so many outstanding veterans in Chatham County. We're led by Joe Markwalter, Jimmy Ray, Billy Quinan —. Billy Quinan's on my committee, Tommy Hearn's on my committee, Johnny McKenzie's on my committee and, of course, without the staff and the Sasser family, it wouldn't be possible without them. I had three pages of names that we were going to contact to get this money because it had to be quick. I learned about it on the 14<sup>th</sup> of August that the flame had gone out from the beautiful article in the paper written by a reporter from *Savannah Morning News*, and I called Pete [Liakakis] and right away he and Russ Abolt get busy on this and says see what you can do. I called Joe Markwalter and he said you're the chairman of the committee. I thought I had retired, but anyway I'm back. We are going to relight the flame on the 10<sup>th</sup> of November at two o'clock in front of the courthouse on Montgomery Street, and we invite everyone of you to be there and I want to thank you for your patience and for your trouble in helping us getting the speedy results that we have. I certainly want to thank this lovely, lovely lady, Mrs. Sasser, because of all the people I had on my list, she was number one and she said the bucks stops there, I'll take it all. So we owe her our gratitude. Thank you so much.

Chairman Liakakis said, Dan [Fogarty], again thank you and your committee for working on this. I think that's very important that we have that Flame of Freedom at the courthouse recognizing this and, Mrs. Sasser, to you and your family, we thank you and may all of you be blessed.

=====

## **VII. COMMISSIONERS' ITEMS**

### **1. RISEN SAVIOR LUTHERAN CHURCH TAX ISSUE (COMMISSIONER KICKLIGHTER).**

Chairman Liakakis said, I'd like to call on Commissioner Kicklighter for that item.

Commissioner Kicklighter said, thank you, Mr. Chairman. For some time now I've been in contact with members of this church, and they feel as if they're entitled to a reimbursement on their property taxes. So for whatever reasons, it's just never made it in front of us so I just thought we may as well resolve the issue and see —, get to the bottom of it and if we owe them money, we need to get this thing moving. So at this point —. County Manager Abolt said, a simple motion to refund the money would be in order. Commissioner Kicklighter said, okay. I'll make a motion to refund the tax —. County Manager Abolt said, \$4,006.81. Commissioner Farrell said, second.

Chairman Liakakis said, okay. Would you like to identify yourself? A gentleman said, I'm the President of the Risen Savior Lutheran Church. I contacted Commissioner Kicklighter and I appreciate it. Thank

you very much. Chairman Liakakis said, thank you very much. Now, as has been stated —, would you like to make a comment? Commissioner Gellatly said, no sir. I'm just ready to call for the question. Chairman Liakakis said, okay. Let's go on the board. The motion carried unanimously. Chairman Liakakis said, the motion passes.

**ACTION OF THE BOARD:**

Commissioner Kicklighter moved to reimburse Risen Savior Lutheran Church the sum of \$4,006.81 for taxes paid for tax year 2004. Commissioner Farrell seconded the motion and it carried unanimously.

**AGENDA ITEM: VIII-1****AGENDA DATE: November 4, 2005**

TO: Jon Hart, Esq., County Attorney

FROM: Abda Quillian, Esq., Attorney for Chatham County Board of Assessors

**ISSUE:**

To consider whether the County Commission will forgive taxes paid by Risen Savior Lutheran Church, Pin# 5-1009-01-31 for tax year 2004.

**BACKGROUND:**

Risen Savior Lutheran Church is located in West Chatham County. The church paid \$4,006.81 in taxes for tax year 2004.

**FACTS AND FINDINGS:**

1. The Risen Savior Lutheran Church is a religious organization and as such is entitled to exemptions granted in OCGA 48-5-41(a)(2.1)(A).
2. The Board of Assessors upon receipt of an application for exemption for tax year 20045 granted said exemption.
3. OCGA 48-5-380 provides county governing authority to forgive or refund taxes.

**FUNDING:**

Delinquent collections of the Tax Commissioner's office.

## ALTERNATIVES:

1. The Commission should forgive \$4,006.81 paid by Risen Savior Lutheran Church for tax year 2004.
2. The Commission should not forgive \$4,006.81 paid by Risen Savior Lutheran Church for tax year 2004.

## RECOMMENDATION:

Alternative 1.

=====

## **CHATHAM AREA TRANSIT AUTHORITY**

Upon motion made by Commissioner Gellatly, seconded by Commissioner Thomas and unanimously approved, the Board recessed as the County Commission at 10:10 a.m., and convened as the Chatham Area Transit Authority.

Following adjournment of the Chatham Area Transit Authority, the Board reconvened at 10:55 a.m., as the County Commission.

=====

## **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 (\*).

None.

=====

## **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) A TRANSFER WITHIN SALES TAX I OF \$1,000,000 FROM TRUMAN PARKWAY, PHASE 5 TO TRUMAN PARKWAY, PHASE 4, (2) A GENERAL FUND M&O CONTINGENCY TRANSFER OF \$45,000 TO BUILDING MAINTENANCE AND OPERATIONS FOR ROOF REPAIRS AT THE MONTGOMERY STREET COURTHOUSE, AND (3)**

## APPROVAL OF A COMPENSATION INCREASE FOR JURY COMMISSIONERS FROM \$75 TO \$100.

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

Chairman Liakakis asked, do we have any discussion?

Commissioner Stone said, I just have a question, Mr. Chairman. How can we remove money —, Phase V of the Parkway has not even been built. I mean, how is that done? County Manager Abolt said, the explanation there has to deal with what was already budgeted in the early acquisition of property. It's legitimate. Commissioner Stone said, okay. County Manager Abolt said, technically, it's one project.

Chairman Liakakis recognized Youth Commissioner Burnsed.

Youth Commissioner said, yes sir, I have a question. Would the transfer of the money at all affect the time table of the —. County Manager Abolt said, no. Youth Commissioner Burnsed asked, no? County Manager Abolt said, no. Youth Commissioner Burnsed said, okay. Thank you.

Commissioner Kicklighter said, it will be passed before your grandchildren grow up.

Commissioner Odell said, call for the question.

Chairman Liakakis said, all in favor, go on the board. The motion carried unanimously. Chairman Liakakis said, the motion carries.

### ACTION OF THE BOARD:

Commissioner Odell moved that the Board approve the following: (1) a transfer within Sales Tax I of \$1,000,000 from Truman Parkway, Phase 5 to Truman Parkway, Phase 4, (2) a General Fund M&O contingency transfer of \$45,000 to Building Maintenance and Operations for roof repairs at the Montgomery Street Courthouse, and (3) approval of a compensation increase for Jury Commissioners from \$75 to \$100. Commissioner Farrell seconded the motion and it carried unanimously.

**AGENDA ITEM: IX-1**  
**AGENDA DATE: November 4, 2005**

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

**ISSUE:** To request approval of the following: (1) a transfer within Sales Tax I of \$1,000,000 from Truman Parkway, Phase 5 to Truman Parkway, Phase 4, (2) a General Fund M&O contingency transfer of \$42,334 to Building Maintenance and Operations for roof repairs at the Montgomery Street courthouse, and (3) approval of a compensation increase for Jury Commissioners from \$75.00 to \$100.00.

**BACKGROUND:**

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

**FACTS AND FINDINGS:**

1. The County Engineer has requested a transfer within Sales Tax I of \$1,000,000 from Truman Parkway, Phase 5 to Truman Parkway, Phase 4. A copy of correspondence is attached.
2. The roof at the Montgomery Street courthouse is leaking. A General Fund M&O contingency transfer of \$42,334 to Building Maintenance and Operations is requested. This project is shown as unfunded in the Capital Improvement Program for fiscal years 2006 through 2010 with a rating of 92, and a priority of Maintenance. A copy of correspondence is attached.
3. The Chief Judge of the Superior Court of Chatham County has requested Board approval of a compensation increase for Jury Commissioners from \$75.00 to \$100.00. This increase will not require additional funding in FY2006. The current budget should be sufficient to absorb the proposed rate. A copy of correspondence is attached.

**FUNDING:**

Funds are available within the Sales Tax I Fund, and in the General Fund M&O contingency for the transfers. The request for Jury Commissioners will not require additional funding.

**ALTERNATIVES:**

- (1) That the Board approve the following:

**ONE PERCENT SALES TAX I (1985-1993) FUND**

a transfer of \$1,000,000 from Truman Parkway, Phase 5 to Truman Parkway, Phase 4.

**GENERAL FUND M&O**

- a) a contingency transfer of \$42,334 to Building Maintenance and Operations for roof repairs at the Montgomery Street courthouse.

- b) approval of a compensation increase for Jury Commissioners from \$75.00 to \$100.00.
- 2) Amend or deny the request.

**POLICY ANALYSIS:**

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

**RECOMMENDATION:**

That the Board approve Alternative 1.

