

MINUTES OF THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF CHATHAM COUNTY, GEORGIA, HELD ON FRIDAY, JANUARY 27, 2006, 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, January 27, 2006.

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II. INVOCATION

Commissioner Holmes his nephew, Reverend Keith Bruen, First Friendship Missionary Baptist Church, who gave the Invocation.

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III. PLEDGE OF ALLEGIANCE

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

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IV. ROLL CALL

The 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

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V. PROCLAMATIONS AND SPECIAL PRESENTATIONS

[ITEM V-3 WAS TAKEN OUT OF ORDER AND WAS HEARD AT THIS POINT ON THE AGENDA.]

1. PRESENTATION TO BOARD BY JANICE SHAY OF *DELIVERING JUSTICE*, A CHILDREN'S BOOK ABOUT W. W. LAW.

Chairman Liakakis said, I'd like to call on Commissioner Patrick Shay for a special presentation.

Commissioner Shay said, Mr. Chairman, I appreciate that. You know, one of the really great things about devoting a part of your life to public service is you get to meet some really interesting people, and when I was a Commissioner before I had the opportunity to get to know W. W. Law, and it changed my life in a lot of ways. And I don't think I would have gotten to know him if I hadn't been involved in public service. I also got to meet while I was campaigning a beautiful woman, and I ended up marrying her. Her name's Janice Shay and she's here today to make a presentation. So, I'll give you that as an introduction.

Mrs. Janice Shay said, thank you, Mr. Chairman and Honorable Commissioners. Thank you for allowing me to come her before you today. My name's Janice Shay, in case you don't know me, and I'm Director of Design Press Books. Design Press was started in 1998 by Paula Wallace, who's President of Savannah College of Art and Design. We create art books, children's books, cook books, lifestyle books and gift books, and we're particularly interested in creating illustrated books that focus on the art, culture, history and people of our city and our region. I've come here today to give you a copies of our newest children's book. It's about Civil Rights Advocate W. W. Law and his leadership of the Savannah Boycott of the 60's, which led to the integration of downtown businesses prior to the Civil Rights Act. It's called *Delivering Justice, W. W. Law and the Fight for Civil Rights*, and it's just won, I'm proud to say, an award from the New York Public Library as one of the 100 Best Children's Books for 2005. Mr. Law was undeniably one of our local heroes and we offer this book as a reminder of what great progress is made when our communities can work together to solve to a problem.

Ms. Shay said, the book's available nationally and here in Savannah it's at SCAD's, Barnes and Noble, E. Shaver, and it's also going to be available this weekend at the Black Heritage Festival. The W. W. Law Foundation will have a book that's selling it there. Isn't that right, Mr. Pendergraff? Mr. Pendergraff was that's correct. Ms. Shay said, before I go I want to introduce you to my helper, Pat Sabiston from Florida, who is Executive Director of the Publisher's Association of the South, and that group is here in Savannah this weekend having its Annual Winter Conclave. Thank you.

Ms. Pat Sabiston said, good morning. We are so pleased to be in Savannah and I just had to tell you that the moment that we announced that we were coming to Savannah for our Conclave, we have experienced the highest numbers in attendance that we have had in many, many years. So we will be back. I also wanted to introduce you to Mr. Matt Hurley. Matt is the Southeast Representative from Publisher's Weekly, the national trade publication for all publishers. Thank you for having us.

Ms. Shay said, I hope you enjoy the book and thank you very much for allowing me to be here. Keep up the good work.

Commissioner Shay said, I told you she was pretty.

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2. PROCLAMATION FOR DR. IRVING VICTOR RECOGNIZING HIS MANY YEARS OF SERVICE ON THE EMS COUNCIL.

Chairman Liakakis said, and now I'd like to call on Dr. Irving Victor to meet me up at the podium. We have a special presentation for him. As many people in this community know that Dr. Victor has been an outstanding physician treating a lot of people in our community for many, many years, and not only has he been a physician, but he has been involved in many community functions, also helping people from all over, and we do appreciate that. And we have a certain proclamation that we'd like to present to you today, Doctor, because you are retiring from our EMS Advisory Board as head of that, and I'd like to read this special proclamation now.

WHEREAS, some 35 years ago, Dr. Irving Victor, in conjunction with the Georgia Medical Society and in response to a dire community need, founded the third Emergency Medical Service (EMS) in America, and this new concept of emergency care became known as Chatham County EMS; and

WHEREAS, despite a distinguished medical career as a urologist and at different times as Chief of Staff for St. Joseph's Hospital, Candler General Hospital, and Memorial Medical Center on two separate occasions, and his current position as Assistant to the President of St. Joseph's/Candler, Dr. Victor has remained committed to Chatham County EMS and throughout the years has always maintained leadership roles as Medical Director and Chairman of the EMS Council, which helped to establish and continue the professionalism of this vital public service; and

WHEREAS, while his contributions to Chatham County EMS are singularly alone worthy for a lifetime of achievement, Dr. Victor, a native Savannahian and graduate of Armstrong Junior College, the University of Georgia and the Medical College of Georgia, has also proven his commitment to serving his profession as past president of the Georgia Medical Society, past president of the Medical College of Georgia Foundation and past president of the Georgia Urological Association; and because of his professional contributions, Dr. Victor has received the Humanitarian Service

Award from the American Medical Association, the Humanitarian Award from the German Heritage Society for service in Viet Nam, the Physician's Physician Award from the Medical College of Georgia Alumni Association, the John B. Rabun Community Service Award from the Georgia Medical Society, and on three separate occasions he received the Distinguished Citizen's Award from the Armstrong Alumni Association, and in 2001 became the first recipient of Armstrong's Honorary Doctorate Degree; and

WHEREAS, besides a lifetime of contributions to the medical profession, Dr. Victor always found time to devote himself to our community in such wide-ranging service as Chairman of the Coastal Area Planning and Development Commission and on the Board of Directors of the Savannah Area Chamber of Commerce, the United Way, Union Mission and Memorial Medical Center, and as an active member of the Savannah Waterfront Association

NOW THEREFORE, I, Pete Liakakis, as Chairman, with the Board of Commissioners of Chatham County, upon the resignation of Dr. Irving Victor from the Chatham County EMS Council, do hereby acknowledge his extraordinary contributions to Chatham County EMS, our community and his profession, by proclaiming this date of January 27, 2006, as "Dr. Irving Victor Day" in Chatham County and join with our citizenry in extending our sincere appreciation for a career of caring.

Pete Liakakis, Chairman

Attest:

Sybil E. Tillman, Clerk

Chairman Liakakis said, Dr. Victor, thank you very much.

Dr. Victor said, I am indeed humbled by these generous remarks by the Chairman. I want to thank him and members of the Commission for this single honor. I am overwhelmed to say the least. I would like to thank the Commission also for initiating Chatham County EMS. We were the third nationally-funded, federally-funded EMS in this country, which is a single honor in itself. Only Jacksonville and Seattle preceded us in EMS work. I would also like to thank the Council and more especially my good friend Al St. Lawrence, who is here today, for serving with me. They have been dedicated, given unusual service to this community and EMS work. And last, but not least, I would love to tell you how much I think of our paramedics in their professionalism and dedication to pre-hospital care. Many, many lives have been saved by those folks and what they did on the streets of Savannah and Chatham County. You should be proud of them, you should be proud of Chatham County EMS, just as I am, and I again want to thank you so very much from the bottom of my heart for this great, great honor. Thank you so much.

Chairman Liakakis said, Dr. Victor. County Manager Abolt said, Mr. Chairman, Ladies and Gentlemen, I would like to and Dr. Victor seriously, and though I give him a hard time, is a very modest man, and I

want to emphasize what he just told you. In a very humble way he talked about our EMT's, but I want you to appreciate that he was a physician adviser for those EMT's and that means that what they did was critiqued. His council, his mentoring, made it possible for those EMT's to do their job and save so many lives. The success of our Emergency Operation, as it was and is now, could not have been what it is without Dr. Victor.

Chairman Liakakis said, and we know something else, too. That the EMS —, prior to EMS we were having a lot of challenges by the service the people that were transporting people to the hospitals, that they were in fights with one another, they would race to an accident scene, you know, even though they weren't dispatched for that, but once Dr. Victor and the committee, the Advisory Committee came together, presented it before the Commission and we started the EMS, we can well see, you know, what a difference it has been saving, as you said, many people's lives and helping all over the community. We do appreciate that to you, the Sheriff and the other Advisory Board people. Thank you again, Doctor. Dr. Victor said, thank you very much.

Commissioner Gellatly said, I'd like to make a comment, too, and I'm sure that Sheriff St. Lawrence will agree with me. Dr. Victor, on behalf of law enforcement in Chatham County, you have always been our champion. You've always individually and collectively assisted law enforcement whenever there was a need and a lot of times you did it when it wasn't popular to do so, and we all deeply appreciate that. Thank you, sir. Dr. Victor said, thank you, Chief.

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3. PROCLAMATION TO RECOGNIZE CRAIG CASHMAN FOR HIS 6½ YEARS OF SERVICE AS EXECUTIVE DIRECTOR OF THE CHATHAM-SAVANNAH AUTHORITY FOR THE HOMELESS.

Chairman Liakakis said, I'd like to call first on Commissioner Kicklighter to do the proclamation to recognize Craig Cashman please.

Commissioner Kicklighter said, Mr. Cashman, we have a proclamation here, and it reads:

WHEREAS, Craig Cashman will be leaving after 6½ years of dedicated service to this community as Executive Director of the Chatham-Savannah Authority for the Homeless; and

WHEREAS, Mr. Cashman will be remembered for his leadership in managing the Authority for the Homeless, which tripled in size to serve annually more than 4,000 individuals and families, and for his professional management which helped to achieve "Best Practice" recognition for the Authority's community planning and service delivery and accreditation by the Georgia Coalition to End Homelessness and Council on Accreditation for Rehabilitation Facilities; and

WHEREAS, as testament to Mr. Cashman’s wide-ranging contributions, he coordinated more than \$20 million in grant funding for the Authority and community groups, helped to develop a new innovative community-based behavioral health system (SABHC) and championed an Americorps grant for the community; and

WHEREAS, besides his work on behalf of the Authority, Mr. Cashman also worked to improve the community’s caring for people in need as Chairman of the United Way’s Emergency Food and Shelter Program, Secretary of SABHC, Chairman of the Georgia Coalition to End Homelessness, and as a member of the Workforce Development Board, Anti-Poverty Task Force and Housing Trust Fund Advisory Council.

NOW THEREFORE, I, Pete Liakakis, as Chairman, with the Board of Commissioners of Chatham County, do hereby recognize the contributions of Craig Cashman to the people of this community and state and his professional achievement, and do wish him well in his future endeavors.

ADOPTED THIS 27TH DAY OF JANUARY, 2006.

Pete Liakakis, Chairman

Attest:

Sybil E. Tillman, Clerk

Mr. Cashman said, well, I really am humbled. I really am, but as leaders I think we always need to be. We don’t always look at people in the face of the day. We know they need our help. I just want to say one last thing. I appreciate all the people that I worked with. What I discovered here is that the best things happen in collaboration: the Safety Net, Savannah Area Behavioral Council. That’s how things get done, and as Commissioners, leaders, I hope you recognize that, too. Thank you very much. I appreciate it.

Chairman Liakakis said, thank you, Craig [Cashman]. On behalf of the Chatham County Commission, we appreciate what you have done.

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YOUTH COMMISSIONERS

Chairman Liakakis welcomed the following Youth Commissioners who were in attendance: Jennifer Morse, a Sophomore at Jenkins High School, and Erica Murchison, a Junior at Beach High School.

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VI. CHAIRMAN'S ITEMS

None.

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VII. COMMISSIONERS' ITEMS

1. RESOLUTION IN SUPPORT OF CITY OF SAVANNAH'S PUBLIC SAFETY TASK FORCE (COMMISSIONER STONE).

Chairman Liakakis recognized Commissioner Stone.

Commissioner Stone said, thank you, Mr. Chairman. In light of the heightened spotlight on crime in our community, I thought that after reviewing and reading the Savannah Public Safety Task Force Report and to reemphasize the merger of our police department, it would be a good idea to support City Council and show a united front in this community's battle against crime. So I thought that it would be appropriate that we adopt a resolution to endorse this crime study.

Chairman Liakakis asked, do we have a second? Commissioner Thomas said, second. Commissioner Holmes said, second. Chairman Liakakis said, we have a motion on the floor and a second for this resolution that you have all been presented. Let's go on the board. The motion carried unanimously. Chairman Liakakis said, the motion passes.

ACTION OF THE BOARD:

Commissioner Stone moved to adopt a resolution publicly acknowledging that Savannah's Public Safety Task Force Report, in conjunction with the recommendations from the Savannah-Chatham Metropolitan Police Department, should provide the basis for developing an implementation plan with the overall purpose of reducing crime significantly. Commissioners Holmes and Thomas seconded the motion and it carried unanimously.

RESOLUTION

WHEREAS, no public service provided by any government remains more important than the protection of life and property; and

WHEREAS, the Mayor and Alderman of the City of Savannah have identified the improvement of public safety as the #1 goal of the community's largest municipality, and to put words into action, Mayor Otis Johnson in May 2004 appointed a Public Safety Task Force to address the community's

crime problem, "How do we work together to continue to accelerate" the reduction of crime; and

WHEREAS, the Public Safety Task Force began a year-long assessment of crime, analyzing it and the criminal justice system's response, and developed recommended goals and strategies; and

WHEREAS, while the Public Safety Task Force provided a thought-provoking report in May 2005, the recommendations remained largely in study and without development of an action plan to implement them, or at least to consider the far-reaching recommendations; and

WHEREAS, which not only affected the several different neighborhoods in which these heinous crimes occurred but also the well-being of the entire community, have crystallized a call for action; and

WHEREAS, the business community through the Savannah Area Chamber of Commerce, as well as several citizen advocacy groups, have called for due consideration of the report from Savannah's Public Safety Task Force.

NOW, THEREFORE, the Board of Commissioners of Chatham County, in heed of this call for action, by this resolution does hereby offer public acknowledgment that Savannah's Public Safety Task Force Report, in concert with the recommendations from the Savannah-Chatham Metropolitan Police Department, should provide the basis for developing an implementation plan with the overall purpose of reducing crime significantly.

ADOPTED, THIS 27TH DAY OF JANUARY, 2006.

Attest:

Pete Liakakis, Chairman

Sybil E. Tillman, Clerk

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- 2. **UPDATE ON PROBLEMS BETWEEN THE CITY OF PORT WENTWORTH AND RESIDENTS OF A PREVIOUSLY UNINCORPORATED AREA (COMMISSIONER KICKLIGHTER).**

Commissioner Kicklighter asked, Mr. Chairman, may I possibly add a quick item to update y'all on progress for Port Wentworth and a previously unincorporated area. Chairman Liakakis asked, you'd like to make a motion to do that? Commissioner Kicklighter said, I put that in the form of a motion.

Chairman Liakakis said, make the motion out loud so that everybody so everybody can hear that. Commissioner Kicklighter said, I make a motion to add to the agenda an update on the meeting with Port Wentworth Mayor and Manager concerning North Port Wentworth. Chairman Liakakis said, okay. Do we have a second? Commissioner Odell said, second. Chairman Liakakis said, it's been seconded by Commissioner Odell. Everybody go on the board. The motion carried unanimously. Chairman Liakakis said, the motion passes. Chairman Liakakis recognized Commissioner Kicklighter.