Prepared by: Read DeHaven

=====

**2. REQUEST BOARD APPROVAL FOR STAFF TO INITIATE SHORT-TERM BORROWING, ON AN AS NEEDED BASIS, FROM THE SALES TAX III FUND (1998-2003) TO THE GENERAL FUND FOR CASH FLOW NEEDS, AVOIDING THE EXPENSE OF ISSUING TAX ANTICIPATION NOTES (TANS) IN FISCAL 2006.**

County Manager Abolt said, Mr. Chairman and Members of the Board, this is a continuation of a very innovative way in effect to avoid the cost of issuing Tax Anticipation Notes. We do borrow from SPLOST, which is in the bank. We pay back at the going rate. So we're borrowing from ourselves. Nothing is lost, no projects are lost. It's using interim cash that we now have available and then replacing that cash along with interest payments once the tax revenues come in from Mr. Powers.

Commissioner Odell said, move for approval. Commissioner Kicklighter said, second. Chairman Liakakis said, all in favor go on the board. The motion carried unanimously. Chairman Liakakis said, the motion passes.

**ACTION OF THE BOARD:**

Commissioner Odell moved to authorize staff to initiate a short-term borrowing, on an as needed basis, from the Sales Tax III Fund (1998-2003) to the General Fund for cash flow needs, avoiding the expense of issuing Tax Anticipation Notes (TANs) in fiscal 2006. Commissioner Kicklighter seconded the motion and it carried unanimously.

**AGENDA ITEM: IX-2**

**AGENDA DATE: November 4, 2005**

**TO:** Board of Commissioners

**THRU:** R.E. Abolt, County Manager

**FROM:** Linda B. Cramer, Finance Director

**ISSUE:**

To seek Board approval for staff to initiate short-term borrowing, on an as needed basis, from the Sales Tax III Fund (1998-2003) to the General Fund for cash flow needs, avoiding the expense of issuing Tax Anticipation Notes (TANs) in fiscal 2006.

**BACKGROUND:**

Over the past three years, the Board had authorized the use of Sales Tax III cash balances rather than TANs to meet the County's short-term borrowing needs. This practice avoided debt issuance costs associated with the TANs. The Sales Tax III Fund has been repaid, with interest, for the use of its reserves.

**FACTS AND FINDINGS:**

1. The County's General Fund historically has had low cash reserves prior to the issuance of November and May property tax. Staff needs the flexibility to address these short term cash flow problems, if and when they arise, by borrowing temporarily from other funds.
2. The market rate of interest would be paid to the Sales Tax III Fund along with repayment of the principal when sufficient funds are received from property tax collections. The Finance Department will apply the interest rate earned each month by the Georgia Local Government Investment Pool (Georgia Fund 1) to the borrowed funds.
3. The County Attorney has opined that SPLOST funds can be borrowed so long as loss of economic benefit of the SPLOST revenues does not occur. The County's financial advisor and external auditor have expressed no reservations regarding this practice.
4. The Finance Department will ensure that the short-term borrowing does not interfere or impair the use of SPLOST funds for their intended purpose, namely the funding of authorized capital projects.
5. In fiscal 2005, the General Fund borrowed \$14 million on a short-term basis from the Sales Tax III Fund for cash flow needs. Interest totaling \$36,204 was paid to the Sales Tax III Fund.
6. Under Georgia law, short-term loans must be repaid by December 31 of the year in which the loan was made.
7. Digest revenues constitute 75.7% of the County's 2006 fiscal General Fund Budget.

**FUNDING:**

As described above.

**POLICY ANALYSIS:**

Avoiding the additional cost associated with issuance of a TAN is prudent fiscal policy so long as SPLOST projects are not negatively impacted and the SPLOST fund is repaid with appropriate interest by December 31 of the year in which the loan was made.

**ALTERNATIVES:**

1. Authorize staff to utilize short-term borrowing from the Sales Tax III Fund on an as-needed basis during fiscal 2006 for General Fund cash flow needs with the intent of avoiding the use and cost of TANs.
2. Instruct staff to consider other short-term borrowing methods for cash flow needs.

**RECOMMENDATION:**

Approve Alternative #1.

=====

**3. COOPER TAX REFUND.**

Chairman Liakakis recognized County Attorney Hart.

County Attorney Hart said, this is —, Mr. Cooper brought it to the attention that he was under the impression that he had a homestead exemption on his property back in 1985. The family actually had receipts showing they had applied and they received it. For some reason, in 1985 it was dropped in error off of his tax records. It was caught this past —, year before last or this last year. He has already received a refund for the three preceding years under Code Section 48-5-380, which allows a refund up to three years. However, there is another Code Section, 48-5-154, which the Department of Revenue has allowed Tax Commissioners to address areas in which their needs to be a rebate or a cancellation of taxes. I don't think there's any question that this gentleman overpaid due to the fact he wasn't credited his homestead exemption. That amount comes to \$2,909.53. Under this Code provision, with the assistance of the Tax Commissioner, y'all have the authority if you choose to rebate that amount.

Commissioner Stone said, move for approval. Commissioner Odell and Commissioner Kicklighter said, second. Chairman Liakakis said, let's go on the board. The motion carried unanimously. Chairman Liakakis said, the motion passes.

**ACTION OF THE BOARD:**

Commissioner Stone moved to authorize the Tax Commissioner to order an abatement and cancellation of taxes erroneously paid by Mr. Marion Cooper for tax years 1985-2002, resulting in a refund of \$2,909.53. Commissioner Odell and Kicklighter seconded the motion and it carried unanimously.

**AGENDA ITEM: IX-3****AGENDA DATE: November 4, 2005**

**TO:** Board of Commissioners

**THRU:** R.E. Abolt, County Manager

**FROM:** Jonathan Hart, County Attorney

**ISSUE:**

To consider request of Marion Cooper to forgive or abate previously assessed taxes for property located at 402 E. 63rd Street, PIN 20106-09010, for tax years 1985-2002 in the amount of \$2,909.53.

**BACKGROUND:**

This is a request by Marion Cooper to forgive or abate taxes paid for tax years 1985 through 2002 for property located at 402 E. 63rd Street in the amount of \$2,909.63.

**FACTS & FINDINGS:**

1. Mr. Cooper's homestead exemption was dropped/deleted in error in 1985 by the Board of Assessors.
2. The Board of Assessors has corrected and granted the exemption for 2003, 2004, and 2005 pursuant to its authority to correct clerical errors under O.C.G.A. § 48-5-380 (e). That Code section has a 3 year limitation period for refund requests.
3. O.C.G.A. 48-5-154 provides that the County governing authority shall have jurisdiction and the power to correct all errors in the digest to order abatement or cancellation of taxes erroneously assessed and to make other adjustments in the digest of a similar nature and to reflect the same in the account as stated.

**FUNDING:**

Delinquent collections of the Tax Commissioner's Office.

**POLICY ANALYSIS:**

Mr. Cooper paid taxes on property from which the homestead exemption was erroneously removed.

**ALTERNATIVES:**

1. The Commission should order an abatement and cancellation of taxes erroneously assessed for tax years 1985-2002, resulting in a refund of \$2,909.53.

2. The Commission should not order an abatement and cancellation of taxes erroneously assessed for tax years 1985-2002, resulting in a refund of \$2,909.53.

**RECOMMENDATION:**

Alternative 1.

RJH/dc

=====

**4. FIRST QUARTER FINANCIAL REPORT.**

County Manager Abolt said, Mr. Chairman, this is for information only, but because of the importance you all place on our financial position, we'll provide a briefing by Ms. Cramer.

Finance Director Linda Cramer said, the first quarter of the year —. We see no real surprises during the first quarter of the year. As usual, we are a little bit lagging in our revenues at this time of year because our main revenue source, which is property taxes, will not be coming in until really late November and December of the year. So you saw the items to borrow money. Right now our General Fund, we're probably going to borrow about \$6,000,000 from Sales Tax III and we'll pay that by the end of December when our revenues come in. Overall we're looking very good. We've had some favorable revenue experiences so far with those intangible recording taxes and the real estate transfer taxes. Those are collected by Superior Court and we see those in both General Fund M&O and the SSD Fund. So things are looking very positive right now. Do you have any questions —, how many pages did I get it up to —, 51 this time?

Chairman Liakakis said, okay. Any questions to Linda [Cramer]. County Manager Abolt said, Commissioner Farrell has one. Commissioner Stone said, I do too.

Commissioner Farrell said, on the 33<sup>rd</sup> page —.

Chairman Liakakis asked, is this the time that we're going to talk about that rating? County Manager Abolt said, not yet, sir. You're two items away from that, you're great report card from Wall Street. Chairman Liakakis said, okay. Okay, Linda [Cramer], thank you very much. We appreciate you and your staff's good work to keep us on the straight road.

**ACTION OF THE BOARD:**

Received as information.

=====

**5. REQUEST THAT THE BOARD RATIFY THE SALE OF THE DOWNTOWN SAVANNAH AUTHORITY (GEORGIA) REVENUE REFUNDING BONDS (CHATHAM COUNTY PROJECTS), SERIES 2005A, BY AFFIRMING THE DOWNTOWN SAVANNAH AUTHORITY'S ACTIONS IN RELATION TO ACCEPTANCE OF THE BEST BID. (*Bonds will be sold on November 3, 2005; therefore no staff report is yet available.*)**

County Manager Abolt said, Mr. Chairman, as always you're ahead of me. This is the item. We have the staff report that was hand delivered to you yesterday as part of your agenda packet. We have an interest of just shy of 4.3%, down from what initially had been the requirement of the County to pay between 5% to almost 6% interest, so there is some modest savings over the next several years, but the most important part of this is as we had to go back out on the market to refinance debt, it was a requirement that we go both to the rating agencies, S&P and Moody's. The Chairman had the opportunity to meet one on one with the folks from Moody's and I've given you in written fashion and also provided to the media what I truly mean is an outstanding report card from Wall Street. You know, there may be, you know, differing opinions locally on how one should handle the corporate finances of this \$370,000,000 organization. When you get the quality of report from Wall Street that you have received as an organization, as I said in my transmittal, please stand up and take a bow. There is no doubt that you're on not just the road to recovery, but you're about there.

Chairman Liakakis said, thank you very much. And this is really good news. I hope the news media, you know, lets everybody know what Wall Street has said about the County, it's finances, the good financial shape that we're in. I thank the County Commission. I mean, you know, there was some concerns about, of course, where we only did two-thirds of a mill increase, which wasn't very much, but to balance the budget and to do the things that were financially right for us now we are saving the taxpayers multitudes amounts of money in the future because of our great financial shape, and that's really good because it shows that Wall Street —, in fact, they say that in their information that they sent us because we did that and put ourselves on a higher plain and on a better financial status that, you know, it's good, and so I appreciate your hard work and your staff and we thank the County Commissioners for working together so that we can do a lot more good things for our community and save a lot of money. Thank you, Linda [Cramer].

County Manager Abolt said, you need a motion.

Chairman Liakakis said, is there a motion on the floor to ratify the sale of the Downtown Savannah Authority Bonds?

Commissioner Stone said, so moved. Commissioner Thomas and Commissioner Kicklighter said, second. Chairman Liakakis said, let's go on the board. The Clerk asked, who made that motion? Commissioner Farrell said, Helen [Stone] made the motion. Commissioner Kicklighter said, and I was

second. Commissioner Thomas said, I seconded it. Chairman Liakakis said, everybody go on the board. The motion carried unanimously.

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

Commissioner Stone moved to ratify the sale of the Downtown Savannah Authority (Georgia) Revenue Refunding Bonds (Chatham County Projects), Series 2005 A, by affirming the Downtown Savannah Authority's actions in relation to acceptance of the best bid. Commissioner Kicklighter and Thomas seconded the motion and it carried unanimously.

**Agenda Item: IX-5**

**Agenda Date: November 4, 2005**

**TO:** Board of Commissioners

**THRU:** R. E. Abolt, County Manager

**FROM:** Linda B. Cramer, Finance Director

**ISSUE:** To request that the Board ratify the sale of the Downtown Savannah Authority (Georgia) Revenue Refunding Bonds (Chatham County Projects), Series 2005A by affirming the Downtown Savannah Authority's actions in relation to acceptance of the best bid.

**BACKGROUND:** The County's financial advisor, A.G. Edwards & Sons, has analyzed debt service payments on the County's 1999 bond issue and has concluded that current market interest rates would provide savings to the County if the debt were refinanced. The Board granted conceptual approval to the refunding on September 23, 2005.

#### **FACTS AND FINDINGS:**

1. The County issued \$9.3 million in revenue bonds through the Downtown Savannah Authority (DSA) in 1999. Approximately \$ 7.8 million of this issue remains outstanding with final maturity on January 1, 2020. The bonds pay interest between 5.1% and 5.875%, depending on their maturity date.
2. The County seeks to refund bonds totaling \$5,845,000 from the 1999 bond issue. The rest of the bonds are not callable at this time. The bonds will be refunded through a bond series entitled "Downtown Savannah Authority (Georgia), Revenue Refunding Bonds, (Chatham County Projects), Series 2005A".
3. Bids were received on November 3<sup>rd</sup> from six bidders. The winning bid was submitted by Wells Fargo Brokerage at a true interest cost of 4.255175%. The Downtown Savannah Authority accepted Wells Fargo's bid

at its meeting of November 3, 2005. The DSA Board's resolution and the bid results can be found on pages 4-13 of the attachment.

4. The refunding will provide debt service savings to Chatham County of \$322,407. Annual savings will vary from \$15,000 and \$27,000 per year.

5. The attached Resolution authorizing the actions of the Downtown Savannah Authority has been prepared by the County's bond counsel, Oliver Maner & Gray. The Resolution requires adoption by the Board and execution by the Chairman. The resolution ratifies the DSA's actions of November 3, 2005 in the acceptance of Wells Fargo's bid.

**FUNDING:** Debt service funding is provided in the county's General Fund M&O budget.

**POLICY ANALYSIS:** Chatham County has previously restructured bond debt to take advantage of lower interest rates.

**ALTERNATIVES:**

1. That the Board approve the attached resolution to approve the Downtown Savannah Authority's actions relating to the sale of the referenced bonds.
2. That the Board provide staff with other direction.

**RECOMMENDATION:** Alternative # 1.

=====

## **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 asked, any particular items that the Commissioners would like to pull and so that we can vote on everything else except the pulled items?

Commissioner Kicklighter said, I'd like to pull D. Chairman Liakakis asked, which one? Commissioner Kicklighter said, D, 10-D. Chairman Liakakis said, 10-D. Commissioner Kicklighter said, and 10-N. Chairman Liakakis said, and 10-N.

Commissioner Shay said, I'd like to pull 10-C please. Chairman Liakakis said, 10-C.

Chairman Liakakis recognized Commissioner Stone.

Commissioner Stone said, I just want to make a comment on number eight. I don't want it to be pulled. [NOTE: Refer to Item 8 for discussion.]

Chairman Liakakis asked, do we have a motion on the floor for Items 1 through 10, except items that are being requested to hold back on, Items 10-C, 10-D, and Item 10-N. Do we have a motion on the floor?

Commissioner Thomas said, move for approval, Mr. Chairman. Commissioner Gellatly said, second. Chairman Liakakis said, it's seconded. Go on the board. The motion carried unanimously. [NOTE: Commissioner Odell was not present when this motion was taken.] Chairman Liakakis said, the motion carries.

**ACTION OF THE BOARD:**

Commissioner Thomas moved to approve Items 1 through 10-P except Items 10-C, 10-D and 10-N. Commissioner Gellatly seconded the motion and it carried unanimously. [NOTE: Commissioner Odell was not present when this vote was taken.]

=====

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

=====

**1. APPROVAL OF THE MINUTES FOR THE PRE-MEETING AND REGULAR MEETING OF OCTOBER 21, 2005, AS MAILED.**

**ACTION OF THE BOARD:**

Commissioner Thomas moved to approve the minutes of the regular meeting of October 21, 2005. Commissioner Gellatly seconded the motion and it carried unanimously. [NOTE: Commissioner Odell was not present when this vote was taken.]

=====

**2. CLAIMS VS. CHATHAM COUNTY FOR THE PERIOD OCTOBER 13 THROUGH OCTOBER 26, 2005.**

**ACTION OF THE BOARD:**

Commissioner Thomas moved to authorize the Finance Director to pay the claims against the County for the period October 13, 2005, through October 26, 2005, in the amount of \$3,970,819. Commissioner Gellatly seconded the motion and it carried unanimously. [NOTE: Commissioner Odell was not present when this vote was taken.]

=====

3. **REQUEST FROM THOMAS AND HUTTON, ENGINEER FOR GENESIS DESIGNER HOMES, TO RECORD THE SUBDIVISION PLAT FOR THE ENCLAVE, PHASE 2, INITIATE THE WARRANTY PERIOD AND WAIVE THE REQUIREMENT FOR A STREETLIGHT ASSESSMENT DISTRICT.  
[DISTRICT 7.]**

**ACTION OF THE BOARD:**

Commissioner Thomas moved to approve the request from Thomas & Hutton, Engineer for Genesis Designer Homes, to record the subdivision plat for The Enclave, Phase 2, initiate the warranty period and waive the requirement for a streetlight assessment district. Commissioner Gellatly seconded the motion and it carried unanimously. [NOTE: Commissioner Odell was not present when this vote was taken.]

**AGENDA ITEM: IX-3**  
**AGENDA DATE: November 4, 2005**

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

**ISSUE:** To record the subdivision plat for The Enclave, Phase 2, initiate the warranty period and waive the requirement for a streetlight assessment district.

**BACKGROUND:** The engineer, Thomas & Hutton, for the developer, Genesis Designer Homes, requests that the County approve the final plat for recording, initiate the warranty period and waive the requirement for a streetlight assessment district.

**FACTS AND FINDINGS:**

1. The Enclave is a private single-family subdivision located within the Berwick Plantation development on Highway 17. This phase of The Enclave consists of 83 lots on 80.7 acres. Paving and drainage improvements will be maintained by Consolidated Utilities, Inc.
2. Staff approved construction plans and issued a permit. Construction of the improvements is now complete.

3. A letter of credit from First Chatham Bank in the amount of \$289,160, which is 50% of the cost of all paving and drainage improvements in Phase 2, was provided as a financial guarantee.
4. The developer has requested that the Board waive the requirement for a streetlight assessment district, and have the Homeowners' Association maintain the streetlights. The Board previously approved waiving the streetlight assessment for the Enclave, Phase 1.
5. An Environmental Site Assessment was previously conducted on the subdivision in accordance with the Subdivision Ordinance. No environmentally unsafe conditions were found on the site.