Commissioner Kicklighter said, I'm sure that you read in the paper the other day about some residents in North Port Wentworth considering the possibility of being de-annexed or whatever out of Port Wentworth back into the unincorporated area of Chatham County. I actually attended that meeting when they discussed being, you know, removed out of the City. Basically, I let them know that that would take —, that the City of Port Wentworth, with current State laws, would have to request that and, you know, and at that point that could move forward if the City requested it. Other than that, I let them know that their options would be State law — changes in State law. And we had Senator Regina Thomas at the meeting, and she spoke later and I had to go, but basically what I recommended was that I try to facilitate some type of compromise before they go that direction. And, thank goodness, I kind of outlined that night what I thought would be appropriate, and I met with the Mayor as well as the Manager of Port Wentworth yesterday and recommended as far as different ways to have the sign-in sheets where the public could speak at the beginning of the meeting on, you know, anything that was on the agenda if they get it in there before the cut-off time, and if any new items were added to the agenda, the public could actually sign on the sheet that moment. And so that should address the concerns as far as the — being able to speak at the meetings. It's actually pretty much a —, more of a lenient policy than most cities in the country what will actually happen now. The public can sign up on the agenda until twelve o'clock the day before the council meeting now and if a new item's added after that, they'll be able to sign a sheet at the meeting and speak on that.

Commissioner Kicklighter said, also, as far as far as issues of drainage, in talking with the Mayor and all, they've agreed and keep in mind this is a brand new mayor —, he's been there about a month —, so he can't fix problems that's been there since it was annexed however long ago — 10 years ago or 20 years ago or whatever —, but he's agreed to basically commence a study compiling —, ordering the Manager to compile all written correspondence as far as drainage issues and everything out in the area, and move forward to do a study to find out about adding more streetlights and everything that was addressed they're going to move forward with, and so I just wanted to update you that it's just my belief that before you try to get [inaudible] to try to fix the problem, and so I think we've moved in the right direction. I was very impressed with the Mayor and his motivation to do the right thing, and so that should be the end of those type articles that's in the paper because I believe this problem can be resolved.

Chairman Liakakis recognized Commissioner Thomas.

Commissioner Thomas said, the question is, Commissioner Kicklighter, did they establish a date or dates for the public hearings on the North Port Wentworth public hearings or will there be a public

hearing so they could have public input? I mean, so they —. Chairman Liakakis asked, do you know —?

Commissioner Kicklighter said, the main problem is — was that the Mayor, it's my understanding he verbally said what his policy would be and, keeping in mind he was brand new, he was going to allow the residents to speak at the end of the meeting and, you know, and understanding that's not public input. They now will be able to speak at the beginning of the meeting and give their input on whatever's on the agenda and/or new items.

Commissioner Thomas asked, I guess my point is that — how will the public know? I mean, will it be —? Commissioner Kicklighter said, well, they were signed up for the Council Meeting to speak, so he's going to allow all the new policies —. Commissioner Thomas asked, but they will be informed of the meeting? Commissioner Kicklighter said, right. Commissioner Thomas said, — is my point. Commissioner Kicklighter said, oh, yeah. I also sent an e-mail to one of the leaders of the North Port Wentworth citizens that I understood that meeting. Commissioner Thomas said, okay, I just don't want it to be a meeting, you know, that you have the meeting and then you say we have the input from the public and the public has not been aware that you had —. Commissioner Kicklighter said, that's where I got my info and facilitated —. Commissioner Thomas said, right. The general public that they want to get feedback from needs to know when the meetings are going to be held so that they can be there to have input is what I'm saying. Commissioner Kicklighter said, I was brokering a compromise so —. Commissioner Thomas said, right. Commissioner Kicklighter said, you can't do that with two other people in each group, but it worked out well. So, that should resolve the problem of everything. I believe both parties now will understand that everyone has the same goal on equal type services throughout the whole area.

Chairman Liakakis said, all right. Thank you, Commissioner Kicklighter.

ACTION OF THE BOARD:

Commissioner Kicklighter gave an update on the status of the problems between the City of Port Wentworth and residents of a previously unincorporated area.

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VIII. TABLED/RECONSIDERED ITEMS

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

None.

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IX. ITEMS FOR *INDIVIDUAL ACTION*

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

1. **REQUEST BOARD APPROVAL OF THE FOLLOWING: (1) AN AMENDMENT TO THE CAPITAL IMPROVEMENT PROGRAM (CIP) FUND TO RECOGNIZE \$100,370 IN REVENUE FROM SALE OF SURPLUS PROPERTY AND APPROPRIATE \$100,370 FOR FLEET OPERATIONS, (2) AN AMENDMENT TO THE BUILDING SAFETY AND REGULATORY SERVICES FUND TO RECOGNIZE \$4,690 IN REVENUE FROM SALE OF SURPLUS PROPERTY AND APPROPRIATE \$4,690 FOR VEHICLE REPLACEMENT, (3) AN AMENDMENT TO THE CONFISCATED ASSETS FUND TO RECOGNIZE \$36,715 IN REVENUE FROM SALE OF SURPLUS PROPERTY AND APPROPRIATE \$36,470 TO THE COUNTER NARCOTICS TEAM , AND \$245 TO THE SHERIFF'S DEPARTMENT, (4) AN APPROPRIATION OF \$5,662 IN THE CONFISCATED ASSETS FUND TO THE COUNTER NARCOTICS TEAM FOR ACQUISITION OF A VEHICLE, (5) TRANSFERS WITHIN THE EAST/WEST CORRIDOR ROADS, STREETS, BRIDGES IN THE SALES TAX III FUND TO SET UP THE FOLLOWING PROJECTS: EAST/WEST CORRIDOR \$1,000,000; HAMPSTEAD AVENUE/MILDRED STREET CONNECTOR \$9,000,000; DERENNE AVENUE WIDENING \$1,000,000; DERENNE AVENUE INTERSECTION IMPROVEMENTS \$500,000; HAMPSTEAD AVENUE EXTENSION \$7,000,000; AND BAY STREET \$1,500,000, AND (6) A GENERAL FUND M&O CONTINGENCY TRANSFER OF \$19,730 TO THE DEPARTMENT OF FAMILY AND CHILDREN SERVICES FOR FINGERPRINT SCAN EQUIPMENT.**

Chairman Liakakis said, before we get into the — to vote on this, on Item #5, if the County Manager will explain that and any Commissioners can comment on that.

County Manager Abolt said, yes sir. As we discussed in general at the pre-meeting, we had had a vote a number of years back where there was a allocation of \$20,000,000 for projects loosely entitled East/West Corridor. Now, of course, the focus has been along what is now referred to as the DeRenne Avenue Corridor. Staff is very sensitive to the process in which we're looking at the west end of DeRenne before we do anything of substance on the east end, and that only after this Board and certainly the City Council are actually involved. This just sets the money in the right accounts. As you know, also this Board has put a partnership together with the City of Savannah to do some work on the west side. The County will be acquiring some right-of-way and the City will be building a project, but we're making progress finally, sir.

Chairman Liakakis recognized Commissioner Shay.

Commissioner Shay said, I just wanted to sort of tack onto the back of that, the short of it is that we're setting up accounts so that some of these improvements can be made, but the action that's being taken will only be for the west end of DeRenne Avenue, and it will not be for the eastern corridor, which will be a subsequent project, if ever. County Manager Abolt said, yes.

Chairman Liakakis recognized Commissioner Stone.

Commissioner Stone said, I think Commissioner Shay just stated what my concerns were that this is for the west side of DeRenne Avenue only at this time.

Chairman Liakakis said, so this is, you know, starting something as was mentioned that we're going to vote on shortly is that we want all the people, you know, that's east of Abercorn Street, all the residents to know, that we weren't voting today to take down any houses, you know, so we don't want those people to get excited right now. This was just transferring a fund as was explained by the County Manager in different projects.

County Attorney Hart said, Mr. Chairman, we need to get a motion and a second on the floor to continue discussion. Chairman Liakakis said, yeah.

Commissioner Shay said, Mr. Chairman, I'd like to move for approval of Item 1 with the clarifications that have been offered here today about the DeRenne Corridor funding. Commissioner Farrell said, second. Commissioner Stone said, second.

Chairman Liakakis said, go ahead, Commissioner Kicklighter.

Commissioner Kicklighter said, so basically then the money would be used to purchase or possibly purchase properties just anywhere from Abercorn going west. County Manager Abolt said, no. Commissioner Kicklighter asked, no? County Manager Abolt said, if you look at page 11 on the staff report, Mr. Bungard in a memo to Ms. Cramer has outlined the allocation of dollars.

Commissioner Odell said, this is just an accounting procedure to put money in various categories. County Manager Abolt said, yes, yes. Commissioner Odell said, it doesn't do anything as of this point. County Manager said, and only because it will now — can be misunderstood, the taking of property when and if it were ever to occur is governed by due process that protects the interest of the property owner.

Commissioner Kicklighter said, right, and that's not even something that has been a controversial issue anyhow, the part up to Abercorn because that alone will eliminate a lot of the congestion coming back into town.

Chairman Liakakis recognized Commissioner Odell.

Commissioner Odell said, as it relates to the East/West Corridor Study, Russ [Abolt], you're on the MPC, is that true? County Manager Abolt said, yes sir. Commissioner Odell said, and currently the MPC has let an initial contract to do an evaluation on the East/West Corridor. County Manager Abolt said, yes sir. Commissioner Odell said, I would like to have an update as to the status of that. County Manager Abolt said, we'll have it for you, sir. Commissioner Odell said, and what contracts have been let. That's one.

Helen [Stone] had said something which gave me great concern. What she said was that it does not affect those people east of Abercorn Street. Well, that's great. My district is west of Abercorn Street — Hampstead, that's my district — and I want that same clarification, Mr. Chairman that I know that this is an accounting procedure, but your statement that it doesn't affect people east of Abercorn concerns me because I'm west of Abercorn and that's my district. Chairman Liakakis said, well, this is not a vote either, Commissioner Odell, concerning taking any people's property on Hampstead Avenue, too, so it's those people also. Commissioner Odell said, but the clarification made it indicate that we weren't bothering the folks to the east, but we're not saying that to the folks to the west. You know, it was —, I was just concerned about the clarification.

Chairman Liakakis said, okay, the clarification is this, that we want everybody to know the residents on the east and west of Abercorn Street —. Commissioner Odell said, that works for me. Chairman Liakakis said, — and west Savannah.

Commissioner Kicklighter said, well, also — because I know what you're thinking because you have the residents on the west side, their homes are right up on the road and on our east part we don't, do we? Commissioner Odell said, yeah, we got it straight. Commissioner Kicklighter said, you do on the parkway, but not on DeRenne itself. Commissioner Odell said, no, we don't. Commissioner Kicklighter said, right.

County Attorney Hart said, Mr. Chairman, one thing the Commission needs to remember and the general public needs to remember is right now all they're doing is studying and trying to figure out the scope of the project, and we absolutely will not even entertain the remote possibility of going and condemning property or trying to take somebody's property until we have a defined scope, and that's just the general principle of law.

Chairman Liakakis recognized Commissioner Stone.

Commissioner Stone said, I guess I need to apologize to Commissioner Odell. I didn't mean to —. Commissioner Odell said, no, that isn't what —. Commissioner Stone said, — to draw a line. I just wanted to make sure that because in the meetings that I attended, which was my district, that there was a lot of concern on the east side, and so I just wanted to clarify that, but I did not mean to say that here's where the line is drawn.

Chairman Liakakis said, okay. We have a motion and a second on the floor for Item #1 with those specific items. Let's go on the board. The motion carried unanimously. Chairman Liakakis said, the motion passes.

ACTION OF THE BOARD:

Commissioner Shay moved that the Board approve the following: (1) an amendment to the Capital Improvement Program (CIP) Fund to recognize \$100,370 in revenue from sale of surplus property and appropriate \$100,370 for Fleet Operations, (2) an amendment to the Building Safety and Regulatory Services Fund to recognize \$4,690 in revenue from sale of surplus property and appropriate \$4,690 for vehicle replacement, (3) an amendment to the Confiscated Assets Fund to recognize \$36,715 in revenue from sale of surplus property and appropriate \$36,470 to the Counter Narcotics Team , and \$245 to the

Sheriff's Department, (4) an appropriation of \$5,662 in the Confiscated Assets Fund to the Counter Narcotics Team for acquisition of a vehicle, (5) transfers within the East/West Corridor Roads, Streets, Bridges in the Sales Tax III Fund to set up the following projects: East/West Corridor \$1,000,000; Hampstead Avenue/Mildred Street Connector \$9,000,000; DeRenne Avenue Widening \$1,000,000; DeRenne Avenue Intersection Improvements \$500,000; Hampstead Avenue Extension \$7,000,000; and Bay Street \$1,500,000, and (6) a General Fund M&O Contingency transfer of \$19,730 to the Department of Family and Children Services for fingerprint scan equipment. Commissioners Stone and Farrell seconded the motion and it carried unanimously.

AGENDA ITEM: IX-1

AGENDA DATE: January 27, 2006

TO: Board of Commissioners

THRU: R.E. Abolt, County Manager

FROM: Linda B. Cramer, Finance Director

ISSUE: To request approval of the following: (1) an amendment to the Capital Improvement Program (CIP) Fund to recognize \$100,370 in revenue from sale of surplus property and appropriate \$100,370 for Fleet Operations, (2) an amendment to the Building Safety and Regulatory Services Fund to recognize \$4,690 in revenue from sale of surplus property and appropriate \$4,690 for vehicle replacement, (3) an amendment to the Confiscated Assets Fund to recognize \$36,715 in revenue from sale of surplus property and appropriate \$36,470 to the Counter Narcotics Team , and \$245 to the Sheriff's Department, (4) an appropriation of \$5,662 in the Confiscated Assets Fund to the Counter Narcotics Team for acquisition of a vehicle, (5) transfers within the East/West Corridor Roads, Streets, Bridges in the Sales Tax III Fund to set up the following projects: East/West Corridor \$1,000,000; Hampstead Avenue/Mildred Street Connector \$9,000,000; DeRenne Avenue Widening \$1,000,000; DeRenne Avenue Intersection Improvements \$500,000; Hampstead Avenue Extension \$7,000,000; and Bay Street \$1,500,000, and (6) a General Fund M&O Contingency transfer of \$19,730 to the Department of Family and Children Services for fingerprint scan equipment.

BACKGROUND:

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

FACTS AND FINDINGS:

1. A surplus vehicle auction was held on December 8, 2005. A breakdown of the net proceeds is attached. Resolutions to recognize the revenue and appropriate funds for expenditure have been

prepared. The amount for each fund is as follows: Capital Improvement Program (CIP) Fund \$100,370; Building Safety and Regulatory Services Fund \$4,690; and Confiscated Assets Fund \$36,715. The total net proceeds were \$141,775. Correspondence and resolutions are attached.

2. The Fleet Manager has requested that the revenue in the CIP Fund be appropriated for vehicle replacement and Fleet Management's infrastructure needs (copy attached). This is contrary to the County's Adopted Financial Policies. The County's Adopted Financial Policies state that vehicle sales proceeds will be placed in the CIP Fund to be used for fleet replacement. Appropriating funds for infrastructure needs at the garage will be a departure from the policy of the Board.
3. The Counter Narcotics Team Commander has requested an appropriation of \$5,662 in the Confiscated Assets Fund for acquisition of a vehicle. A staff report is attached.
4. The County Engineer has requested transfers within the East/West Corridor Roads, Streets, Bridges in the Sales Tax III Fund to set up the following projects: East/West Corridor \$1,000,000; Hampstead Avenue/Mildred Street Connector \$9,000,000; DeRenne Avenue Widening \$1,000,000; DeRenne Avenue Intersection Improvements \$500,000; Hampstead Avenue Extension \$7,000,000; and Bay Street \$1,500,000. A copy of correspondence is attached.
5. The Department of Family and Children Services has requested funds to purchase a fingerprint scanning system. The amount is \$19,730. A transfer from General Fund M&O contingency would be necessary. Copies of correspondence are attached.