**ALTERNATIVES:**

1. To approve the recording of the subdivision plat for The Enclave, Phase 2, initiate the warranty period, and waive the requirement for a streetlight assessment district.
2. Do not approve the request.

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

**RECOMMENDATION:** That the Commissioners adopt Alternative No. 1.

District 7

**PREPARED BY:** Suzanne Cooler

=====

**4. REQUEST FROM SOUTHEAST ENGINEERING AND ENVIRONMENTAL, FOR THE DEVELOPER, REGAL BUILDERS, TO RECORD THE SUBDIVISION PLAT FOR GEORGETOWN PLACE TOWNHOMES, LOT 1. [DISTRICT 7.]**

**ACTION OF THE BOARD:**

Commissioner Thomas moved to approve the request from Southeast Engineering and Environmental, for the developer, Regal Builders, to record the subdivision plat for Georgetown Place Townhomes, Lot 1. Commissioner Gellatly seconded the motion and it carried unanimously. [NOTE: Commissioner Odell was not present when this vote was taken.]

**AGENDA ITEM: IX-4****AGENDA DATE: November 4, 2005****TO:** Board of Commissioners**THRU:** R. E. Abolt, County Manager**FROM:** A. G. Bungard, P.E., County Engineer

**ISSUE:** To record the subdivision plat for Georgetown Place Townhomes, Lot 1.

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

**FACTS AND FINDINGS:**

1. Georgetown Place Townhomes is a private townhome development (multi-family residential) on the east side of King George Boulevard, north of State Route 204. The paving, drainage, and streetlighting will be privately maintained by a homeowners association. The water and sewer improvements will be maintained by the City of Savannah. This phase consists of 9 lots on 3.37 acres.
2. A performance guarantee for all required improvements was previously accepted by the Board.
3. An Environmental Site Assessment (ESA) was previously conducted on the subdivision in accordance with the Subdivision Ordinance. No environmentally unsafe conditions were found on the site.

**ALTERNATIVES:**

1. Approve the recording of the subdivision plat for Georgetown Place Townhomes, Lot 1.
2. Do not approve the request.

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

**RECOMMENDATION:** That the Commissioners adopt Alternative No. 1.

District 7

**PREPARED BY:** Suzanne Cooler

=====

5. **REQUEST FROM EMC, ENGINEER FOR THE DEVELOPER, BILLY HERRIN, TO RECORD THE SUBDIVISION PLAT FOR BRYAN WOODS PROFESSIONAL CENTER, PHASE 2, INITIATE THE WARRANTY PERIOD AND ACCEPT THE FINANCIAL GUARANTEE.**  
**[DISTRICT 4.]**

**ACTION OF THE BOARD:**

Commissioner Thomas moved to approve the request from EMC, engineer for the developer, Billy Herrin, to record the subdivision plat for Bryan Woods Professional Center, Phase 2, initiate the warranty period and accept the financial guarantee. Commissioner Gellatly seconded the motion and it carried unanimously. [NOTE: Commissioner Odell was not present when this vote was taken.]

**AGENDA ITEM: IX-5**

**AGENDA DATE: November 4, 2005**

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

**ISSUE:** To record the subdivision plat for The Enclave, Phase 2, initiate the warranty period and waive the requirement for a streetlight assessment district.

**BACKGROUND:** The engineer, Thomas & Hutton, for the developer, Genesis Designer Homes, requests that the County approve the final plat for recording, initiate the warranty period and wive the requirement for a streetlight assessment district.

**FACTS AND FINDINGS:**

1. Bryan Woods Professional Center is a commercial subdivision located on the southwest corner of Bryan Woods Road and Highway 80. This phase consists of 7 lots on 11.78 acres. Water and sewer will be provided by the City of Savannah. The paving and drainage will be maintained by the County.
2. Staff approved construction plans and issued a permit. Construction of the improvements is now complete.
3. The developer has submitted a letter of credit issued by SunTrust Bank in the amount of \$61,000, which is 50% of the cost of paving and drainage improvements.

**FUNDING:** Not applicable.

**ALTERNATIVES:**

- 1. To approve the recording of the plat for Bryan Woods Professional Center, Phase 2, initiate the warranty period, and accept the financial guarantee.
- 2. Do not approve the request.

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

**RECOMMENDATION:** That the Commissioners adopt Alternative No. 1.

District 4

**PREPARED BY:** Suzanne Cooler

=====

**6. REQUEST FROM JOHN C. AND LAUREN L. HENRY FOR THE COUNTY TO DECLARE AN UN-OPENED PORTION OF AVEILHE STREET RIGHT-OF-WAY ADJACENT TO THEIR PROPERTY AT 1817 WILMINGTON ISLAND ROAD (PIN: 1-0099-05-008) AS SURPLUS AND TO QUITCLAIM THE PROPERTY. [DISTRICT 4.]**

**ACTION OF THE BOARD:**

Commissioner Thomas moved to approve the request from John C. And Lauren L. Henry for the County to declare as surplus and quitclaim the property of an unopened 60-foot wide right-of-way on Aveilhe Street located along the rear of their property at 1817 Wilmington Island Road (PIN 1-0099-05-008). Commissioner Gellatly seconded the motion and it carried unanimously. [NOTE: Commissioner Odell was not present when this vote was taken.]

**AGENDA ITEM: IX-6**  
**AGENDA DATE: November 4, 2005**

**TO:** Board of Commissioners

**THRU:** R. E. Abolt, County Manager

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

**ISSUE:** To present to the Board a new request from John C. and Lauren L. Henry for the County to declare an un-opened portion of Aveilhe Street right-

of-way adjacent to their property at 1817 Wilmington Island Road (PIN: 1-0099 -05-003) as surplus and to quitclaim the property.

**BACKGROUND:** The petitioners own the property at 1817 Wilmington Island Road. Aveilhe Street is an un-opened 60 foot wide ROW located along the rear of the petitioners' property, next to County-owned property used as a recreation facility. The petitioner's obtained Board approval in July, 2004, to quitclaim this same ROW, but they decided not to proceed. They have changed their mind and now want to go forward with the quitclaim.

**FACTS & FINDINGS:**

1. The location of the requested right-of-way (ROW) is shown on the attached map. The petitioners are requesting a quitclaim of the entire width of the right-of-way adjacent to their property.
2. Staff has checked for possible County use for this section of ROW. There is no need to retain the ROW for future road or drainage construction. Other portions of the un-opened rights-of-way bordering the County-owned recreational area have been previously quitclaimed.
3. Henry K. & Kendra E. Bluhm, 1815 Wilmington Island Road, PIN: 1-0099 -05-002 and Neil G. & Jayne W. Russell, 1819 Wilmington Island Road, PIN: 1-0099 -05-004, are the property owners on either side of the petitioners' property. They were notified of the quitclaim request and advised as to the date and time of this meeting. As of October 26<sup>th</sup>, there have been no comments or objections expressed by either of them.
4. If approved, the petitioners must pay the County the fair market value for the ROW to be determined by a professional appraisal, and provide the necessary appraisals, deeds, and plats at their expense. The appraiser is selected by the petitioner and must be certified as a professional appraiser by the State of Georgia.
5. Staff reviews the submitted appraisals, deeds and plats for completeness and reasonableness before the deed is sent to the County Clerk for processing and the fair market value payment check is sent to Finance for deposit.

**FUNDING:** N/A

**ALTERNATIVES:**

1. Declare the 60 foot wide, un-opened portion of Aveilhe Street ROW, adjacent to 1817 Wilmington Island Road (PIN: 1-0099 -05-003) as shown on the attached map as surplus and quitclaim the ROW to John C. and Lauren L. Henry. The petitioners must pay the County the fair market value for the ROW to be determined by a professional appraiser, and provide the necessary appraisal, deed, and plat at their expense.
2. Do not approve the request.

**POLICY ANALYSIS:** The Board must declare County property surplus and approve all quitclaim actions.

**RECOMMENDATION:** That the Board adopt Alternative No. 1

District 4

Prepared by: Vincent  
Grevemberg

=====

**7. REQUEST BOARD APPROVE AN INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF SAVANNAH FOR THE HAMPSTEAD CONNECTOR ROAD PROJECT BETWEEN WHITE BLUFF ROAD AND ABERCORN STREET. [DISTRICTS 1 AND 5.]**

**ACTION OF THE BOARD:**

Commissioner Thomas moved to approve an Intergovernmental Agreement with the City of Savannah for the Hampstead Connector road project between White Bluff Road and Abercorn Street. Commissioner Gellatly seconded the motion and it carried unanimously. [NOTE: Commissioner Odell was not present when this vote was taken.]

**AGENDA ITEM: IX-7**  
**AGENDA DATE: November 4, 2005**

**TO:** Board of Commissioners

**THRU:** R. E. Abolt, County Manager

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

**ISSUE:** To approve an Intergovernmental Agreement with the City of Savannah for the Hampstead Connector road project between White Bluff Road and Abercorn Street.

**BACKGROUND:** The 1998 - 2003 SPLOST approved by referendum on June 17, 1997, includes a project named East/West Corridor which contemplated improvements to relieve congestion along Derenne Avenue. The FY2006 - 2008 Chatham Urban Transportation Study (CUTS) Transportation Improvement Program (TIP) adopted June 22, 2005, includes a project named Hampstead Avenue Connector intended to relieve congestion on Derenne Avenue between Montgomery Road and Abercorn Street.