FUNDING:

Funds are available in the General Fund M&O for the contingency transfer. The budget amendments will establish funding in the Capital Improvement Program (CIP) Fund, the Building Safety and Regulatory Services Fund, and the Confiscated Assets Fund. Funds are available within the Confiscated Assets Fund for the CNT item.

ALTERNATIVES:

- (1) That the Board approve the following:

CAPITAL IMPROVEMENT PROGRAM FUND

a budget amendment to recognize additional revenue of \$100,370 from sale of surplus property and appropriate \$100,370 for Fleet Operations.

BUILDING SAFETY and REGULATORY SERVICES FUND

a budget amendment to recognize additional revenue of \$4,690 from sale of surplus property and appropriate \$4,690 for vehicle replacement

CONFISCATED ASSETS FUND

- a) a budget amendment to recognize additional revenue of \$36,715 from sale of surplus property and appropriate \$36,470 to the Counter Narcotics Team, and \$245 to the Sheriff's Department.
- b) an appropriation of \$5,662 to the Counter Narcotics Team for acquisition of a vehicle.

ONE PERCENT SALES TAX III (1998-2003) FUND

transfers within the East/West Corridor Roads, Streets, Bridges to set up the following projects: East/West Corridor \$1,000,000; Hampstead Avenue/Mildred Street Connector \$9,000,000; DeRenne Avenue Widening \$1,000,000; DeRenne Avenue Intersection Improvements \$500,000; Hampstead Avenue Extension \$7,000,000; and Bay Street \$1,500,000.

GENERAL FUND M&O

- a) a Contingency transfer of \$19,730 to the Department of Family and Children Services for fingerprint scan equipment.
- 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. The request for use of the proceeds from the sale of surplus property in the CIP Fund is an exception to the Policy for Use of One-Time Revenues.

RECOMMENDATION:

That the Board approve Alternative 1.

Prepared by: Read DeHaven

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2. REQUEST FOR BOARD TO PROVIDE FUNDING FOR A COMPREHENSIVE CRIMINAL JUSTICE STUDY TO INCLUDE THE FOLLOWING DEPARTMENTS: CLERK OF SUPERIOR COURT; SUPERIOR COURT JUDICIARY; STATE

**COURT; PROBATE COURT; MAGISTRATE COURT; RECORDER'S COURT;
ICS; SAVANNAH-CHATHAM METROPOLITAN POLICE DEPARTMENT;
DISTRICT ATTORNEY; PUBLIC DEFENDER; AND ADMINISTRATIVE
SERVICES.**

Chairman Liakakis recognized County Manager Abolt.

County Manager Abolt said, Mr. Chairman, ladies and gentlemen, before I introduce to you Mr. Massey and possibly Mr. Blair, who's in the audience, I do want to give not only a credit, but certainly a focus, if you will, on Commissioner Odell. This is something that has been discussed for a number of years. It was discussed as recently as your goals session last February wherein Commissioner Odell really led the discussion on what might be able to be done with our departments in the judicial system. Along comes Mr. Massey and Mr. Blair and people like Lewis Leonard, the Sheriff and District Attorney, Public Defender, and it's happening and it's happening by having an agency, the National Center for State Courts, do a special evaluation, type of evaluation that Commissioner Odell has requested on numerous occasions. I'm just proud to see it occur in the timing that it has and also to realize that Mr. Massey and his relative still newness to the position has taken leave to also create the opportunity for us to fund this very desirable program.

Commissioner Odell asked, may I just ask a question? Russ [Abolt], have we found funding this? County Manager Abolt said, it would come out of contingency, sir. It's \$41,000.

Chairman Liakakis said, it's in there, it's got a breakdown on it. Dan? Dan Massey is the Clerk of Superior Court. Dan, go ahead.

Mr. Massey said, this is an opportunity, I think, for this County to really take a step forward. It's the first time in many, many years that all the departments the County Manager just read out has stepped up to the plate and said that we will forego our individual requests for the good of the County and that we will take a study and we will plan a roadmap to the future, and that we will use that for budgetary purposes, we will use that for planning purposes, we will stop competing with one another for the limited resources of this County, and we will attempt to create a system for information migrates from one venue to the next, for information that's shared from one department to the next, where we look at the technologies that are available today with a vision for tomorrow so that we can bring efficiencies that have been proven in other jurisdictions to this County, so that we can attempt to save the taxpayers, to get improved public access to records, and improve the efficiencies within the criminal justice system of this County. This is the first step in that direction and we are all very, very enthusiastic about this process.

Chairman Liakakis said, and one thing on this, Dan [Massey], also that it will —, you won't have duplication of records that does not need to be duplicated. Is that right? Mr. Massey said, that's correct and it looks at all types of records too. It looks at the paper records that we have now and what do we do with those into the future, it looks at the scanned records, digitized records, microfilm and microfiche, it looks at all the different types of records that we have. It eliminates the process of data entry at the jail, data entry at Recorder's Court, data entry at the Superior Court, State Court, over in the Public Defender's office and the DA's office. All that occurs today, a great deal of duplication, and our goal is to eliminate that.

Chairman Liakakis recognized Commissioner Odell.

Commissioner Odell said, thank you. Just two points. Part of this was brought on by the Chairman when we had our planning meeting and Chairman Liakakis said that it's not us and them, it's just us. That kind of thinking carries over because I can remember a few years ago that the Clerks had very little mutual discussion across lines, but now I think there's a consensus that we're one organization. I think this will be historic. I mean, it's a sharing of information, the reduction of duplication. This is a major, major step. While we're on that, we will not, Carlton [Blair], in this study look at the feasibility of the drug court, will we? Mr. Carlton Blair said, no sir. Commissioner Odell said, okay. Mr. Blair said, no, let me take that back.

Chairman Liakakis said, Carlton [Blair], come up and identify yourself.

Mr. Blair said, I'm Carl Blair with the State Court. This has nothing to do with the feasibility or infeasibility of a given court. This is going to provide the administrative backbone by which all those things can be operated. The drug courts that now exist and the DUI court that now exists, both of which have to be handled administratively, those processes will be included in this study. Commissioner Odell said, okay. Mr. Blair said, I guess the short answer is yes sir. Commissioner Odell said, and I make the distinction because we have a drug court in Superior Court, we have a DUI court in State Court, but my question is going to whether or not at some point we're going to have a DUI court in State Court? That is —. Mr. Blair asked, you mean a drug court? Commissioner Odell asked, sir? Mr. Blair asked, you mean a drug court in State Court? Commissioner Odell said, drug court, yes. Mr. Blair said, all that could happen. That's some of the kinds of things we will be considering, how to handle those things that are our responsibility in the most efficient way for this County for my court or his court or whatever. Commissioner Odell said, absolutely. I understand. I was simply trying to bring in the fact that we've had a lot of success with our DUI —, not DUI, drug court in Superior Court. We also, I believe, need a drug court in State Court for the misdemeanors. We have a DUI court in State Court, but we as of now do not have a drug court. Mr. Blair asked, sir, are you referring to a mental health court? Commissioner Odell said, mental health drug court, yes. Simply patterned after the one in Superior Court. Mr. Blair said, the DUI court handles people who have drug problems of all kinds, they just happened to be caught for DUI, but we are in essence doing that very same thing now. Commissioner Odell said, okay. Mr. Blair said, we could in fact, if it's the will of the County, alter what we do so that we have a DUI portion and a drug portion, and it may well be that that's the thing to do because we're now going to the point where we have like 250 clients in the DUI court and it's getting too big for Judge Fowler to handle at one sitting, and we're trying to rustle with figuring out how to accommodate that, which means we're probably going to have to break it up. Doing that, we could accommodate a drug court and the DUI court under the same thing. Commissioner Odell said, yeah. What I want to do, I think there's and I hope you all will agree that it's an excellent time for us to look at the feasibility, even if we just are considering handling the administrative costs because DUI court in State Court has grown —, has grown, and we're not generating a business, we're handling the problem. Mr. Blair said, right. Commissioner Odell said, and in that it's going to be a problem, then I'd like to see us think about also expanding it at the State Court level to consider DUI —, not DUI —, drug kinds of offenses also. Mr. Blair said, well, I can tell you Judge Fowler is certainly not opposed to that and is anxious to do whatever we can. We have already demonstrated we have the administrative background to handle this model of court and we're happy to pass that along to — for any problem that we have that we need to deal with. Commissioner Odell said, I appreciate it. Thank you.

Chairman Liakakis recognized Commissioner Thomas.

Commissioner Thomas said, I'd just like to —, thank you, Mr. Chairman. I'd just like to commend each of you and those who will be participating for taking this step forward. I think it's a much needed thing. As you alluded to, it will certainly lessen the impact for competition, and I think in the future as you move forward that you will definitely have more clearly stated goals that each of you will be able to follow, and I think this is just wonderful.

Mr. Blair asked, may I make a comment? I've been trying to do this for, as many of you know, for the past 15 or so years and I'm just very, very delighted that now with Mr. Massey that's going to happen and with your help as well. Commissioner Thomas said, very good.

Chairman Liakakis asked, Commissioner Kicklighter, did you want to —? Okay. All right, I'd like a motion on the floor. Commissioner Stone said, so moved, Mr. Chairman. Commissioner Thomas said, second. Chairman Liakakis said, all right. We have a second on the floor to approve this. Any discussion? Okay, let's go on the board. The motion carried unanimously. Chairman Liakakis said, the motion passes. Mr. Massey said, thank you very much. Chairman Liakakis said, thank you very much. We appreciate your efforts. Mr. Massey said, thank you.

ACTION OF THE BOARD:

Commissioner Stone moved to approve a basic project with the National Center for State Courts and the optional site visit at a cost of \$34,688 plus \$5,907, if needed. Commissioner Thomas seconded the motion and it carried unanimously.

AGENDA ITEM: IX-2

AGENDA DATE: January 27, 2006

TO: Board of Commissioners

THRU: R.E. Abolt, County Manager

FROM: Daniel W. Massey, Clerk of Superior Court, et.al.

ISSUE:

To provide funding for a comprehensive criminal justice study.

BACKGROUND:

After 18 years in existence the JIMS (Judicial Information Management System) Committee has been dissolved and replaced with the RIMS (Records and Information Management System) Committee. The intent of the new committee is to address the who, what, when, where and why of the daily activities and work processes in each court, law enforcement departments, ICS, Public Defender and District Attorney. The RIMS committee goals include the migration and sharing of electronic data from

one venue to the next without the necessity of reentry of the same data as cases proceed through the criminal justice system. A second goal is to establish a "road map" to upgrade information systems and record management systems on a systematic and predictable schedule within the bounds of local financial and technical resources. The third goal is to reduce the competition and duplication of effort among the various departments for limited recourses and still achieve the identified goals of the various departments on behalf of the community as a whole. And take a systems approach to information, records and work processes within our criminal justice system. The fourth goal is to explore technology application advancements to provide increased efficiencies within the system.

FACTS AND FINDINGS:

1. In the past each department competed with each other for the limited resources (technical, space and financial) of this county without a systems approach to problem solving.
2. Changes and development of information systems was often allocated on a department by department basis without regard to how those changes and/or demands impacted the neighboring department.
3. Because of the lack of clearly defined goals within the criminal justice community, the sharing and migration of data from one department to another can never be realized.
4. There is a lack of short, mid-term and long term planning for our records and information systems within the court system.
5. Individual departmental request overburden the limited resources of ICS and Administrative Services which result in disjointed and unpredictable schedules and outputs.

ALTERNATIVES:

1. Approve contracting with the National Center for State Courts for the purpose of providing services as identified in the attached proposal to include all options, \$47,023.
2. Approve the basic project and the optional site visit \$34,688 plus \$5,907 if needed.
3. Approve only the Basic Project for \$34,688
4. Do Not Approve

FUNDING:

Funding would be required from the contingency reserve based upon the approval of Alternative 1 or 2.

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 adopt Alternative #2.

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3. BRIEFING FROM DR. DIANE WEEMS, CHAIR, SAFETY NET PLANNING COUNCIL, ON LEGISLATIVE ISSUES REGARDING INDIGENT HEALTH CARE. REQUEST IS MADE FOR BOARD TO ADOPT RESOLUTION REINFORCING THE DIRECTION AND CONTINUED SUCCESS OF THE CHATHAM COUNTY SAFETY NET PLANNING COUNCIL (SEE ATTACHED).

Chairman Liakakis said, you have all the information concerning this in your book. Chairman Liakakis recognized Dr. Diane Weems.

Dr. Diane Weems said, good morning. Thank you for your time and consideration this morning. I have with me this morning Mr. Robert Bush with Georgia Legal Services, who also serves as a member of the Safety Net Planning Council, and he specifically chairs our Planning Committee and our Legislative Advocacy Committee. I'd actually like to turn the podium to him first.

Chairman Liakakis said, give your full name please.

Mr. Robert Bush said, good morning. My name is Robert W. Bush and I am the Chairman of the Advocacy Committee of the Chatham County Safety Net Planning Council. The Council was created by way of a resolution from this body in March of 2004 with the mission of integrating — further integrating local healthcare services and also to develop additional healthcare resources for our community in a cost-effective manner. By now, just approximately two years from the date of our initial meeting, we have conducted an in-depth data driven evaluation of our County's healthcare continuum. We have been awarded over \$200,000 in grant monies to fund the care navigation system which we are currently implementing. We have researched IT data systems and are in the process of linking the healthcare providers in our community in order to maximize existing resources through careful planning, collaboration, coordination, and resource development.

Mr. Bush said, in that interest we've asked to be included on the agenda today to request resolutions on three issues which we feel are important elements to Chatham County's efforts to address the growing healthcare needs of the uninsured and the under-insured. Based upon our almost year long evaluation of local data and trends, we have formed a central principal that we feel must inform County healthcare

development if we are to maximize the coordination and efficiency of local resources in the face of, again, what is a growing need. That principal is that the dual aim of creating a cost-efficient and qualitatively successful healthcare delivery system can best be achieved by providing front-end preventive and primary care to all vulnerable populations. In light of this, we are alarmed at anticipated cuts to the Medicaid program which are currently anticipated, what affect they will have on our community. Governor Perdue had intended to ask for a waiver in order to make changes in limitations to the Medicaid program statewide. This would have meant, in essence, accepting a block grant from the Federal Government and giving up access to further federal funding. After encountering statewide opposition, including opposition from the Chatham County Safety Net, the Governor withdrew that proposal; however, he may submit it again and, if he doesn't, there's a strong likelihood that recent federal legislation will allow him to make limitations to Medicaid programs without seeking a waiver. The cuts will not only be budgetary but they will most likely cut loose many local Medicaid recipients who currently receive their healthcare through the Medicare program. Therefore, our first advocacy issue is the reduction and access to healthcare services for Medicaid patients.

Mr. Bush said, there are many perceptions or misperceptions that are driving the nationwide trend in order to limit Medicaid. One is that Medicaid is a financial burden on taxpayers, that Medicaid just costs too much. The truth of it is that the federal matching rate for Georgia is currently 60.4% of the total Medicaid spending. We are getting more than we give out in order to solve a problem that we're going to have to solve anyway. In addition to that, many people feel that Georgia pays too much already for Medicaid. In reality, Georgia ranks 43rd in Medicaid expenditures per enrollee in the nation. Forty-two other states pay more per enrollee in Medicaid than we do. In addition to that, a study conducted by Families USA using a model developed by the Department of Commerce, which is intended to apply individually to each state to evaluate the economic impact of Medicaid on the state, found that each \$100,000 of lost State Medicaid expenditures costs three jobs and \$125,000 of lost wages and salaries and over \$300,000 lost business revenue.

Mr. Bush said, the other misconception is that all poor people are eligible for Medicaid, that poor people get all of the healthcare that they need. The fact is that Medicaid is a targeted program highly regulated that serves only specific vulnerable populations, including pregnant women. And not women once they have delivered the child, but pregnant women, infants, children, the disabled, the elderly. These are the persons who benefit from this program.

Based upon these economical realities and what we have found through our two years of a collaborative process of studying the local continuum, we would like to make these recommendations to you as Chatham County's governing body. We are asking that you resolve to oppose reductions in Medicaid programs that limit access to a continuum of healthcare and that limit categories of eligibility. We are asking that you resolve to oppose any increase cost-sharing to low income citizens of Georgia, and we are asking that you oppose limiting access to Federal Medicaid funding. Now this is a resolution which costs us nothing to pass, but which would cost us millions of dollars if we don't act aggressively on this issue.

Chairman Liakakis said, all right. Do we have a motion on the floor? Commissioner Odell said, I make the motion for approval. Commissioner Thomas said, second. Chairman Liakakis said, it's been seconded. Any discussion? Let's go on the board for this resolution. The motion carried unanimously.

[NOTE: Commissioner Kicklighter was not present when this vote was taken.] Chairman Liakakis said, resolution number one approved. Mr. Bush said, thank you. Chairman Liakakis said, you're welcome.

Dr. Weems said, another issue that we addressed in an effort to maximize access to an efficient and effective use of community healthcare resources is the utilization of mid-level practitioners as a strategy in our community, used both by physicians in private practice and particularly by our community health centers, Curtis V. Cooper Primary Healthcare and Community Healthcare Center, the Health Department, J. C. Lewis. It is a strategy that assists us in providing effective healthcare to our population in the community, but particularly to our uninsured and under-insured, allowing us to maximize the utilization of the physician resources in our community. A major barrier exists, however, in optimizing the ability of our advanced practice registered nurses, commonly referred to as nurse practitioners, to deliver care in the most efficient manner. That issue is that advanced practice registered nurses in Georgia are prohibited from writing prescriptions under the current law and policy. The perception in the community and often by physician groups is that this group of professionals is not competent to write prescriptions. APRNs are certified under current national criteria, as are other healthcare professionals, and receive six to eight years of professional training. And, interestingly enough, under current law they may actually call in verbal prescriptions under a collaborative agreement with physicians and under a physician's name. They cannot write a prescription. As a physician myself, who has nurse practitioners working under my name, it really has increasingly become also a liability issue, as you may well recognize, as there are hundreds and hundreds of prescriptions, many of which sound very much alike. That wasn't true necessarily 15 years ago. So there's also a liability issue in not being able to cover a written record of that prescription but only a verbal order.

Dr. Weems said, another perception, and again the laws vary by State, but there is a concern that there would be no collaborative agreement or oversight by physicians if nurse practitioners were granted prescriptive privileges. In fact, both the current proposed legislations that are on the floor, House Bill 935 and State Bill 313, both require a collaborative relationship with physicians, which we support. It would not give nurse practitioners the ability to basically open their own practice, which is I think what we hear often from physicians as a fear of what would happen. And finally, I present the fact that I think speaks for itself, and that is that Georgia is the only State in the union in which advanced practiced registered nurses do not have the ability to write prescriptions. Again, there are differences in that some states they can do that independently; in many states, as we are suggesting, they do so under a collaborative agreement with a physician. Hence, the Safety Net Planning Council is coming to the Commission to ask for a resolution which would recommend granting prescriptive authority to advanced practice registered nurses under a collaborative physician agreement.

Commissioner Odell asked, may I ask just a question? Diane [Weems], are these nurse practitioners BSNs? Dr. Weems said, yes. Commissioner Odell said, okay. And would that agreement have to be filed with anyone or set forth in writing? Dr. Weems said, yes, there would be —, the two different bills are a little bit different, but there would be a written formal agreement and there would be an approved formulary of drugs that which —, which would determine, in effect, the scope of practice. For instance, narcotics. It could be that the physician working with that particular nurse practitioner wants to control which specific narcotic, if any, that nurse practitioner would be able to call in under his or her name. So there is an ability under both proposed legislative bills to control, if you will, the scope of practice as determined under that Physician/Nurse Practitioner Collaborative Agreement.

Commissioner Odell said, I'll make the motion to approve. Commissioner Stone said, second.

Chairman Liakakis said, all right, we have a motion on the floor to grant prescriptive authority to the advanced practice registered nurses.

Commissioner Gellatly said, I've got a question. Dr. Weems said, yes sir. Commissioner Gellatly asked, has there been some kind of a survey or call had the doctors in general feel about this? Dr. Weems said, MAG — the Medical Association of Georgia this year, as in previous years, it's policy statement is that it opposes any prescriptive privileges for nurse practitioners as well as any expanded practices for other allied health professionals. The Georgia Medical Society, our local medical society, is represented on the Safety Net Planning Council in which this was discussed. Individually many private physicians in our community support this issue and utilize nurse practitioners, but not all. Georgia Medical Society as a group, and this was taken to the Medical Society's executive committee and discussed with them, and they chose not to formally support or not support it, and there was a split of support from the physicians represents on that executive committee. As a body, however, to answer the question you asked, Medical Association of Georgia, which represents physicians, their stand is against this; however, the Safety Net's perspective —, again, MAG is look out for what, I think, most people would perceive is the interest of physicians —, their worry is that — the language they use is that if they allow this to happen, then other allied health professionals will follow. In fact, we know in all these other states that have allowed this that has not happened. That is the fear and that is the concern, and we're not supporting expanded practice for any other group except this particular group, which really enhances medical resources in our communities for our target population.

Chairman Liakakis asked, any other questions?

Commissioner Odell said, basically — just one more time. Basically, what we're doing we're already doing it? Dr. Weems said, yes sir. Commissioner Odell said, in most practices the nurse, if she's been with a doctor for an extended period of time, will come, will tell the doctor and will say these kinds of meds you give them and the doctor signs the prescription. This would just simply create an elaborate way of —, there must be a physician involved. The AMA of Georgia's concern was that we don't want to enable any competitors, we don't want you to be able or the nurse practitioner to go out, set up your office and see patients —. Dr. Weems said, this does not —. Commissioner Odell said, and this does not do that. It's a good thing with our cutbacks for poor people for healthcare. I think it's an excellent idea.

Chairman Liakakis said, okay. Let's —. Chairman Liakakis recognized Commissioner Farrell.

Commissioner Farrell asked, is there any particular reason the Safety Net has not polled the doctors in the local area? Dr. Weems said, resources. I mean, we've not —, we've gone to the Medical Society, who represents physicians. Dr. John Dekle and Dr. Keith Ellis and Dr. Michael Zoller are representatives of the Medical Society on our Safety Net. Dr. Ellis and Dr. Dekle both volunteer their time at one of our health centers and work closely with nurse practitioners who currently have to wait for their availability to sign a prescription or call in a prescription. I think especially the physicians who are volunteering their time understand how much more effective healthcare delivery could be with this legislation.

Commissioner Gellatly asked, could a nurse, you know, that's worked with a physician, but could a nurse that's not working, living at home in the neighborhood, write a prescription to a neighbor? Dr. Weems said, not legally. Not legally. Under a —, the physician would outline the parameters under which he or she should write those prescriptions. Commissioner Gellatly said, but if the parameters were foggy or not clear she could do that or he or she could do that? Dr. Weems said, if the physician allows —. Commissioner Odell said, they could do that now. Dr. Weems said, — I mean, I would think illegally you could do that now, but it would not be legal. Commissioner Odell said, it's not legal. You can do it, but it's not legal.

Chairman Liakakis recognized Commissioner Thomas.

Commissioner Thomas said, I don't know whether this is a good question or not, but any question is a good question I guess when you're trying to find out something. When we say, you know, the indigent clients, are we talking about them only seeing the nurse practitioner, and the reason why I asked that because I've had the experience several times you're supposed to see your doctor and they refer you to the nurse practitioner and I, in fact, I say I don't want to see the nurse practitioner, I want to see my doctor. We're not saying that at no time that they will not be able to see a doctor but will have the added extension of the nurse practitioner's ability to do these things? Dr. Weems said, correct, and that is a good question, Commissioner Thomas. More and more, probably if we pulled everybody in this room, everybody has seen a nurse practitioner. In our private physician's offices they are utilized more. How physician's utilize nurse practitioners would not significantly change under this legislation. Now, instead of having to run to the doctor to get him or her to sign the script or waiting on the phone to get the pharmacist to call it in, they could write the script as the physician approves them to prescribe certain drugs and handle certain problems. Again, that scope of practice is determined by the physician providing oversight.

Chairman Liakakis recognized County Attorney Hart.

County Attorney Hart said, yes. I just want to make sure that the Commission understands that the resolution you are passing has critical words in there that talks about the nurse's ability to give written prescriptions only pursuant to a collaborative practice agreement with the authorized treating physician, which means, you know, you're going to have to have a doctor that's going to have to agree with the parameters of that agreement, and obviously if it's overly broad or insignificant and there are abuses of it, there are criminal remedies for that and there's also civil remedies for that for a physician entering into an agreement that, you know, is less than clear. So, you know, there are safeguards built into your resolution.

Commissioner Odell said, and this doesn't change how the practice of medicine will be practiced. This is a you can just go to a nurse practitioner now. This is eliminating the procedure of the nurse practitioner having to wait on a physician, but the physician is still responsible and that's still his patient.

Chairman Liakakis said, all right, let's go on the board. Commissioner Thomas asked, did you want to speak? Commissioner Kicklighter said, I want to ask one question. Chairman Liakakis said, oh, excuse me. Stand by just a minute. Go ahead, Commissioner Kicklighter.

Commissioner Kicklighter asked, have y'all coordinated with the local doctor's association or whatever, and I'm sorry I missed the presentation. Commissioner Odell said, I think she's already answered that.

Commissioner Kicklighter said, well, I didn't hear it. So, quick answer, yes or no? Chairman Liakakis said, yes. Dr. Weems said, yes, it has been presented to the local Georgia Medical Society, which also has representation on the Safety Net Council. The Society as a group would present it to the medical executives. Their executive committee did not choose to endorse or not endorse it. They took it as information, and there is clearly, Commissioner Kicklighter, a split amongst physicians. Some support it, some don't, but as an organization, MAG at the State level does to support this. Commissioner Kicklighter said, okay. Thank you. Dr. Weems said, you're welcome.

Chairman Liakakis said, okay. Let's finish the vote. Chairman Liakakis and Commissioners Stone, Holmes, Shay, Farrell, Odell and Thomas voted in favor of the motion. Commissioners Gellatly and Kicklighter voted in opposition. The motion carried by a vote of seven to two. Chairman Liakakis said, okay, the motion passes. Dr. Weems said, thank you.

Chairman Liakakis said, all right, we have one — another resolution.

Dr. Weems said, last one. And it's probably, if I take off my Safety Net Planning Council hat and I put my Public Health hat on, this is probably the issue which concerns me the most in terms of posing a potential threat to our community here in Chatham County, as well as throughout the State of Georgia. There is several bills, Senate Bill 170, House Bill 1009 and House Resolution 256, that include in their language denying access to healthcare for undocumented immigrants, particularly and specifically healthcare services that are funded by the State or any subsection or contractor which receives State money. State Bill 170 and House Bill 1009 specifically eliminate access to sliding scales at public clinics and hospitals, like public health departments, by services like sexually transmitted disease screening, monitoring and surveillance of influenza, tuberculosis screening and early detection, as well as eliminating access to prenatal care, something we consider a basic and we've always considered a basic right to anyone in our country that we've not turned them away under a program called Babies Born Healthy. House Resolution 256 bars illegal aliens from receiving publicly funded healthcare services provided by the State. I won't even go into the issue or the concern that as a healthcare provider most of us take an oath which would prevent me from filling that obligation and complying with that law. But beyond that ethical issue, a policy such as that would really have a tremendous economic impact on our local community. We know that the most expensive source of healthcare is the emergency department. If you can't treat your bronchitis early on as an outpatient, you're going to end up in the emergency room, most likely, treated for pneumonia or admitted for treatment of pneumonia. Much more expensive than treating the problem early on in an ambulatory setting. What we would essentially do is increase uncompensated care in the emergency departments if these individuals could not seek care in our most cost-effective clinics, many of which do in fact receive State funding, directly or indirectly, and would also result of more crowding in our emergency departments, which are already filled with people inappropriately seeking primary care services in that setting, an issue that the Safety Net is really trying to tackle and decrease. This proposed legislation would make that — would really grow that problem exponentially. So the perception out there is that this provision of basic preventive healthcare to this population is a tax burden on local government and taxpayers, when in fact the provision of these services as we talk about — we always talk about the importance of preventive care, but we know it does reduce long term costs, more costly health services through emergency departments and hospitals, and promote community health and safety. The risk of infection or epidemic disease to all of our citizens if

we restrict access to services which provide for early detection and treatment of these diseases is tremendously worrisome.

Dr. Weems said, thirty percent of Georgia's immigrants carry TB, but they're not infections. We call it latent TB. Caught early, we screen most employees in large institutions. If caught early, we can treat it and it's not a problem — if these individuals have access to early screening. If those screening services are not available, we will have problems in our communities with the spread of infectious diseases that will not only impact the population this legislation addresses, but will impact each and every one of us. It will be a public health problem. We recommend in the resolution that this group oppose any legislation which would limit or deny access to basic preventive and primary health care services for any population. It is not something we have done in this country before. Federal programs already limit access to programs for this population. This legislation ultimately can be catastrophic for our community. It sounds very alarming again, but from a public health perspective at a time we worry about pandemic flu, avian flu, people don't come into the Health Department thinking, "I think I have TB, I think I have the flu." They walk into a community health center somewhere, maybe the Health Department, concerned about a health problem. Our ability to access them, to screen them and to determine if that is the problem is what allows us to provide detection and treatment in further spread of those diseases.

Dr. Weems said, so I ask for your support of this resolution. This does not have any language in it which discusses issues around labor issues regarding this population, employment issues. We are simply concerned with access to healthcare services that may be state-funded to this population. Yes sir?

Commissioner Odell said, I've got a motion, I'll move for approve, and before asking for a second I'll simply say that serving on the Public Health Board, review of this legislation is —, you wonder in which country you're reading this sort of stuff, but because it doesn't achieve what it seeks to achieve. We're not on the border of Mexico so we're not going to determine that issue. What we are determining is that if you have gotten here from whatever country and you have an infectious disease, if you show up to our Health Department, under this lunacy —, and it is lunacy; I mean, it's a full moon madness —, that a nurse could not treat you. The impact of that is that you will drift back catching a CAT bus somewhere and infect everybody on it. This is crazy. I mean, this legislation when you review it, you have to wonder. I think it's good intentions, but the impact is that it exposes the people they want to save. It exposes us. Additionally, how can doctors who have taken the Hippocratic Oath —, I would hope that we're not saying we support illegal immigration because we don't, and that's not our jurisdiction or decision. That's a pay grade above us. What we are saying is that from a public health standpoint if you show up sick in one of our clinics, we should be able to, and not violate any law in making a determination whether or not you're going to bring the chicken flu to South Georgia, and under this legislation you could not make the determination.

Chairman Liakakis asked do owe have a second on this? Commissioner Shay said, second. Chairman Liakakis said, we have a second. Commissioner Gellatly said, I have a question. Chairman Liakakis recognized Commissioner Gellatly.

Commissioner Gellatly said, I tend to agree with you that if we're talking about people that show up that have an infectious disease that could adversely affect the rest of the population, that's one thing, but I do have a problem with undocumented people that are illegally in this country. I mean, you go on and

on basically in prevent of primary health care, that could have nothing to do with infectious diseases. It could have —, you're talking about premedical care where everyone else has to pay for, but if you're illegal in this country, why it's free. And I totally agree with the infectious part where at any point in time it's going to adversely affect any other member of the community, by all means we should —, they should be treated and seen and what have you, but I do have a problem with people that go in there with a toothache or something like that and the taxpayers have to pay for that problem as well as pay for their own medical insurance. I would like clarification.