**FACTS AND FINDINGS:**

1. The City desires to proceed with a project to construct the portion of the connection between White Bluff Road and Abercorn Street. The project will be wholly within the City. The Intergovernmental Agreement for the Distribution of SPLOST Proceeds by the County to the Municipalities for the 1998 - 2003 SPLOST specifically states: "For projects that are to be constructed locally, the COUNTY and the MUNICIPALITY may agree in a separate agreement to transfer SPLOST funds to the MUNICIPALITY which shall be responsible for detailed design, construction procurement, and construction management of the project."
2. The City's responsibilities include defining the limits of right of way, utility relocations, and coordinating with the GDOT for impacts to State and Federal highways.
3. The County as the acquiring entity will be responsible for appraisals, acquisition services, title searches, attorney's fees and filing and trying condemnations (if required). The County will approve administrative settlements (i.e. counter offers).
4. Once the County acquires titles and takes possession of properties, the properties will be turned over to the City for property management including asbestos testing, demolition of acquired improvements. The City will be responsible for disposal of surplus property, if any.
5. Even though no federal or state funds will be used for the project between White Bluff Road and Abercorn Street, the County will follow federal guidelines during the acquisition and relocation process.

**ALTERNATIVES:**

1. To approve an Intergovernmental Agreement with the City of Savannah for the Hampstead Connector road project between White Bluff Road and Abercorn Street.

2. To not approve the Agreement.

**FUNDING:** Funds are not required to approve this Agreement.

**POLICY ANALYSIS:** The Board must approve intergovernmental agreements.

**RECOMMENDATION:** That the Board approve Alternative 1.

Districts 1 and 5

=====

**8. REQUEST BOARD APPROVE TRAFFIC SIGNAL PERMIT APPLICATIONS WITH THE GEORGIA DEPARTMENT OF TRANSPORTATION (GDOT) FOR TRAFFIC SIGNALS AT THE ON AND OFF RAMPS FOR TRUMAN PARKWAY PHASE 4 AT WHITFIELD AVENUE.  
[DISTRICT 6.]**

Commissioner Stone said, I just want to make a comment on number eight. I don't want it to be pulled. Chairman Liakakis said, go ahead.

Commissioner Stone said, I just —, I know it was explained to me in the pre-meeting that this sometimes happens, but I still question if these traffic lights are functioning on Whitfield Avenue and a problem did occur would any liability be put on the County?

Chairman Liakakis recognized County Attorney Hart.

County Attorney Hart said, this is a procedural issue with the DOT in which the DOT does not take responsibility for the electrical or the lights themselves. The lights have been erected, the road's been opened. Additionally, this approval that you're approving today would normally occur before the opening of the road. For administrative reasons beyond my knowledge as to why, and Engineering might be better able to explain it, the approval was somewhat delayed, so you're seeking the approval and insofar as your liability situation unless the lights were malfunctioning, there wouldn't be any issue there and, in addition to that, the County probably would have sovereign immunity over any alleged action if there was some type of —.

Commissioner Stone said, I guess my real question is if they did malfunction and they haven't been improved, would that cause any problems? Commissioner Stone said, no ma'am, it would not. We would still have sovereign immunity under the law. The only issue that I can conceive of is the one that Commissioner Odell raised at the pre-meeting, until this is approved, let's say somebody ran a red light there, since it hadn't been adopted as an additional traffic signal in Chatham County, whether it's part of our traffic system. That's the only issue.

**ACTION OF THE BOARD:**

Commissioner Thomas moved to approve traffic signal permit applications with the Georgia Department of Transportation (GDOT) for traffic signals at the on and off ramps for Truman Parkway, Phase 4, at Whitfield Avenue. Commissioner Gellatly seconded the motion and it carried unanimously. [NOTE: Commissioner Odell was not present when this vote was taken.]

**AGENDA ITEM: IX-8**

**AGENDA DATE: November 4, 2005**

**TO:** Board of Commissioners

**THRU:** R. E. Abolt, County Manager

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

**ISSUE:** To approve traffic signal permit applications with the Georgia Department of Transportation for traffic signals at the on and off ramps for Truman Parkway Phase 4 at Whitfield Avenue.

**BACKGROUND:** The traffic signals at the on and off ramps were constructed as a part of the Truman Parkway Phase 4 project and were placed in operation on September 22, 2005.

**FACTS AND FINDINGS:**

1. The two intersections are located in Unincorporated Chatham County.
2. Approval of the applications commits the County to fund the cost of the electrical energy and telephone service if required.
3. The traffic signal heads have Light Emitting Diode (LED) components which substantially lowers energy cost over conventional traffic signals.

- 4. Annual estimated cost for electrical service of the signals is \$1,000.

**ALTERNATIVES:**

- 1. That the Board approve the traffic signal permit applications with the Georgia Department of Transportation for traffic signals at the on and off ramps for Truman Parkway Phase 4 at Whitfield Avenue.
- 2. That the Board not approve the permit applications.

**FUNDING:** Funds are available in SSD.

**POLICY ANALYSIS:** The Board approves intergovernmental agreements.

**RECOMMENDATION:** That the Board approve Alternative #1.

District 6

Prepared by Allan R. Black

=====

**9. REQUEST FOR NEW BEER AND WINE POURING AND SUNDAY SALES LICENSES FOR 2005. PETITIONER: AMANDA N. KECK, D/B/A BASIL'S PIZZA & DELI, LOCATED AT 216 JOHNNY MERCER BOULEVARD. [DISTRICT 4.]**

**ACTION OF THE BOARD:**

Commissioner Thomas moved to approve the petition of Amanda N. Keck, d/b/a Basil's Pizza & Deli, located at 216 Johnny Mercer Boulevard, for new beer and wine pouring and Sunday sales licenses for 2005. Commissioner Gellatly seconded the motion and it carried unanimously. [NOTE: Commissioner Odell was not present when this vote was taken.]

**AGENDA ITEM: IX-9**  
**AGENDA DATE: November 4, 2005**

TO: BOARD OF COMMISSIONERS

THRU: R. E. ABOLT, COUNTY MANAGER

FROM: GREGORI S. ANDERSON, DIRECTOR OF INSPECTIONS  
DANIEL W. FLYNN, POLICE CHIEF

ISSUE

Request for new beer and wine pouring and Sunday sales licenses for 2005, Amanda N. Keck, d/b/a Basil's Pizza & Deli, located at 216 Johnny Mercer Boulevard.

BACKGROUND

Ms. Keck requests approval for new beer and wine pouring and Sunday sales licenses in connection with an existing restaurant. The business at this location meets the requirements of the Chatham County Alcoholic Beverage and Sunday sales Ordinance.

FACTS AND FINDINGS

1. The applications were reviewed by the Police Department for compliance of the applicant and site distance requirements and approved.
2. The returned applications were reviewed by Regulatory Services. The County Fire Marshall inspected the site for compliance with the commercial kitchen requirements and approved the facility.
3. The request was advertised in the newspaper as required by ordinance.
4. The applications are in compliance with all requirements.
5. The applicant has been notified in writing of the date and time of the hearing.

RECOMMENDATION

The Savannah-Chatham Metropolitan Police Department and Regulatory Services recommend approval.

District 4

=====

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. Annual contract with automatic renewals for a long term disability insurance plan	Human Resources and Services	CIGNA	\$0.50 per \$100	Health Insurance Fund
B. Various "Participation Agreements" with automatic renewals continuing for each Master Contract term, not to exceed three years per each agreement for various office equipment and supplies	Various	Various	Varies by Item	•General Fund/M&O - Various •SSD - Various
C. Change Order No. 1 to the contract for architectural and engineering services for the Islands Police Precinct Building for the re-design	SPLOST	Kern-Coleman	\$76,500	SPLOST (2003-2008) - Police Merger
D. Change Order No. 1 to the annual contract for towing services to recognize an increase in the basic towing charge	Fleet Operations	Sapp's Wrecker Service	Increase of \$10 per tow	No Funding is required
E. Contract for the window repairs for the Old Chatham County Courthouse	Facilities Maintenance and Operations	The House Doctor	\$65,460	CIP - Courthouse Window Repair
F. One (1) model year 2006 Freightliner roll off dump truck	Solid Waste	Freightliner of Savannah	<del>\$107,796</del> \$97,267	Solid Waste Restricted Fund

<u>ITEM</u>	<u>DEPT.</u>	<u>SOURCE</u>	<u>AMOUNT</u>	<u>FUNDING</u>
G. Contract for professional engineering services to complete the design of the Wilmington Island Road Outfall Drainage Improvement project	CIP	Integrated Science and Engineering, Inc.	\$56,390	CIP - Wilmington Island Road Outfall project
H. Change Order No. 3 to the contract to provide professional construction inspection and engineering services for the Pipemakers Canal Widening Project - Phase I to extend time of service during construction	SPLOST	EMC Engineering Services	\$75,000	SPLOST (1998-2003) - Drainage, Pipemakers Canal
I. Deductive Change Order No. 1 to the annual contract for elevator maintenance and service to discontinue monthly services at the Bull Street and Mall Branch Libraries	Facilities Maintenance and Operations	Otis Elevator Company	(\$4,980) year	General Fund/M&O - Facilities Maintenance and Operations
J. Change Order No. 5 to the annual contract for janitorial services at various "Southside" locations to increase the scope of services to include twice monthly services at the Records Storage Warehouse	Facilities Maintenance and Operations	Quality Cleaning Contractors (WBE)	\$600 year	General Fund/M&O - Facilities Maintenance and Operations