Dr. Weems said, if you step back and put yourselves in the shoes of the provider, and I have an opportunity to do that, people don't come to the door of a provider saying, "I have an infectious disease." They develop a relationship and trust. They come to the Health Department, they come to the community healthcare center, and hopefully they get seen early, as does anyone who's got a medical problem. None of us, none of those institutions right now ask for proof that you are a citizen. We ask for proof of income and charge on a sliding scale, and every institution has a separate policy about how you collect on that. What we find are most of our undocumented citizens aren't here for a hand-out. They pay on the appropriate sliding scale for their services as other citizens do, but if we don't have access to primary care, we're likely not to catch the infectious disease. People don't come to the door saying, "I have flu or TB;" they say, "I've had a cough for three months and I don't feel good." Or they'll walk in and say, "I've lost 20 pounds," and we had a case like that recently. There was no concern on the part of the patient that they had an infectious disease. They're not a doctor. What they knew is they felt lousy and they had lost a lot of weight. The ability to have access to these basic health services and understand that not only can we provide them, to also understand we're not the Immigration Service. We're not there to check their immigration status, so that when we diagnose them and have to find all their contacts, there's some level of trust so in fact we can get the names of those contacts to prevent further spread of the disease, we have the ability to do that. There is a concern —, there is already a concern that there's a great mistrust of our healthcare system. We know we don't check the citizen status. They do not. It is hard enough to get these individuals to come in for appropriate services today without this legislation. There is fear of any government entity on their part, but these people do work and contribute economically to our neighborhoods and our community and they pay for their services, just like anybody else does, on a sliding scale at these various clinics and centers. And I understand your concern, but again as a provider, understand people don't know they have an infectious disease. They know they have a health problem. The way to find it is through access.

Commissioner Gellatly said, you keep on talking about infectious diseases and I totally agree with that. My problem is the part is obviously not an infectious problem or problem for the community, and that's the only problem I have. I agree with the rest of it. Dr. Weems said, and I understand there's no way to know that until you access the patient. I mean, there's just —, people don't wear a sign on their forehead that says, "I have TB or I have the flu." I mean, you have to —, we have access to health services to make that assessment.

Chairman Liakakis recognized Commissioner Kicklighter.

Commissioner Kicklighter said, Doctor, I want to first thank you. I understand and appreciate your care and compassion for all people and I understand that you swore to basically keep everyone healthy, but — and you answered my first question, so y'all don't have to — y'all don't even ask whether or not they're a citizen or not, so I wouldn't have a problem treating anyone if at that point it was required that we had

to report them to immigration and basically detain them and have them taken wherever they illegally came from. My parents are private, self-employed. They pay, the last time I heard, a little over \$1,200 a month for hospital care only. They didn't get any coverage as far as going to a doctor, prescriptions, or anything, and my dad grew up in a little shack here and works hard and basically, you know, they don't get free health care, and it's \$1,200 a month for hospitalization only. And, you know, I just —, one comment you made, you said we're not immigration. I think that thought or mentality is part of the problem in the society in general on the local level as well as nationally is it's the same as that not in my backyard theory. As long as we can watch crime and stuff on television, if it's not our family member or doesn't affect our property that we don't need to call them. And, you know, that's where I think we, as Americans, can start improving the country is, no, you're not immigration, but you know that's someone's illegal. We should report illegal activities in this country. And rewarding —, you know, I don't want a single person to die because they tried to come to a place and have a better life. I understand and I actually feel for them, but the fact remains when you sit in a government position and you have to tax the legal people that were born here, and you're paying with those legal people's money to — for health care for illegal, it's a totally different position, and I hope you understand where my thought's coming from. I respect what you're doing. I understand the request, but to me to sit here and ask the legal people that obeys our laws, pays our taxes, to fund healthcare for illegal people, I can't unless they had to be reported and detained because I don't want any of them to die. I want them to be well, but when they come in and you give them the medicine, that's when they need to go, and, you know, I appreciate it and I hope you understand at least my thought on it. I just —, I don't think rewarding people for criminal activities — and rewarding meaning getting free health care period and not being reported or anything, that's a reward —, and, you know, getting free health care to stay alive and then having to obey our national — our laws and leave if that's the way the law states, then I can see that because we need to not let people die in this country, but we've got plenty of poor folks that were born right here in this country that are legal. They were born —, they may have been born in the worst area in life, and I'm talking throughout the country, just areas of mass poverty —, that we're not really taking great care of them, and to me as a government official that's in a sense that's the children. If you're up there in that type of position federally, and you've got to look out for your own kids before you take the neighbors child, and, you know, that's exactly what this kind of scenario is is you're allowing the neighbors to come over when you're not even feeding your own kids really good and you're not taking too good of care of those folks. I mean, we've got people right now coming back from war missing legs, missing arms, and the government don't seem to really be doing what probably should be done for those folks that sacrificed for us to have the freedom. And again, I appreciate your compassion and I share it. I don't want any of them to die of sickness, but obeying the law is the structure that keeps order in this country, and I think makes us the greatest country around, is we have laws and we should follow our laws. And, thank you.

Chairman Liakakis recognized Commissioner Stone.

Commissioner Stone said, Dr. Weems, I also want to thank you for what you do, and I concur with Commissioners Gellatly and Kicklighter. We've got legal citizens in this community that need healthcare and are not getting it, and I feel more of an obligation to our legal citizens than I do to people that are not in this country legally, and I just —, I feel more of a compassion to take care of our own, just as they have stated, before we take care of people that are not in this country legally.

Dr. Weems said, let me just add one comment, and that is really this isn't about compassion. This is about economic and public safety and public health. Commissioner Kicklighter said, and I support that —. Dr. Weems said, and I just want to make sure personally I do have compassion, but the decision of the Council, this is really an economic decision because if we bar access to these basic services, both these legislations will allow —, will not disallow service in the emergency department. That will be a cost that ultimately we'll be passed on to taxpayers and if there is not access to public health surveillance, early detection and screening, we will have an increase in public health problems in this community. So this isn't — beyond my personal compassion —, about compassion. This is about economics and public health and public safety.

Chairman Liakakis recognized Commissioner Farrell.

Commissioner Farrell said, I just want to make two statements. One, I won't have a problem endorsing a resolution that makes it legal for positions and others that want to volunteer their time to treat anyone; however, philosophically I do have a problem with taking taxpayer money and opening up benefits to people that have skirted around the legal ways to enter this country, and if it takes putting the brakes on using taxpayer money in healthcare to stimulate the other parts of our government to make some sort of documentation of the people that are in this country, then so be it, but philosophically I don't have a problem with anybody volunteering their time and efforts to treat illegal folks, but I can't really see as a representative of the taxpayers spending their money on people that shouldn't be here in the first place. I mean, you could extrapolate it out that an Al Qaida terrorist right before he goes on a mission needs to go in for a check-up and we'll pay for that and not ask any questions and off he goes. So it's not just illegal aliens from one country; it sounds like it could be illegal aliens from any country. So I just want to make that statement.

Chairman Liakakis recognized Commissioner Odell.

Commissioner Odell said, I guess I read the legislation wrong. My understanding is that in order to determine a public health issue, people must come in. So if you want to protect citizens, then you have to detect disease, and if you cannot detect disease in a high risk population, then you're doing the opposite of what you're intentions are. If you're intentions are to protect your citizens, then early detection is how you do that. This is not a vote on who wants to give illegal aliens healthcare. That's not the issue. The issue is that if someone has something that could be epidemic or pandemic, then we need to know about it, and if you can't get to it or if they cannot be seen, how do you know about it? How do you protect those citizens? The cost for the detection is minuscule compared to the cost of not being able to even see a sick person to make that determination. I mean, it is not a citizen's benefit, it is a citizen's injury. So do not be deceived, if they're not able to see them and they have to serve as immigration, they drift in the community, they continue to expose, the impact of which is those citizens — those taxpayers —, you increase their exposure to something that could have been avoided. Public health should never be immigration. Public health is for the citizens of that community, that state, that nation. We don't control in Chatham County who comes here, but if they come here with a disease, let us detect that and protect the other citizens. I —, you know, majority wins and the majority intellect of this committee is nope, we don't want to know, then that is y'all's decision.

Chairman Liakakis recognized Commissioner Shay.

Commissioner Shay said, real briefly. One of my other political heroes other than W. W. Law is Thomas Jefferson. He was sort of the original advocate for limited government, and he said that the only two things that the Federal Government should do are promote interstate commerce and defend the borders of this country, and I don't think that we should be trying to make the local healthcare providers the Federal Immigration Service. The Federal Government has the responsibility for protecting our borders. If they fail in that mission, then we should not put our citizens at risk to infectious disease as a consequence of that failure. That's all I'm saying.

Chairman Liakakis recognized Commissioner Gellatly.

Commissioner Gellatly said, yeah. Can you put that resolution back up on the board, the one that you want us to recommend? You know, we go over this. I think we're unanimous that none of us want anyone to be in a position where they can pass on serious diseases to other people. We don't care whether they're illegal or legal. They should all have this, but what you're basically saying is that we should give free basic healthcare to people that are not supposed to be in this country to begin with, and I'm opposed to that. I am not opposed to anything that's going to affect the well-being of this entire community. Obviously, we need to do that, you know, but I mean if someone's not supposed to be here to begin with comes in with a broken finger or something of this nature, the person that's employing them should pay that. Someone should pay for that service, and that should not be a free service. You know, if a member of my family breaks their finger, I have health insurance that I pay dearly for to have that taken care of. If it's someone in our community that was born in our community that's poor and impoverished or what have you, we have agencies and means to take care of these people, and that's the way it should be. We're narrowly and specifically talking about people that aren't supposed to be in here, that are in this country illegally, and your resolution the way it's worded, if you want to word the recommendation in a way that it's going to cover specifically infectious diseases or what have you, I will support that, but the way you have that written right now is to basically give free medical care to illegal aliens, and I'm opposed to that.

Dr. Weems said, Commissioner, if I can just add, it's —, nowhere does it say free. It says access —, the resolution as it reads in front of you is we oppose changes that restrict access to basic preventive and primary healthcare. It does not say it must be free. Commissioner Gellatly asked, well, who pays for it? Dr. Weems said, public health —, any healthcare —, Curtis V. Cooper, the federally-qualified health center, charge a fee on a sliding fee scale. These people for the most part pay toward their health care, like everybody who comes in. We do not distinguish who is a citizen and who is not. They are treated the same. They pay on a sliding fee scale. Most of these people work in our community and make an income, and I don't know if Mr. Burton, who's with the Community Health —, Curtis V. Cooper, wants to comment, but most of these people pay for their health care. This is not a free ride. I just wanted to make that clear. You keep using the word free and it's —.

Commissioner Farrell asked, is that just a portion of the total cost though or the cost is picked up by some other —? Dr. Weems said, sure. Let me give you an example in our tuberculosis program. Most of the Georgia tuberculosis program is actually funded by the State for control of the spread of tuberculosis. Most of the work that is done here locally is actually not funded by you, but by the State because the State understands —. Commissioner Kicklighter said, but that is us. Chairman Liakakis said, wait a minute, hold it. Commissioner Kicklighter said, we pay State taxes. Dr. Weems said, if we cannot control TB in Savannah, Georgia, you're not going to be able to control it in St. Simons or

Brunswick or Macon because bacteria doesn't know where the borders are. So it is a Statewide controlled program, as an example. So care is supplemented, obviously, by taxpayer's money. But these people generally contribute for their healthcare. Because I keep hearing the word free, I just want to make sure you understand. They're not treated differently than other people seeking these services.

Chairman Liakakis recognized Commissioner Kicklighter.

Commissioner Kicklighter said, no problem preventing the spread of disease. If you had to report, report them, and they would be deported, and an example of that is I would hope and I would think that any doctor in town, if a serial child murderer walked into the office and they were standing there with three men and the doctor recognized them from television that they killed children, I would hope the doctor would pick up the phone and call and do his civic duty and report that criminal. Okay? You have illegal immigrants walking in. The physicians know they're breaking the laws of this country. Pick up the phone and call. You don't reward people that break the law in this country. And that's it. You treat them, but then they need to be deported, and uphold our laws and —, we can debate it all day. I think after a couple of more comments, we need to just vote because it's clear-cut how everybody feels on this.

Chairman Liakakis recognized Commissioner Holmes.

Commissioner Holmes said, I want to ask that we table it. Commissioner Farrell said, I'll second that. Commissioner Holmes said, and the reason why I said table it being until we ask our Attorney to look at the language, ask her to rewrite it where we are comfortable with it. Right now, from what I've heard on the table, I'm not clear with it myself and I wouldn't vote in favor of it. But if you can reword that in a language with our Attorney to clarify it to us to what we voted on clearly, I'm pretty sure you would get a consensus that you are voting in your favor. Other than that, what we have up here now is not clear the language just what our colleagues are saying it's in. I would ask to table it just to get some more clarification on it.

Chairman Liakakis said, we have a motion on the floor to table this to a time certain then? Commissioner Farrell said, I'll second that. Chairman Liakakis asked, to table it for how long, James [Holmes], for 30 days? Commissioner Holmes said, table it for —. Chairman Liakakis said, or two weeks? Commissioner Holmes said, two weeks. Chairman Liakakis said, two weeks. Okay. We have a motion on the floor to table this resolution for the next meeting. Commissioner Shay asked, are you talking about just the third one? Chairman Liakakis said, right. Yes.

Commissioner Odell said, and basically what we're going to do, Mr. Chairman, it's going to be given to Mr. Hart, and I think Jon's [Hart] heard the consensus, and his obligation would be to construct —, and it's not —, this is a resolution. We're not passing any laws here. This is —, we're not going to law. It's a recommendation basically that all of the counties are being asked to send, and it's tied to public health, but to give language that's comfortable. Is that the consensus? Is that what you're saying, James [Holmes]?

County Attorney Hart said, Mr. Chairman, there's a motion to table on the floor which cuts off discussion with a second.

Chairman Liakakis said, it's been seconded. Commissioner Odell said, it's cut off. Chairman Liakakis said, let's go on the board. A motion has been made to table. Chairman Liakakis and Commissioners Stone, Holmes, Farrell, Odell, Gellatly, Kicklighter and Thomas voted in favor of the motion. Commissioners Shay voted in opposition. The motion carried by a vote of eight to one. Chairman Liakakis said, this is a motion to table this to the next meeting, table this resolution for the next meeting. The motion passes.

Chairman Liakakis said, thank y'all very much from coming up today.

ACTION OF THE BOARD:

1. Commissioner Odell moved to approve that a resolution be sent to all Chatham County representatives or other representatives serving on committees or subcommittees of the State Legislature responsible for public health care issues that the governing body of Chatham County supports increasing access to healthcare for uninsured and under-insured through the legislative process, which process should engage community leaders and consumers, improve quality and access to a continuum of healthcare without further limiting categories of eligibility and scope of coverage, and without increasing cost-sharing to low income citizens of Georgia, or limiting access to Federal Medicaid funding. Commissioner Thomas seconded the motion and it carried unanimously.
2. Commissioner Odell moved to approve that a resolution be sent to the representatives of Chatham County and other representatives serving on committees or subcommittees of the State Legislature responsible for public healthcare issues that the governing body of Chatham County supports legislation which would allow Advanced Practice Registered Nurses to issue written or verbal prescription drugs pursuant to a collaborative practice agreement with an authorized physician. Commissioner Stone seconded the motion. Chairman Liakakis and Commissioners Stone, Holmes, Shay, Farrell, Odell and Thomas voted in favor of the motion. Commissioners Gellatly and Kicklighter voted in opposition. The motion carried by a vote of seven to two.
3. Commissioner Odell moved to approve that a resolution be sent to the representatives of Chatham County and other representatives serving on committees or subcommittees of the State Legislature responsible for public healthcare issues that the governing body of Chatham County wishes to oppose any changes that restrict access to basic preventive and primary healthcare for undocumented persons, adversely impact the local community health status, hospitals and other healthcare institutions, or that negligently affect the local economy. Commissioner Shay seconded the motion.
4. Commissioner Holmes moved to table the previous motion for two weeks. Commissioner Farrell seconded the motion. Chairman Liakakis and Commissioners Stone, Holmes, Farrell, Odell, Gellatly, Kicklighter and Thomas voted in favor of the motion. Commissioners Shay voted in opposition. The motion carried by a vote of eight to one.

AGENDA ITEM: **IX-3**
AGENDA DATE: January 27, 2006

RESOLUTION

WHEREAS, the Chatham County Board of Commissioners authorized the formation of a group known as the Chatham County Safety Net Planning Council that is a coalition of public healthcare service providers dedicated to maximizing access to and efficient use of community healthcare resources; and

WHEREAS, the Chatham County Safety Net Planning Council has identified priority issues that should be addressed in the current legislative session, as they could potentially impact access by the uninsured/under insured to healthcare, resulting in detrimental impact and increased cost to the local community.

WHEREAS, Chatham County recognizes that the additional healthcare burden created by cutting Medicaid services will fall to the county and local healthcare providers;

WHEREAS, the number of elderly and chronically ill individuals who need healthcare is predicted to increase in coming years;

WHEREAS, providing front-end primary and preventive care has been shown to be the most effective means of meeting community healthcare needs in a cost-effective manner;

NOW THEREFORE, the Chatham County Board of Commissioners, in conjunction with the Chatham County Safety Net Planning Council do hereby resolve that a resolution be sent to all representatives of Chatham County and other representatives serving on committees or subcommittees of the State legislature responsible for public healthcare issues more particularly as follows:

The governing body of Chatham County supports increasing access to healthcare for the uninsured and under-insured through the legislative process, which process should engage community leaders and consumers, improve quality and access to a continuum of healthcare without further limiting categories of eligibility and scope of coverage, and without increasing cost-sharing to low-income citizens of Georgia, or limiting access to federal Medicaid funding.

ADOPTED AND APPROVED, this _____ day of _____, 2006.

Pete Liakakis, Chairman

Attest: _____
Sybil E. Tillman, Clerk

RESOLUTION

WHEREAS, the Chatham County Board of Commissioners authorized the formation of a group known as the Chatham County Safety Net Planning Council that is a coalition of public healthcare service providers dedicated to maximizing access to and efficient use of community healthcare resources; and

WHEREAS, the Chatham County Safety Net Planning Council has identified priority issues that should be addressed in the current legislative session, as they could potentially impact access by the uninsured/underinsured to healthcare, resulting in detrimental impact and increased cost to the local community.

WHEREAS, Chatham County recognizes that allowing Advanced Practice Registered Nurses to write medical prescriptions will allow these mid-level practitioners to function more efficiently, reducing patient wait times and reducing cost of healthcare;

WHEREAS, awarding prescriptive rights to Advanced Practice Registered Nurses would improve patient access and availability of necessary medications to underserved populations, including the uninsured/underinsured population which the County currently serves;

WHEREAS, Chatham County acknowledges that Advanced Practice Nurses should continue to practice with a physician within a collaborative practice arrangement using specific practice protocols;

WHEREAS, the CCSNPC has identified that in times of disasters, such as Hurricane Katrina, there is a cost saving in allowing Advanced Practice Nurses to maximize their ability to provide healthcare services to impacted persons and use the full scope of their training in providing such services;

NOW THEREFORE, the Chatham County Board of Commissioners, in conjunction with the Chatham County Safety Net Planning Council do

hereby unanimously resolve that a resolution be sent to all representatives of Chatham County and other representatives serving on committees or subcommittees of the State legislature responsible for public healthcare issues more particularly as follows:

The governing body of Chatham County supports legislation which would allow Advanced Practice Registered Nurses to issue written or verbal prescription drugs pursuant to a collaborative practice agreement with an authorized physician.

ADOPTED AND APPROVED, this _____ day of _____, 2006.

Pete Liakakis, Chairman

Attest: _____
Sybil E. Tillman, Clerk

RESOLUTION

WHEREAS, the Chatham County Board of Commissioners authorized the formation of a group known as the Chatham County Safety Net Planning Council that is a coalition of public healthcare service providers dedicated to maximizing access to and efficient use of community healthcare resources; and

WHEREAS, the Chatham County Safety Net Planning Council has identified priority issues that should be addressed in the current legislative session, as they could potentially impact access by the uninsured/under insured to healthcare, resulting in detrimental impact and increased cost to the local community.

NOW THEREFORE, the Chatham County Board of Commissioners, in conjunction with the Chatham County Safety Net Planning Council do hereby unanimously resolve that a resolution be sent to all representatives of Chatham County and other representatives responsible for public healthcare issues more particularly as follows:

1. The governing body of Chatham County supports legislation which would allow Advanced Practice Registered Nurses to issue written or verbal prescription drugs pursuant to a collaborative practice agreement with an authorizing physician.

2. The governing body of Chatham County supports increasing access to healthcare for the uninsured and under-insured through the legislative process, which process should engage community leaders and consumers, improve quality and access to a continuum of healthcare without further limiting categories of eligibility and scope of coverage, and without increasing cost-sharing to low-income citizens of Georgia, or limiting access to federal Medicaid funding.

3. The governing body of Chatham County wishes to ensure that any changes in access to healthcare for undocumented persons does not adversely impact the local community health status, hospitals and other healthcare institutions, or negatively affect the local economy.

ADOPTED AND APPROVED, this _____ day of _____, 2006.

Pete Liakakis, Chairman

Attest: _____
Sybil E. Tillman, Clerk

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4. **REQUEST BOARD APPROVE A REQUEST FROM MR. W. DARREL LEE FOR THE COUNTY TO DECLARE UN-OPENED PORTIONS OF EAST BOULEVARD RIGHT-OF-WAY (ROW), BETWEEN LOTS 94/95 AND 94A/95A, WILMINGTON ISLAND PLEASURE AND IMPROVEMENT COMPANY SUBDIVISION (PINS: 1-0099 -08-011 AND 1-0099- 11-011) AS SURPLUS AND TO QUITCLAIM THE ROW.
[DISTRICT 4.]**
5. **REQUEST BOARD APPROVE REQUESTS FROM WARREN J. BLACKMON AND LISA ANNE MURDOCK/GREG EVANS FOR THE COUNTY TO DECLARE UN-OPENED PORTIONS OF EAST BOULEVARD RIGHT-OF-WAY (ROW), ADJACENT TO THEIR PROPERTIES AS SURPLUS AND TO QUITCLAIM THE ROW. MR. BLACKMON'S PROPERTY IS MARSH LOT 93A, WILMINGTON ISLAND PLEASURE AND IMPROVEMENT COMPANY SUBDIVISION (PIN: 1-0099 -11-012). THE MURDOCK/EVANS PROPERTY IS LOT 93, WILMINGTON ISLAND PLEASURE AND IMPROVEMENT COMPANY SUBDIVISION (PIN: 1-0099 -08-008). SEE HISTORICAL FILE ATTACHED.
[DISTRICT 4.]**

Chairman Liakakis recognized County Manager Abolt.

County Manager Abolt said, Mr. Chairman, because this item as you've read is neighbor to the next item, staff will now make a presentation and I'll refer to Mr. Bungard, Mr. Grevemberg and then the County Attorney, but staff's presentation will cover both Items 4 and 5 on your agenda. The reason it has been split is because staff is of the opinion that the first item as read by the Chairman may have the least amount of controversy. County Manager Abolt recognized Mr. Grevemberg.

Mr. Vincent Grevemberg said, good morning. The first item, Mr. Lee —, he owns the property on both sides of the right-of-way, which is different from the second request where you have different property owners. We separated it like Mr. Abolt said. The first one is simple. There should really be no issue there. The second one, one of the petitioners owns property on the marsh side of the right-of-way. Only marsh. There is a potential question about that person's ability to request a quitclaim. I think the County Attorney will be able to get into that. You've got a map in your package that hopefully explains the situation where everybody's located. It may not be painfully clear that the people on the marsh side have only marsh, and that's the key point to remember for the second request.

Chairman Liakakis said, all right. Let's take them one at a time because the way it's here instead of voting on them because we don't know if all of the Commissioners want or just one —. County Attorney Hart said, correct. Chairman Liakakis said, — to go. County Attorney, would you go into it.

County Attorney Hart said, sure. I'm holding up a map that's in your —, back of your package. Basically, the Wilmington Island Pleasure and Improvement Company was a subdivision that was subdivided in early 1900's and at that time was a failure. The depression got it and basically there's an unopened right-of-way called East Boulevard that ran along the marsh there. You will notice that in your drawing. At the time they developed this subdivision, it had two sets of lots. One was what we call upland lots and then you had East Boulevard and then you had what they designated by the plats as marsh lots, and they conveyed those by deeds. As you are aware, the State of Georgia takes the position that they own all the marshes unless you have a King's Grant. So, the effectiveness of the conveyance of title as to marsh lots are always going to be in question unless you can show you've got a King's Grant. As far as Mr. Lee's property goes, you will know looking at that map, he owns the uplands lot to the north and then you will note to the south he owns Lots 94A and 95A, commonly referred to as marsh lots. Whatever kind of title he has, he has that kind of title that's permitted by law. I don't make comments on that. The middle portion of that is the unopened right-of-way, which serves no real public function by the County and the County has never maintained or kept it. Traditionally, we have allowed on East Boulevard, if there are no serious objections by the surrounding property owners, the acquisition or purchase for fair market value of the property within those two lines. So as far as Mr. Lee's property goes, and quite frankly he's been maintaining that area probably for 20 or 25 years as his front yard. So it doesn't look like a boulevard, it looks like a front yard, and he is requesting at this point in time that the County quitclaim any rights that it may have as claiming it to be a public boulevard, and there's a question of whether we even have it as a public boulevard since we never maintained it or whatever, and the only reason that comes up is because of the subdivision plat over there at the Courthouse. Okay? There are also separate and apart from the County in which the County has no interest in this, the —.

Commissioner Odell asked, may I ask a question before you go on? County Attorney Hart said, sure. Commissioner Odell asked, how long has he maintained the property as his front —? County Attorney

Hart said, probably 15 to 20 years, as near as I know. He's been a long-term resident there. Commissioner Odell asked, he would have the —. County Attorney Hart said, he'd probably have to answer that question. Commissioner Odell said, but if it's longer than seven, then he would —. County Attorney Hart said, he could —, well, if it's a public right-of-way, adverse possession or color-of-title doesn't run against a sovereign State. It would as against between me and you private citizens. Commissioner Odell said, right, but if the State abandoned, and that is fails to keep and doesn't exercise any governmental function —, I don't know. Go ahead. County Attorney Hart said, the abandonment law though in the estate for right-of-ways is that there must be an affirmative act of the legislative body, board of commissioners, to show the intent to abandonment, and that's kind of written so the State doesn't lose any property by sitting on its rights. You've got to have some type of affirmative act. Yes sir?

Commissioner Kicklighter asked, did you state at the beginning that we normally sell this type of —? County Attorney Hart said, oh, we always it. Commissioner Kicklighter asked, they're not asking to buy —? County Attorney Hart said, oh, yeah, they're asking to buy. Commissioner Kicklighter said, okay. Well —. County Attorney Hart said, if we get a conceptual approval that y'all do not find it to be something the County needs, which Engineering's look at and made that decision, then once that's done the owner at his expense will have to go out and get an appraisal. The appraisal will have to come in and be looked at and determined that we believe it to be the fair market value of the property and meet all the deed requirements at his expense. Commissioner Kicklighter asked, you see this as being okay because we hadn't used it and everything? County Attorney Hart said, sure. I'm mean, it's really whether you want to or not. Commissioner Kicklighter said, okay. Well, I make a motion to approve.

Chairman Liakakis said, we have a motion on the floor to approve the recommendation. Do we have a second? Commissioner Farrell said, I'll second it for discussion purposes. Chairman Liakakis said, all right. It's been seconded. Discussion?

Commissioner Farrell said, one question. Are there any objections from any of the surrounding property owners? County Attorney Hart said, yes sir, that's a fair question. When Mr. Lee first put this request in, there were no objections by his neighbors. Okay? Going to the second item, which we separated the two agenda items, which is what makes this a little bit more complicated than usual, Mr. Blackmon purchased at a tax sale Marsh Lot 93A for \$1,500, somewhere in there. In all condor, probably that marsh lot went for taxes because somebody finally got tired of paying taxes on property that was just basically and they couldn't own, okay, because the State claims you can't do anything with the property. So he now has a Sheriff's Title out of a tax sale subject to whatever a tax deed title gives you, subject to what the State law says. So he may or may not have anything. If he's got some uplands in that marsh lot which may be very, very small, he might have something there, but the State's going to take the position he has nothing if it's a total marsh lot. He has now requested the little block for half of the right-of-way to East Boulevard. Mr. Murdock, who owns the uplands side on the other side, wants the other half of the right-of-way. If you own property contiguous to the right-of-way that is not kept up and is an unopened right-of-way, there is a presumption that the owner of the contiguous lot owns to the middle of the right-of-way. Okay? So, he has now requested that half of the right-of-way. Mr. Murdock has requested that half of the right-of-way. Mr. Lee objects to Mr. Blackmon having that little triangle piece of property because he feels like Mr. Blackmon has attempted to cross his yard with cars and things and Mr. Blackmon takes the position that if you're going to object to my getting one-half of the right-of-way, I'm going to object to you acquiring the right-of-way that you've had. Mr. Murdock, who owns the square

to the top of that map, the smaller square of the other half of the right-of-way, does not object, as I understand it, to Mr. Lee, but does object to Mr. Blackmon. So —.

Commissioner Kicklighter asked, does Blackmon object to Lee? Does either one object to Lee? County Attorney Hart said, yes, Mr. Blackmon objects to Lee.

Commissioner Farrell asked, can we get any citizens that want to —, come to podium and —. County Attorney Hart said, please understand, I'm taking this based on what —. Commissioner Farrell asked, any citizens that are here today that want to speak on this particular issue?

Mr. McCorkle said, my name is Robert L. McCorkle, III. I am here representing Mr. Lee today. I wanted to clarify a couple of things the County Attorney said just to make sure we're all on the same page. I also have some — maybe some better maps and pictures, if y'all would like to see them. It will give you —.

Commissioner Kicklighter said, sir, let me ask a question —. Mr. McCorkle said, sure. Commissioner Kicklighter said, — to save some time here. Is Mr. Blackmon here? Mr. Blackmon said, yes. Commissioner Kicklighter said, Mr. Blackmon, could you come forward also please, sir. Mr. Blackmon said, sure. Commissioner Kicklighter asked, do you object to Mr. Lee as far as what's on the map moving forward on that one? Mr. Blackmon said, I don't object to anything other than blocking me to have the road to go to —. The Clerk said, come to the mike please. Mr. Blackmon said, I did not object to anything to anyone as long as I have rights of the road fronting on my property. Commissioner Kicklighter asked, would that still be in place, Mr. Attorney? County Attorney Hart said, we would have —, if you grant the quitclaim deed, the County would be conveying any title, whatever that may be, to Mr. Lee. Separate and apart from the County is a separate issue that is a private matter between Mr. Lee and Mr. Blackmon as to whether Mr. Blackmon has any rights as an owner of a lot within a subdivision to cross that particular property. Commissioner Kicklighter said, okay. County Attorney Hart said, those are private rights that don't deal with us, and you could make an argument one way or the other way.