<u>ITEM</u>	<u>DEPT.</u>	<u>SOURCE</u>	<u>AMOUNT</u>	<u>FUNDING</u>
K. Purchase and installation of camera interface equipment	CIP	Remote Technology (Sole Source)	\$14,629	CIP - Bond Fund/Courthouse
L. Purchase and installation of an aluminum storefront and entrance system for the relocation of the Voter Registration Department	CIP	J & L Glass, Inc.	\$22,653	CIP - Bond Fund/Courthouse
M. Purchase and installation of an irrigation well at Charlie Brooks Park	SPLOST	Breland Well Drilling, Inc.	\$17,010	SPLOST (1993-1998) - Brooks Renovation
N. Contract for compliance upgrade for the Pine Barren Wastewater Plant	Water and Sewer	Southern Champion Construction	\$441,474	Water and Sewer
O. Correction in contract amount for design and engineering services for Phase I & II, Courthouse	SPLOST	Hussey, Gay, Bell & DeYoung in conjunction with Duchett Design Group	\$1,244,671	SPLOST (2003-2008) - Courthouse
P. 2,280 yards of infield mix for various parks	Parks and Recreation	Carolina Green Athletic Field Construction	\$88,920	General Fund/M&O - Parks and Recreation

**As to Items 10-A through 10-P, except Items 10-C, 10-D and 10-N:**

Commissioner Thomas moved to approve Items 10-A through 10-P, except Items 10-C, 10-D and 10-N. Commissioner Gellatly seconded the motion and it carried unanimously. [NOTE: Commissioner Odell was not present when this vote was taken.]

**As to Item 10-C:**

**Change Order No. 1 to the contract for architectural and engineering services for the Islands Police Precinct Building for the re-design; SPLOST; Kern-Coleman; \$76,500; SPLOST (2003-2008) - Police Merger**

Chairman Liakakis recognized Commissioner Shay.

Commissioner Shay said, I just wanted to speak for a little while on the subject of the change order for the re-engineering and improvements for the police precinct on the Islands. First of all, I'd like to recognize our staff. On the course of doing some research into the matter, it's become obvious to me that our staff invested a lot of energy and time and creativity in getting us to the point where the original design was, included even using in-house engineering to do some of the design for the site work and so forth, and so I want to recognize that fact and thank them for the hard work that they have done. And this morning we were furnished with some additional information about the cost of the changes, and I'd like to say to the Commissioners that I think what we're being presented with today, in fairness to the designers because they haven't actually been engaged to see through the changes, they don't know exactly how much work is going to be required in order to implement them, and what we've been presented with in my view is sort of the outer limit of what it might cost in order to be able to do that. It's also in my view, the schedule is the outer limit of how long it might take for this process to run its course, and so while I will vote in favor of the change order I'd like for the Commissioners to understand that there really shouldn't be any reason for anybody to come back before this Board and said now that we've started into the design we think that's even more stuff that needs to be done. This already reflects, in my view, the absolute outer limit of what it would cost to redesign these plans and the schedule that's been presented to us is likewise as long as it really rationally can be conceived of to take to do that. I would like to encourage the consultant and staff in their good efforts to try and do everything that they can on a going forward basis to limit that time window as much as possible. It really is critical to the success of this project and this Commission voted unanimously in favor of moving forward with the improvements, but we want to try and get that back out to market and get this building up and open as soon as we possibly can. We've been very fortunate in this community, and I hope that we will always be fortunate that these bad storms continue to pass us by, but God forbid one would hit and we're not ready for it. So that's all I'll say. Thank you.

Chairman Liakakis asked, do we have a motion on the floor to change Item 10-C, the Change Order No. 1 to the contract for architectural and engineering services for the Islands Police Precinct Building for the re-design?

County Manager Abolt said, Mr. Chairman, may I ask Commissioner Shay, and I know he understand why I say this, to reflect in the minutes that it is the direction to the consultant to ensure whatever the final design is that there'll be no problems with the School Board.

Commissioner Shay said, okay, certainly. I'll make a motion that we adopt Item 10-C with the specific direction to the consultant that we expect for them to make ensure that this steers us through whatever shoals are ahead, especially including the Board of Education. Chairman Liakakis asked, do we have a second? Commissioner Farrell said, I'll second and I've got a question. Chairman Liakakis said, go ahead.

Commissioner Farrell said, in light of what Commissioner Shay mentioned about the outer limits, is this change order amount not to exceed or is this a firm dollar amount? County Manager Abolt said, you're

authorizing the amount. Staff will ensure you you won't pay any more than what's been authorized. I cannot say even based on, you know, Commissioner Shay's term of going forward whether or not all of this will be spent or not, but I'll guarantee you if anyone is tight with a nickel it's Mr. Bungard.

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

**As to Item 10-D:**

**Change Order No. 1 to the annual contract for towing services to recognize an increase in the basic towing charge; Fleet Operations; Sapp's Wrecker Service; Increase of \$10 per tow; No Funding is required.**

Chairman Liakakis recognized Commissioner Kicklighter.

Commissioner Kicklighter said, I have no problem with this. I just see Darrell Sapp out in the audience from Sapp's Wrecker Service. Year after year they —, in a government this large —, this is one area we don't have to worry about anything. We never get calls, never get complaints, and I just want to thank them for the great job they do. The increase per tow is definitely warranted considering the gas increases recently. So I make a motion to approve. Chairman Liakakis asked, do we have a second? Commissioner Thomas said, second.

Commissioner Farrell said, question.

Chairman Liakakis said, just a minute. Let me just make this comment. If we can look at the history over the years, too, because they have provided a lot of free services for the County and saved the County quite a bit of money in their contract. Yes? County Manager Abolt said, and please understand, the County is still getting the service at no cost. This is a non-preference [inaudible]. So the citizen doesn't have a preference, their involved in the situation where their vehicle's immobilized, they tell the officer well whomever. Well, the whomever in this case is our contractor and for that preference, for that benefit, then the requirement Mr. Chatham has in towing County vehicles are provided gratis to the citizens of Chatham County.

Chairman Liakakis recognized Commissioner Farrell.

Commissioner Farrell said, just for the general information for the public, what will the total price be. I see we have a \$10 increase. County Manager Abolt said, \$95.

Commissioner Kicklighter said, I didn't pull this for discussion, I pulled this for praise. Commissioner Farrell said, for general information we're going to talk about it.

Mr. Darrell Sapp said, I'm Darrell Sapp from Sapp's Wrecker Service, and thank you, Commissioner Kicklighter, for the kind words. It will be \$95 total but our storage rate will still stay at \$10 per day. And,

just for reference, the City of Savannah is at \$97 and \$15, so we'll still be a little bit less than them. Commissioner Farrell said, thank you.

Commissioner Shay said, thank you for your service.

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

**As to Item 10-N:**

**Contract for compliance upgrade for the Pine Barren Wastewater Plant; Water and Sewer; Southern Champion Construction; \$441,474; Water and Sewer**

Commissioner Kicklighter said, yes sir. I just wanted to pull this for the people in the Pine Barren Road area in Pooler just to know that we're about to spend \$441,474 to upgrade the sewer system in the area. I'm not aware of any problems, but I just want them to know that we're committed to keeping things running well.

Chairman Liakakis said, okay. Do we have a motion on the floor for 10-N, Contract for compliance upgrade for the Pine Barren Wastewater Plant? Commissioner Kicklighter said, motion to approve. Commissioner Gellatly said, second. Chairman Liakakis said, it's been motioned and seconded. Go on the board. The motion carried unanimously. [NOTE: Commissioners Holmes and Odell were not present when this vote was taken.] Chairman Liakakis said, the motion passes.

**ACTION OF THE BOARD:**

1. Commissioner Thomas moved to approve Items 10-A through 10-P, except Items 10-C, 10-D and 10-N. Commissioner Gellatly seconded the motion and it carried unanimously. [NOTE: Commissioner Odell was not present when this vote was taken.]
2. Commissioner Shay moved to approve Items 10-C. Commissioner Farrell seconded the motion and it carried unanimously. [NOTE: Commissioner Odell was not present when this vote was taken.]
3. Commissioner Kicklighter moved to approve Items 10-D. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Odell was not present when this vote was taken.]
4. Commissioner Kicklighter moved to approve Items 10-N. Commissioner Gellatly seconded the motion and it carried unanimously. [NOTE: Commissioners Holmes and Odell were not present when this vote was taken.]