Commissioner Kicklighter said, all right. Well, what I would like to see happen is I would like to remove my previous motion. I would like to see all parties involved get together with you, Jon [Hart], as if you don't have enough to do. Y'all come up with a resolution where all three of you agree on and what you believe is legal for us to allow that, and bring that back to us. So I remove my original motion and I'm going to make a motion to table. We're not — no — we're nowhere near —, we can talk this to death today, but until we know that we're not taking his access rights away, then, you know, we're not doing our —.

Mr. McCorkle said, they made the comment that Mr. Lee doesn't — isn't here objecting to Mr. Blackmon. The County Attorney said we were objecting. I don't object to Mr. Blackmon. It was our understanding —, I represent Mr. Lee. It was our understanding that these were two separate issues. Mr. Lee's property, if you look at half — and again I have some pictures if you would like to see them that are — be more explanatory to you. Our property —, Mr. Lee owns the land lots and the marsh lots. We went back, we drew a survey. We redrew the lines as fairly as possible in a straight line between the marsh lots and the land lots. I don't think Mr. Blackmon objects to the way we drew our lines. Now this road, even though it's an abandoned right-of-way, here is actually a dirt — there is a dirt road that exists there that people use to access their houses that's upkeep by the citizens there, so when you're driving down this dirt road, you've got some houses on your left, you've got about 30 feet of right-of-way on your left,

you've got about 80 feet of right-of-way on your right, and then you have the marsh. Now Mr. Blackmon's ability to access his property, it can be accessed by making a right turn off of that dirt road onto the right-of-way that is in front of the marsh lot that he owns. Now the issue for Mr. Lee is Mr. Lee's portion of the right-of-way that we're requesting is next to the portion that he's requesting. We're not requesting anything —.

Commissioner Kicklighter said, sir, with all due respect, I will be comfortable —, I understand and appreciate your job as the attorney for Mr. Lee, and I initially wanted to move forward, but I would be more comfortable with our attorney agreeing that his access would not be hampered or harmed and, in doing so, you know, that —.

Chairman Liakakis said, you made a motion to table this until the attorney—. Commissioner Gellatly said, second. Chairman Liakakis said, and it's been seconded. Jon [Hart], how long do you figure —, do we need two weeks to table this? Would two weeks or a month —? County Attorney Hart said, probably a month, I guess, maybe, because you've got so many parties involved about scheduling. Chairman Liakakis said, okay. We have a motion on the floor and it's been seconded to table this for 30 days.

Commissioner Farrell said, I will participate, because it's my district, in this consensus-building and basically we would like to have a consensus presented to the Board from the various property owners.

Chairman Liakakis said, all right, let's go on the board —, but, Mr. McCorkle, I mean, in the essence of time and all, it's not going to be voted on today, that's the feeling that we hear, and so our County Attorney's been requested —, our County Attorney, we'll see how this vote goes, but they want to listen to the County Attorney to bring back the information to us, and that's basically it. So any other discussion right now, it's not going to proceed any further listening to everyone. It's been motioned and tabled. 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. Thank you. That's for Items 4 and 5 now. Correct? Commissioner Kicklighter said, yes sir.

ACTION OF THE BOARD:

Commissioner Kicklighter moved to table Items 4 and 5 until the meeting on February 24, 2006, for the County Attorney to meet with the parties to try to resolve the differences between the parties. Commissioner Gellatly seconded the motion and it carried unanimously. [NOTE: Commissioner Odell was not present when this vote was taken.]

AGENDA ITEM: X-4

AGENDA DATE: January 27, 2006

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 request from Mr. W. Darrel Lee for the County to declare an un-opened portion of East Boulevard Right-of-way (ROW), between Lots 94/95 and 94A/95A, Wilmington Island Pleasure and Improvement Company Subdivision (PINs: 1-0099-08-011 & 1-0099-11-011) as surplus and to quitclaim the ROW.

BACKGROUND: This section of East Boulevard is not maintained by Chatham County, and is considered un-opened. The petitioner owns the properties that border both sides of the requested portion of East Boulevard. Notice that this request would be considered today was sent to all potentially affected property owners.

FACTS & FINDINGS:

1. The location of the requested right-of-way (ROW) is shown on the attached map Mr. Lee's request is for the entire width of East Boulevard between Lots 94/95 and 94A/95A, with a 20 ft. perpetual access easement to accommodate use of the existing East Boulevard traveled way. The requested portion of the ROW is approximately 0.25 acres in size.
2. Staff has checked for possible County use for this ROW. There has been no need identified to retain the ROW for future road or drainage construction.
3. All of the adjacent property owners (Delbert F. & Tannie M. Anderson, Warren J. Blackmon, Lisa Anne Murdock and Greg Evans) were notified on January 18th by certified mail of the quitclaim request and advised as to the date and time of this meeting. The petitioner's attorney, Robert McCorkle, was also advised telephonically that the issue was on today's agenda.
4. If approved, the petitioner must pay the County the fair market value for the ROW to be determined by a professional appraisal, and provide the necessary appraisal, deed, and plat at his 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 portion of East Boulevard ROW between Lots 94/95 and 94A/95A, Wilmington Island Pleasure and Improvement Company Subdivision (PINs:1-0099 -08-011 & 1-0099 -11-011) as surplus and quitclaim the ROW to Mr. W. Darrel Lee. The petitioner 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 his expense.
2. Do not approve the request.

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

RECOMMENDATION: For Board consideration.

District 4

Prepared by: Vincent Grevemberg

AGENDA ITEM: X-5

AGENDA DATE: January 27, 2006

TO: Board of Commissioners

THRU: R. E. Abolt, County Manager

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

ISSUE: To present to the Board requests from Warren J. Blackmon and Lisa Anne Murdock/Greg Evans for the County to declare un-opened portions of East Boulevard Right-of-way (ROW), adjacent to their properties as surplus and to quitclaim the ROW. Mr. Blackmon's property is Marsh Lot 93A, Wilmington Island Pleasure and Improvement Company Subdivision (PIN:1-0099 -11-012). The Murdock/Evans property is Lot 93, Wilmington Island Pleasure and Improvement Company Subdivision (PIN:1-0099 -08-008),

BACKGROUND: This section of East Boulevard is not maintained by Chatham County, and is considered un-opened. Notice that this request would be considered today was sent to all potentially affected property owners.

FACTS & FINDINGS:

1. The location of the requests are shown on the attached map. Mr. Blackmon's request is for half of the width of East Boulevard adjacent to his property (Lot 93A). The Murdock/Evans request is for half of

the width of East Boulevard adjacent to their property (Lot 93). Both requested portions of the ROW are approximately 0.06 acres in size.

A 20 ft. perpetual access easement to accommodate use of the existing East Boulevard traveled way is needed on the Murdock/Evans side.

2. An objection to Mr. Blackmon's request has been raised by Murdock/Evans based on Mr. Blackmon's property being mostly marsh. The high ground portion of Mr. Blackmon's property is roughly estimated at a little over 400 square feet. The minimum lot size for new home construction in this area (w/ individual wells and septic tanks) is 30,000 square feet.
3. Staff is not aware of any requirements in State law or County policy that requires the existing property owned by ROW quitclaim petitioners meet any minimum size or other development standard.
4. Staff has checked for possible County use for this ROW. There has been no need identified to retain the ROW for future road or drainage construction.
5. The petitioner's and the only other adjacent property owner, W. Darrel Lee, were notified on January 18th by certified mail of the quitclaim request and advised as to the date and time of this meeting. Both petitioners and Mr. Lee's attorney, Robert McCorkle, were advised telephonically that the issue was on today's agenda.
6. 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 petitioners and must be certified as a professional appraiser by the State of Georgia.
7. Staff reviews the submitted appraisals, deeds and plats for completeness and reasonableness before the deeds are sent to the County Clerk for processing and the fair market value payment checks are sent to Finance for deposit.

FUNDING: N/A

ALTERNATIVES:

1. Declare un-opened portions of East Boulevard Right-of-way (ROW), adjacent to parcel Lot 93A, Wilmington Island Pleasure and Improvement Company Subdivision, PIN:1-0099 -11-012 for Warren J. Blackmon, and adjacent to Lot 93, Wilmington Island Pleasure and Improvement Company Subdivision, PIN:1-0099 -08-008, for

Murdock/Evans, as surplus and to quitclaim the ROW as described in Facts & Findings #1. The petitioners must pay the County the fair market value for the ROW to be determined by a professional appraiser, and provide the necessary appraisals, deeds, and plats at their expense.

2. Do not approve the request.

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

RECOMMENDATION: For Board consideration.

District 4

Prepared by: Vincent Grevemberg

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X. ACTION CALENDAR

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

Chairman Liakakis asked, anybody got anything on the Action Calendar?

Commissioner Shay said, Mr. Chairman, I'd like to request that Item 5 be removed from the Action Calendar for a separate vote.

Chairman Liakakis said, okay. We have a motion on the floor to remove that? So, let's go for all the other items, let's go on the board. Commissioner Kicklighter said, well, we've got to vote on removing first and then make a motion on the balance. Chairman Liakakis said, motion for Item #5. Commissioner Kicklighter asked, are we removing #5? The Clerk said, you don't —, you're not —. Commissioner Gellatly said, you don't need a motion.

Commissioner Shay said, let me try that, Mr. Chairman. I'd like to make a motion to adopt the Action Calendar as presented with the exception of Item #5. Commissioner Thomas said, second.

Chairman Liakakis said, okay. 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.

ACTION OF THE BOARD:

Commissioner Shay moved to approve the Action Calendar, Items 1 through 9, with the exception of Item 5. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Odell was not present when this vote was taken.]

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

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1. APPROVAL OF THE MINUTES FOR THE PRE-MEETING AND REGULAR MEETING OF JANUARY 13, 2006, AS MAILED.

ACTION OF THE BOARD:

Commissioner Shay moved to approve the minutes of the regular meeting of January 13, 2006. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Odell was not present when this vote was taken.]

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2. CLAIMS VS. CHATHAM COUNTY FOR THE PERIOD JANUARY 5 THROUGH JANUARY 18, 2006.

ACTION OF THE BOARD:

Commissioner Shay moved to authorize the Finance Director to pay the claims against the County for the period January 5, 2006, through January 18, 2006, in the amount of \$6,031,566. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Odell was not present when this vote was taken.]

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**3. REQUEST FROM PENN MYRICK, DEVELOPER, TO RECORD THE SUBDIVISION PLAT FOR PETER'S QUAY, PHASE 3.
[DISTRICT 4.]**

ACTION OF THE BOARD:

Commissioner Shay moved to approve the request from Penn Myrick, developer, to record the subdivision plat for Peter's Quay, Phase 3. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Odell was not present when this vote was taken.]

AGENDA ITEM: X-3**AGENDA DATE: January 27, 2006**

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 Peter's Quay, Phase 3.

BACKGROUND: The developer, Penn Myrick, requests that the County approve the final plat for recording.

FACTS AND FINDINGS:

1. Peter's Quay is a private townhome development on Walthour Road. This phase of Peter's Quay consists of 18 lots on 5.34 acres. The paving and drainage are privately maintained. The water and sewer improvements are maintained by the City of Savannah.
2. All required improvements for Peter's Quay were previously approved by the Board. A financial guarantee is not required as no additional improvements are required for this phase.
3. 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. Approve the recording of the subdivision plat for Peter's Quay, Phase 3.
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

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4. **REQUEST FROM HUSSEY, GAY, BELL & DEYOUNG, ENGINEER FOR THE DEVELOPER, KONTER HOMES, TO RELEASE THE FINANCIAL GUARANTEE AND ACCEPT THE DEDICATED IMPROVEMENTS FOR LEGACY SQUARE, PHASE 2A.
[DISTRICT 7.]**

ACTION OF THE BOARD:

Commissioner Shay moved to approve the request from Hussey, Gay, Bell & DeYoung, engineer for the developer, Konter Homes, to release the financial guarantee and accept the dedicated improvements for Legacy Square, Phase 2A. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Odell was not present when this vote was taken.]

AGENDA ITEM: X-4

AGENDA DATE: January 27, 2006

TO: Board of Commissioners

THRU: R. E. Abolt, County Manager

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

ISSUE: To release the financial guarantee and accept the dedicated improvements for Legacy Square, Phase 2A.

BACKGROUND: The engineer, Hussey, Gay, Bell & DeYoung, for the developer, Konter Homes, requests that the County release the financial guarantee and accept the dedicated improvements for maintenance.

FACTS AND FINDINGS:

1. Legacy Square is a single-family residential subdivision located in Berwick Plantation. This phase of Legacy Square consists of 63 lots on 16.29 acres. Paving and drainage will be maintained by the County. Water and sanitary sewer are maintained by Consolidated Utilities, Inc.
2. Construction of the subdivision infrastructure is complete. It has been inspected and found to be acceptable. The required warranty period is complete
3. The \$95,738 letter of credit from The Savannah Bank will be released upon the Board's approval. The required site improvements are complete.

ALTERNATIVES:

1. To accept the dedicated improvements for County maintenance and release the financial guarantee for Legacy Square Phases 2A.
2. Do not approve the request.

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

RECOMMENDATION: That the Commissioners adopt Alternative number 1.

District 7

PREPARED BY: Suzanne Cooler

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**5. REQUEST BOARD APPROVAL FOR A STREETLIGHTING PLAN AND ASSESSMENT RATE DISTRICT CONSISTING OF JASMINE ROAD AND TAYLOR ROAD WITHIN THE EXISTING NEIGHBORHOOD OF MULBERRY HILL SUBDIVISION.
[DISTRICT 3.]**

Chairman Liakakis recognized Commissioner Shay.

Commissioner Shay said, the Item #5, and I won't belabor it because we've had a long meeting already, is for approval of a streetlighting plan and assessment rate district in the area of Jasmine and Taylor Roads, which is in the Mulberry Hill Subdivision, a part of my district, and I just wanted to point out that these folks came together and worked very hard to start the neighborhood association. One of the things that they presented as a very high priority was the idea of having a streetlighting in this area. It is an area that gets very, very dark at night, and I want to just not only commend them, but also ask if there's anybody out there from the power company that's listening, we'd like to have this project done as soon as possible. Thank you.

Chairman Liakakis said, all right. You made the motion? Commissioner Shay said, I could. I make a motion for approval. Chairman Liakakis asked, do we have a second. Commissioner Thomas said, second. Commissioner Stone said, second. Chairman Liakakis said, Commissioner Stone seconded. Go on the board. The motion carried unanimously. [NOTE: Commissioner Odell was not present when this vote was taken.]

ACTION OF THE BOARD:

Commissioner Shay moved to approve a Streetlighting Plan and Assessment Rate District consisting of Jasmine Road and Taylor Road within the existing neighborhood of Mulberry Hill Subdivision.

Commissioners Stone and Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Odell was not present when this vote was taken.]

AGENDA ITEM: X-5

AGENDA DATE: January 27, 2006

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

ISSUE: To obtain Board approval for a streetlighting plan and assessment rate district consisting of Jasmine Road and Taylor Road within the existing neighborhood of Mulberry Hill Subdivision.

BACKGROUND: A majority of the property owners in Mulberry Hill Subdivision voted in favor of having streetlights installed after reviewing the streetlight layout and annual assessment rate.

FACTS AND FINDINGS:

1. The proposed district is composed of 32 parcels located within Mulberry Hill Subdivision on Jasmine Avenue and Taylor Road.
2. The streetlighting assessments are computed with provisions to recover uncollectables and administrative costs. To further streamline the billing process, the County has established standard billing rates that are revised annually.
3. Savannah Electric's charge to the County at current rates will be \$1,477.68 per year for 14 - 150 watt high power sodium (HPS) streetlights and 3 - 35 foot tall timber poles using overhead feed. Please see the attached map displaying the district boundaries shown in yellow.
4. Each tax parcel will be assessed a rate of \$54.00 per year based on the rate structure approved by the Board. The assessment is billed as a separate item on the property tax bill.
5. Public notification is in accordance with the ordinance. See attached copy of the notice published in the Savannah Morning News on January 5, 2006.