=====

## **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.

1. **TEXT AMENDMENT TO CREATE AN HISTORIC PRESERVATION COMMISSION AND DESIGNATION PROCESS FOR UNINCORPORATED CHATHAM COUNTY.**  
*Note: After MPC meeting on Tuesday, November 1, an updated text amendment will be distributed.*  
**MPC FILE NO. Z-050725-88673-1**  
**[ALL DISTRICTS – UNINCORPORATED AREA.]**

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

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

=====

## **XII. SECOND READINGS**

1. **THE PETITIONER HAROLD YELLIN, AGENT (FOR WILMINGTON ISLAND INVESTORS, LLC), IS REQUESTING THE REZONING OF 3,867 SQUARE FEET OF THE SUBJECT PROPERTY (7815 U.S. HIGHWAY 80 EAST) FROM AN R-1-C (ONE FAMILY RESIDENTIAL) ZONING CLASSIFICATION TO A PUD-MXU (PLANNED UNIT DEVELOPMENT-MIXED USE) CLASSIFICATION AND 4,096 SQUARE FEET OF THE SUBJECT PROPERTY FROM A PUD-MXU CLASSIFICATION TO AN R-1-C CLASSIFICATION, IN ASSOCIATION WITH A MASTER PLAN AMENDMENT (M-050818-58887-1). THE MPC RECOMMENDED APPROVAL.**  
**MPC FILE NO. Z-050817-61535-1**  
**[DISTRICT 4.]**

Chairman Liakakis said, I'd like a motion on the floor for the second reading: The Petitioner, Harold Yellin, Agent. He is out of town. I'd like a motion on the floor that we put this for November 18<sup>th</sup> meeting.

Commissioner Thomas said, move for approval, Mr. Chairman. Chairman Liakakis asked, do we have a second? Commissioner Farrell said, second. Chairman Liakakis said, okay, everybody go on the board. The motion carried unanimously. [NOTE: Commissioners Holmes and Odell were not present when this vote was taken.]

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

Commissioner Thomas moved to table to November 18, 2005, the second reading of the petition of Harold Yellin, Agent (for Wilmington Island Investors, LLC), requesting the rezoning of 3,867 square feet of the subject property (7815 U. S. Highway 80 East) from an R-1-C (One Family Residential) zoning classification to a PUD-MXU (Planned Unit Development-Mixed Use) classification and 4,096 square feet of the subject property from a PUD-MXU classification into an R-1-C classification, in association with a Master Plan Amendment (M-050818-58887-1). Commissioner Farrell seconded the motion and it carried unanimously.

**AGENDA ITEM: XI-1**  
**AGENDA DATE: October 21, 2005**

**TO: BOARD OF COMMISSIONERS**

**THRU: R.E. ABOLT, COUNTY MANAGER**

**FROM: THOMAS L. THOMSON, EXECUTIVE DIRECTOR**

**Petition of Harold Yellin, Agent**  
**Wilmington Island Investors, LLC**  
**MPC File No. Z-050817-61535-1**

1. MPC recommends that the following described property be rezoned from its present R-1-C E/O (One Family Residential Environmental Overlay) zoning classification to a PUD-MXU E/O (Planned Unit Development-Mixed Use Environmental Overlay) classification.

#### **LEGAL DESCRIPTION**

Beginning at a point located on the centerline of U S Hwy 80 approximately 132 feet west of its intersection with the centerline of Blue Finn Drive, thence proceeding southerly along a line South 14 degrees 03 minutes 00 seconds West a distance of approximately 329 feet to a point, thence in a northerly direction along a line North 00 Degrees 42 minutes 00 seconds West to its intersection with the

centerline of US Hwy 80, thence easterly along the centerline of U S Hwy 80 a distance of approximately 53 feet back to the point of beginning.

The property is further identified by Property Identification Number as follows:

P.I.N.: Portion of 1-0055-03-006

- 2. MPC recommends that the following described property be rezoned from its present PUD-MXU/EO (Planned Unit Developmental Mixed Use Environmental Overlay) to R-1-C/EO (One Family Residential Environmental Overlay zoning classification.

**Legal Description**

Beginning at a point located on the centerline of U S Hwy 80 approximately 13 feet west of its intersection with the centerline of Blue Finn Drive, thence proceeding southerly along a line South 14 degrees 03 minutes 00 seconds West a distance of approximately 410 feet to a point, said point being the point of beginning, thence proceeding in a southerly direction along a line South 14 degrees 03 minutes 00 seconds West a distance of approximately 25 feet to a point, thence easterly along a line South 75 degrees 57 minutes 00 seconds East a distance of approximately 159 feet to a point, thence northerly along a line North 38 degrees 19 minutes 28 seconds East a distance of approximately 28 feet to a point, thence proceeding westerly along a line North 75 degrees 57 minutes 00 second West back to the point of beginning.

The property is further identified by Property Identification Numbers as follows:

P.I.N.: Portion of 1-0055-03-006

MPC File No. Z-050817-61535-1

=====

- 2. AMEND THE CHATHAM COUNTY STREETLIGHTING ORDINANCE TO DECREASE THE NUMBER OF PROPERTIES IN A PROPOSED DISTRICT, TO REQUIRE THE SUBDIVISION DEVELOPER TO BE RESPONSIBLE FOR STREETLIGHTING COST DURING THE SUBDIVISION WARRANTY PERIOD, TO**

**REVISE THE LIGHTING STANDARDS, AND TO REINSTATE A MANDATORY WAITING PERIOD FOR FAILED PETITIONS.  
[ALL DISTRICTS.]**

Commissioner Stone said, so moved, Mr. Chairman. Commissioner Thomas said, second. Chairman Liakakis said, we have a motion on the floor and a second. Let's go on the board. [NOTE: Commissioners Holmes and Odell were not present when this vote was taken.] Chairman Liakakis said, the motion passes.

**ACTION OF THE BOARD:**

Commissioner Stone moved to approve the Chatham County Streetlighting Ordinance to decrease the number of properties in a proposed district, to require the subdivision developer to be responsible for streetlighting cost during the Subdivision Warranty Period, to revise the lighting standards, and to reinstate a mandatory waiting period for failed petitions. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioners Holmes and Odell were not present when this vote was taken.]

**AGENDA ITEM: XI-2**  
**AGENDA DATE: October 21, 2005**

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

**ISSUE:** To amend the Chatham County Streetlighting Ordinance to decrease the number of properties in a proposed district, to require the subdivision developer to be responsible for streetlighting cost during the subdivision warranty period, to revise the lighting standards, and to reinstate a mandatory waiting period for failed petitions.

**BACKGROUND:** The Streetlighting Ordinance needs to be amended to allow smaller neighborhoods to participate in the County streetlighting assessment program and to require that the streetlight energy and maintenance costs in new subdivisions are the responsibility of the developer during the warranty period. The amended ordinance is attached.

**FACTS AND FINDINGS:**

1. The current ordinance requires that there be a minimum of fifty properties in a proposed district before a streetlighting petition can be

considered for approval. The original intent of this limitation when the ordinance was first adopted was to avoid an overwhelming number of petitions. The proposed change is to reduce this number to twenty. See Section §12-1203.1 in the attached ordinance.

2. The energy and maintenance charges for streetlights in new subdivisions has always been the County's responsibility immediately upon the lighting being energized by Savannah Electric. The developer pays the streetlighting installation costs up front. The lighting is often energized before the County can legally assess the costs back on the new parcels, resulting in the County subsidizing the development. Savannah Electric advises us that none of the local municipalities pay the energy and maintenance costs during the subdivision warranty period. The proposed amendment (see Section §12-1203.1.a.5) stipulates that the developer is responsible for these costs until the developer satisfactorily completes the required warranty period. This is consistent with the traditional mode of subdivision development whereby the developer is responsible for all maintenance costs in the subdivision during the warranty period.
3. The lighting standards are being upgraded by requiring conformance with the Illuminating Engineering Society of North America (IESNA). A Georgia Professional Engineer must certify that the plans conform with IESNA standards. See Section §12-1204.
4. The December 17, 2004, ordinance amendment approved by the Board to deal with "undeliverable notices", inadvertently deleted the mandatory waiting period for a failed petition. This clause (§12-1203.1.g) is being added back with the concurrence of the County Attorney.

**ALTERNATIVES:**

1. To approve the amendments to the County Streetlighting Ordinance to decrease the number of properties in a proposed district, to require the subdivision developer to be responsible for streetlighting cost during the subdivision warranty period, to revise the lighting standards, and to reinstate a mandatory waiting period for failed petitions.
2. To not approve the amendment.

**FUNDING:** No funding is required.

**POLICY ANALYSIS:** That the Board approve amendments to County ordinances.

**RECOMMENDATION:** That the Board approve Alternative #1.

All Districts

Prepared by Vincent Grevemberg

=====

**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.

=====

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

**ACTION OF THE BOARD:**

A status report was attached for review.

**AGENDA ITEM: XIII-2**

**DATE: November 4, 2005**

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

<u>ITEM</u>	<u>DEPT.</u>	<u>SOURCE</u>	<u>AMOUNT</u>	<u>FUNDING</u>
Additional playground equipment for Gray's Subdivision	Parks and Recreation	Gametime (Sole Source)	\$4,447	CIP - Playground Equipment
70,000 payroll checks and 70,000 accounts payable checks	Finance	Moore Wallace North America (State Contract)	\$8,800	General Fund/M&O - Finance

<u>ITEM</u>	<u>DEPT.</u>	<u>SOURCE</u>	<u>AMOUNT</u>	<u>FUNDING</u>
Repair parts for the HVAC system	Detention Center	Siemens Building Technologies	\$2,635	General Fund/M&O - Detention Center
One (1) 800MHz digital mobile radio	CEMA	Motorola (State Contract)	\$3,805	Homeland Security Grant
325 tons of #57 stone to be used for various road repairs	Public Works	Carroll and Carroll, Inc.	\$4,793	SSD - Public Works
Three (3) containers for used oil for the drop off centers	Solid Waste	Southeastern Environmental Waste Equipment	\$9,997	Solid Waste Management Fund
80 loads sand clay material for Charlie Brooks Road project	Solid Waste	Landyard Development, Inc.	\$3,600	Solid Waste Management Fund

=====

**3. ROADS AND DRAINAGE REPORTS.**

**ACTION OF THE BOARD:**

A status report was attached for review.

**AGENDA ITEM: XIII-4 - ROADS**  
**DATE: November 4, 2005**

**TO:** Board of Commissioners

**THRU:** R. E. Abolt, County Manager

**FROM:** Vincent J. Grevemberg, Senior Engineer

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

**BACKGROUND:** The schedules for construction are dictated by the GDOT allocations of funds among the Congressional districts and the balancing of funds in the Chatham Urban Transportation Study (CUTS) Transportation Improvement Program (TIP). The current

TIP and Long Range Transportation Plan (LRTP) were approved by the CUTS Policy Committee on June 22, 2005. 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: Work is at a standstill. GDOT has put the contractor on notice for non-performance.

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 sent a letter dated October 7, 2005, to them demanding justification for inactivity. APAC was given 10 days to respond. They contacted the GDOT and set up a meeting with staff and GDOT on site on October 12, 2005. The remaining punch list items were reviewed with APAC. Many of the remaining items were corrective work that their subcontractor Dixie Excavating needed to do. Dixie Excavating worked on the project the next day October 13, 2005. GDOT advises that they told APAC to notify them when they were going to be on the project to work. To GDOT's knowledge, no other work has been done since that time. A new 30 day count began on October 14, 2005. If APAC fails to resume work within that time another 10 day letter will be sent to them according to GDOT.

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 three 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. The GDOT asked for updated right of way acquisition cost which was provided to Atlanta right-of-way on October 21, 2005. Waiting for GDOT approval so the 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. In the meantime, the County offered to do the improvements on Skidaway Island by County Contract. The design for the portion on the Island is underway and should be done by the end of the year. 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 Housing Authority of Savannah's plans for Fellwood Homes. Response from HAS is pending.

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. GDOT forwarded the EA/FONSI, to the FHWA on October 20, 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), the City of Savannah, Chatham County and the consultants have reviewed the project and have proposed reductions in the project which are being sent to GDOT.

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 continue to delay solicitations for bid. There are title issues on one parcel that must be cleared up in court before it can be acquired. If all proceeds as hoped, staff expects to have the right-of-way acquired and plan changes completed to be able to bid the project for contract by January 2006.

(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. GDOT sent the construction estimate to Atlanta for these three streets on October 14, 2005, for preparation of the County Contract. This process should be complete by the end of November 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. We must have the plans in a final state for all four roads prior to bidding the project for construction. Given the uncertainty of how long it will take to complete the right-of-way acquisitions, it is difficult to forecast a start date for construction, but it will probably not be until at least March of 2006.

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 construction plans to be ready on Old Pine Barren Road in December 2005, on Dulany Road in January 2006, and on Cramer Street and Palm Drive in June 2006. Requests for County Contracts with the GDOT on Old Pine Barren Road and Dulany Road were approved by the Board approval on October 21.

**RECOMMENDATION:** For information.

Districts: All

**SUMMARY OF ROAD PROJECT STATUS**  
**November 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.  CST LR
	Final Design Construction	Feb 2007 TBD	County/GDOT GDOT	
US 17: Ogeechee Riv/SR204	Construction	Jan 2006	GDOT	GDOT has referred lack of progress to bonding company.
Middleground/Montgomery Cross Road Widening	Construction	May 2006	GDOT	Will be extended.
Jimmy DeLoach Pkwy, Ph 2	Environmental ROW Construction	Unknown	County County GDOT	CST LR

Whitfield Avenue Widening	Environmental Design ROW Construction	Feb 2004	County County County/GDOT GDOT	EA/FONSI signed Feb 13 Preliminary plans on hold. ROW funded FY2005/06 CST FY 2007
Diamond Causeway Widening and two bridges	Environmental Design ROW Construction	Unknown	County County GDOT GDOT	Draft EA signed Feb 25.  ROW FY 2007 CST LR
Skidaway Road Widening	Environmental Design ROW Construction	Complete	County County County GDOT	Final EA signed 12.30.04 Change order or new contract needed for design to continue.
Bay Street from I-516 to Viaduct	Environmental  ROW Final Design Construction	Dec 2005  Feb 2007 Apr 2007 TBD	County  County County GDOT	Draft EA pending approval by GDOT.   CST LR
US 80 Widening - Bull River to Lazaretto Ck - I-516 to Victory Drive	Environmental Environmental	Unknown Unknown	GDOT GDOT	CST LR CST FY 2007
White Bluff/Coffee Bluff	Environmental	Unknown	County	CST LR
Eisenhower (Abercorn to Truman Parkway)	Environmental		County	Concept Report approved June 22, 2004.
Abercorn (Largo Drive to Rio Road)	Environmental		County	Concept Report pending approval.

NOTES: CST = FY in which the projects are programmed for construction in the CUTS 2006-2008 TIP.

**AGENDA ITEM XIII-3 - Drainage**  
**AGENDA DATE: November 4, 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. Substantial completion was not achieved by mid October 2005 as expected by Staff. The current estimate for completion is by mid November. Final cleanup and adjustments will require 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 still 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 is preparing the necessary materials to reapply for a separate permit to cover only the crossings at SR307.
  - 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. All structures on property acquired by the County have been removed.
  - ii. Pavement and utility demolition is underway.
- c. The railroad undercrossing Final Design Report has been approved. 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. Staff is proceeding with fencing modifications to improve access for the Department of Public Works.
  
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 is to be funded by the City of Bloomingdale. Recommended improvements have been provided to the City of Bloomingdale's Engineer.
  - b. Phase 2 includes improvements to system south of Main Street to Hardin Canal. These improvements are to be done by the City of 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. Repairs of a slope stabilization problem by County Public Works have achieved satisfactory results. Further work does not appear to be required at this time.
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 were constructed as part of the 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 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. 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. Acquisition of rights of way is in progress.
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 will take several more months to complete.
15. Ogeechee Farms
  - a. Phase 1. Improve internal collector system south of Vidalia Road. The project is substantially complete. 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.
  - 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. Staff is negotiating a price for the necessary 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 the project has been obtained. Right of way acquisition is complete.
21. Georgetown Canal Upgrading roadway undercrossings to improve drainage capacity at St. Ives Way. Construction work is approximately 90 percent complete.
22. Wilmington Outfall A project to correct storm sewer drainage pipes between Wilmington Road and the Wilmington River. Staff has completed negotiations with the consultant, and a recommendation to accept a contract has been presented to the Board for approval.
23. 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.

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.

**RECOMMENDATION:** For information.

Districts: All

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

=====

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

**ACTION OF THE BOARD:**

A status report was attached for review.

=====

**EXECUTIVE SESSION**

Upon motion being made by Commissioner Stone and seconded by Commissioner Kicklighter, the Board recessed at 11:15 a.m. to go into Executive Session for the purpose of discussing litigation, land acquisition and personnel.

Following adjournment of the Executive Session, the meeting of the Board of Commissioners was reconvened 12:55 p.m.

=====

**ITEMS FROM EXECUTIVE SESSION**

**1. DISCUSSION REGARDING LUDWIG CASE, ADMIRALTY (JON HART).**

**ACTION OF THE BOARD:**

Commissioner Odell moved to authorize the payment of an amount not to exceed \$10,000 for the County Attorney to hire an expert in the Ludwig case styled *Zurich Insurance Company v. Chatham County*, Case No. 04-1618 in the United States District Court.

=====

**2. 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 Shay 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 Odell seconded the motion and it carried unanimously.

=====

**APPOINTMENTS**

**1. ZONING BOARD OF APPEALS**

**ACTION OF THE BOARD:**

Commissioner Odell moved to appoint Greg Hirsch and Anthony Wayne Noha and reappoint Davis Cohen to the Zoning Board of Appeals to terms which will expire August 1, 2010. Commissioner Thomas seconded the motion and it carried unanimously.

=====

**2. CHATHAM AREA TRANSIT AUTHORITY**

**ACTION OF THE BOARD:**

Commissioner Thomas moved to appoint William G. Oakley to represent Chatham County on the Chatham County Board of Commission to a term concurrent with the term of the Board of Commissioners, which will expire December 31, 2008. Commissioner Thomas seconded the motion and it carried unanimously.

=====

**ADJOURNMENT**

There being no further business, the Chairman declared the meeting adjourned at 1:00 p.m.

=====

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

---

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

---

SYBIL E. TILLMAN, CLERK OF COMMISSION