ALTERNATIVES:

1. That the Board authorize establishing a streetlight district in Mulberry Hill Subdivision as petitioned by the property owners.
2. To not authorize the streetlight district.

FUNDING: Funding for these streetlights is available in SSD - Engineering and will be reimbursed by the tax assessment as established in the Streetlighting Ordinance.

POLICY ANALYSIS: That the Board must approve establishing streetlight districts in Unincorporated Chatham County.

RECOMMENDATION: That the Board approve Alternative No. 1.

District 3

Prepared By: Michael Blakely, Civil Engineer

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- 6. REQUEST FROM HUSSEY, GAY, BELL & DEYOUNG, ENGINEER FOR THE DEVELOPER, WATERWAY VILLAGE, INC., RECORD THE SUBDIVISION PLAT FOR MOON RIVER LANDING PHASE 2, ACCEPT THE FINANCIAL GUARANTEE, AND WAIVE THE STREETLIGHT ASSESSMENT REQUIREMENT AND LIGHTING STANDARDS.
[DISTRICT 4.]**

ACTION OF THE BOARD:

Commissioner Shay moved to approve the request from Hussey, Gay, Bell & DeYoung, engineer for the developer, Waterway Village, Inc., to record the subdivision plat for Moon River Landing Phase 2, accept the financial guarantee, and waive the streetlight assessment requirement and lighting standards. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Odell was not present when this vote was taken.]

AGENDA ITEM: X-6

AGENDA DATE: January 27, 2006

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 Moon River Landing Phase 2, accept the financial guarantee, and waive the streetlight assessment requirement and lighting standards.

BACKGROUND: The engineer, Thomas & Hutton Engineering Co., for the developer, Waterway Village, Inc., requests that the County approve the final plat for recording, accept the financial guarantee, and waive the streetlight assessment requirement and lighting standards.

FACTS AND FINDINGS:

1. Moon River Landing is a private subdivision (single family residential) development on the southwest end of Skidaway Island. This phase consists of 49 lots on 45.82 acres. The paving and drainage will be privately maintained by the Landings Association. The water and sewer improvements will be maintained by Utility Inc. of Georgia.
2. Staff approved the construction plans and issued a permit for construction of the improvements. Construction of the required site improvements is well underway. The engineer certified that the remaining cost of improvements is less than \$10,000. The developer provided a letter of credit in the amount of \$10,000 issued by The Savannah Bank.
3. The developer desires that the streetlighting system be privately maintained by the Landings Association and has requested that the Board waive the requirement for a streetlight assessment district. The developer also requests to waive the streetlighting standards because the Landings Association's streetlighting standards are substandard to the Streetlighting Ordinance (see attached letter). The Board previously approved this same streetlighting waiver for Phase 1.
4. An Environmental Site Assessment (ESA) was previously conducted on the subdivision in accordance with the Subdivision Ordinance. One positive finding was found in the ESA and remediated to the satisfaction of County staff and the Georgia Environmental Protection Division. The finding is noted on the plat.

ALTERNATIVES:

1. Approve the recording of the subdivision plat for Moon River Landing Phase 2, accept the financial guarantee, and grant the waivers for the streetlighting.
2. Approve the recording of the subdivision plat for Moon River Landing, accept the financial guarantee, and do not grant the waiver for the streetlighting assessment district which annuls the need for the streetlighting standard waiver.

3. Approve the recording of the subdivision plat for Moon River Landing, accept the financial guarantee, grant the waiver for the streetlighting assessment district, and do not grant a waiver from the streetlighting standards.
4. Do not approve any of the requests.

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, P.E.

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7. **REQUEST BOARD AUTHORIZE THE CHAIRMAN, COUNTY ATTORNEY, CLERK OF COMMISSION AND COUNTY ENGINEER TO SIGN ALL REQUIRED DOCUMENTS TO ENABLE CHATHAM COUNTY TO PARTICIPATE IN THE LOCAL ASSISTANCE RESURFACING PROGRAM (LARP) WITH THE GEORGIA DEPARTMENT OF TRANSPORTATION FOR THE RESURFACING OF COUNTY ROADS.
[DISTRICTS 1, 6 AND 7.]**

ACTION OF THE BOARD:

Commissioner Shay moved to authorize the Chairman, County Attorney, Clerk of Commission and County Engineer to sign all required documents to enable Chatham County to participate in the Local Assistance Resurfacing Program (LARP) with the Georgia Department of Transportation (GDOT) for the resurfacing of County roads. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Odell was not present when this vote was taken.]

AGENDA ITEM: X-7
AGENDA DATE: January 27, 2006

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

ISSUE: That the Board authorize the Chairman, County Attorney, Clerk of the Commission, and County Engineer to sign all required documents to enable Chatham County to participate in the Local Assistance Resurfacing Program (LARP) with the Georgia Department of Transportation (GDOT) for the resurfacing of County roads.

BACKGROUND: GDOT has a LARP with local governments to resurface roads. GDOT funds the cost of resurfacing. They require that the County certify ownership of the roads to be resurfaced, prepare the roads for resurfacing (to include milling) and maintain them upon completion. In 2005, the County received 4.096 miles of LARP. This years allocation provides 1.127 miles more of the resurfacing.

FACTS AND FINDINGS:

1. GDOT requested a list of roads for the 2006 LARP from the County. It was submitted July 28, 2005. The list consisted of sixty roads throughout Unincorporated Chatham County. GDOT has a rating system by which they determine the roads that qualify for resurfacing. They also have an allocation system that limits the amount of resurfacing granted to each county or municipality. Eleven of the sixty roads were selected to be resurfaced by the GDOT.

<u>Road</u>	<u>Length (Miles)</u>
a. Basin Road	0.915
b. Beaufort Road	0.705
c. Canebreak Road	0.915
d. Gateway Boulevard West	0.260
e. Hardeeville Road	0.155
f. Ridgeland Road	0.285
g. Barley Road	0.380
h. Hopecrest Avenue	0.468
i. Reardon Court	0.160
j. Riverbend Circle	0.650
k. Shipyard Road	0.330
	<u>0.330</u>
	Total 5.223

2. Some of the streets require milling to remove areas of existing asphalt before resurfacing to prevent excessive asphalt build up. Without milling, drop offs from the pavement edges into driveways cause vehicles to scrape the pavements upon entry or exit. This is considered a preparation cost. The estimated cost to the County for milling should not exceed \$12,000.

ALTERNATIVES:

1. That the Board authorize the Chairman, County Attorney, Clerk of Commission and County Engineer to sign all required documents to participate in the LARP.
2. That the Board not approve participating in the LARP.

FUNDING: Funds are available in 1985-1993, SPLOST, LARP (Fund/Department # 3204220, Account Code # 54.14001, Project # 32055657, Account Code # 54.14001).

POLICY ANALYSIS: The Board must approve intergovernmental agreements.

RECOMMENDATION: That the Board approve Alternative No. 1.

District: 1,6,7

Prepared By: Kirk Thomas

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8. REQUEST BOARD CONFIRMATION ON ACQUISITION OF PROPERTY AT 71 AND 73 ROSS ROAD.**ACTION OF THE BOARD:**

Commissioner Shay moved to confirm, on behalf of CNT, the acquisition of property located at 71 and 73 Ross Road from L'Oreal USA for \$1,400,000, including the office building, personal property and warehouse. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Odell was not present when this vote was taken.]

AGENDA ITEM: X-8

AGENDA DATE: January 27, 2006

TO: Board of Commissioners

THRU: R.E. Abolt, County Manager

FROM: Pat Monahan, Asst. County Manager

PURPOSE: To confirm the acquisition of property at 71 and 73 Ross Road for CNT.

BACKGROUND: Based on Board authorization in September 2005 to proceed with the purchase of property on behalf of CNT, Chatham County executed a Purchase Agreement for 71 and 73 Ross Road. The property is the former L'Oreal USA Corporate Headquarters building, personal property and an adjoining warehouse, which are situated between Ogeechee Road and 52nd Street in Westside Savannah. It also previously served as the corporate headquarters of Carson Personal Care Products, which sold to L'oreal, a French company. Closing is scheduled between January 25-27.

FACTS & FINDINGS:

1. Chatham County acquired the office building, personal property and warehouse for \$1.4 million.
2. Built in the mid-1980s, the office building of some 16,000 square feet represents "Class A" office space consistent with the look, finishes and interior layout of a high-quality headquarters in move-in condition. On a square footage basis, this amounts to \$70/SF for building and land. In comparison, the new Police Precinct on Whitemarsh Island totals \$175/SF just for the building. If necessary, a new construction project for CNT would be budgeted at \$150/SF.
 - 2.1 The adjoining 5,500 square-foot warehouse will be used for storage.
 - 2.2 The personal property includes miscellaneous office furniture and about 30+ modular units.
3. According to CNT Commander Eddie Williams, and several CNT staff who inspected the property prior to an offer, the layout of the building is conducive to the operations of CNT. It contains several offices, large areas for modular furniture (individual work stations), conference/training room, kitchen, computer room with its own climate controls, and zoned climate controls throughout the building. While it lacks any existing secured area for drug and weapons storage, an area for an addition could be added to accommodate these specialized needs.
 - 3.1 Besides CNT staff, the Chairman and County Manager also inspected the property prior to any offer.
 - 3.2 As part of the due diligence, inspections included mechanical systems, roof, structural, site, electrical and communications.
 - 3.3 Staff also contacted Carson Product's former CEO, who provided complimentary remarks about the building.

4. The site, which includes about 100 parking spaces, remains situated in a light commercial district with a mix of warehouses and contractor office buildings. Nonetheless, the building sits within a wooded environment. Commander Williams believes the site offers an advantage because of this setting. In addition, its proximity to renovated-USDA research property for the Metro Police Department remains within a ½ mile, as well as with easy access to the Detention Center and the Courthouse.
5. With a \$1,800,000 budget (based on bonds), CNT would be able to acquire the property for \$1.4 million and use the balance of \$400,000 construct a highly-secure addition for weapons and drug storage, security, fencing and renovate the building (carpet, painting, mechanical equipment replacement), as needed.
6. County Attorney Jon Hart reviewed all legal documents.
7. CNT will be vacating leased space for the new headquarters funded through bonds. On the basis of the office space along (not taking into account the value of personal property and the warehouse), CNT will pay less annually for space Chatham County will own versus lease.

ALTERNATIVES:

1. That the Board confirm the acquisition of 71 and 73 Ross Road from L'Oreal USA for \$1.4 million, including the office building, personal property and warehouse.
2. That the Board take other action, as appropriate.

FUNDING:

Acquisition of the CNT property was funded through the 2005 Series DSA Bond.

POLICY ANALYSIS:

Georgia law provides the Board with authority to acquire property for public purposes.

RECOMMENDATION:

That the Board adopt Alternative 1.

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

<u>ITEM</u>	<u>DEPT.</u>	<u>SOURCE</u>	<u>AMOUNT</u>	<u>FUNDING</u>
A. Participation Agreements with automatic renewals not to exceed five years for "as needed" purchase for various items	Various	Various	Varies by item	•General Fund/M&O - Various •SSD - Various
B. Change Order No. 9 to the contract to perform environmental studies, prepare preliminary design and final right-of-way plans for Truman Parkway, Phase 5	SPLOST	Jordan, Jones and Goulding (JJ&G) and Stevenson and Palmer	\$60,973	SPLOST (1985-1993) - Truman Parkway - Phase 5
C. Work Force Management software license and hardware	Public Works and Park Services	Qqest Software Systems, Inc.	\$19,380	SSD - Public Works
D. Independent management service contract for the temporary management and operations of the Aquatic Center and the Weightlifting Center	Public Works and Park Services	Kathy White	\$25 per hour	General Fund/M&O - Parks and Recreation

ACTION OF THE BOARD:

Commissioner Shay moved to approve Items A through D, both inclusive. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Odell was not present when this vote was taken.]

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XI. FIRST READINGS

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

None.

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XII. SECOND READINGS

1. AMENDMENT TO THE CHATHAM COUNTY REVENUE ORDINANCE TO CHANGE ACTIVITY FEES FOR SOLID WASTE MANAGEMENT FROM \$2 TO \$1 AND APPROVE A CREDIT TO WASTE MANAGEMENT FOR ACTIVITY FEES.

Chairman Liakakis do we have a motion? Commissioner Kicklighter said, so moved. Chairman Liakakis asked, do we have a second? Commissioner Stone said, I'll second for discussion. Chairman Liakakis said, okay. Discussion, Commissioner Stone.

Commissioner Stone said, I just wanted a clarification. I know that the County Attorney's briefed us on this, but I just wanted kind of an update as to why we're dropping from \$2.00 to \$1.00.

County Attorney Hart said, the Solid Waste Management Act has some very artfully defined terms and there never has been any real litigation interpretation by the courts on it, and last year or year before last we raised a \$1.00 fee, which the court subsequently ruled that under their interpretation of the language, that \$1.00 fee should not have been collected. We had —, we wanted going in to get a clarification of that, so the money has been escrowed by one of the service providers. The other service provider actually went by and collected, and what we did now that we know that we know that we over-collected, we want a mechanism by which we can give that dollar back. What this does is amend the ordinance until such time as we get to a neutral number — in other words, we give back the money — and we give it back over a period of time and the service, and it was the easiest way to redistribute the money so that the people that paid for it will get it back.

Chairman Liakakis said, this is what you discussed with us at the other meeting? County Attorney Hart said, yes sir. 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.

ACTION OF THE BOARD:

Commissioner Kicklighter moved to approve the amendment to the Chatham County Revenue Ordinance to change activity fees for Solid Waste Management from \$2.00 to \$1.00 and approve a credit to Waste Management for activity fees. Commissioner Stone seconded the motion and it carried unanimously. [NOTE: Commissioner Odell was not present when this vote was taken.]

AGENDA ITEM: XII-1**AGENDA DATE: January 27, 2006**

TO: Board of Commissioners

THRU: R. E. Abolt, County Manager

FROM: Linda B. Cramer, Finance Director

ISSUE:

Modify the Chatham County Revenue Ordinance and approve a credit to Waste Management for activity fees.

BACKGROUND:

The County's current Revenue Ordinance was updated and approved by the Board of Commissioners on August 26, 2005. Due to recent legal challenges, it is recommended that activity fees for solid waste management be changed from \$2 to \$1.

FACTS AND FINDINGS:

1. As a result of recent judicial action, Article V, Section 1 of the Revenue Ordinance should be amended to read:
"Chatham County collects a one dollar (\$1.00) fee per ton of solid waste materials deposited into private waste disposal facilities (landfills). These funds are placed into a restricted revenue account to be used only for solid waste/recycling/waste reduction initiatives."
2. Since July 2004, Waste Management has been submitting \$2 per ton. As of November 2005, they are due a credit of \$502,080. A proposed monthly credit will be calculated to offset future activity fee payments.

FUNDING:

N/A

POLICY ANALYSIS:

In accordance with adopted financial policies, the Finance Department will submit an updated Revenue Ordinance for approval each year within 45

days of annual budget adoption. Amendments to the Ordinance may be submitted throughout the year.

ALTERNATIVES:

- 1, As described in Facts and Findings, modify the Revenue Ordinance to allow collection of a one dollar (\$1.00) per ton solid waste activity fee and approve a credit to Waste Management.
2. Provide the Finance Department with other guidance.

RECOMMENDATION:

That the Board follow Alternative 1.

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2. REVISION TO CHAPTER 4, ARTICLE III, OF THE CHATHAM COUNTY CODE BOOK, EMERGENCY MANAGEMENT (CIVIL DEFENSE).

Chairman Liakakis said, what I'd like is someone make a motion on Item #2 to table that for 30 days. Commissioner Farrell said, so moved. Commissioner Stone said, second. Chairman Liakakis said, all right. Let's go on the board. The motion carried unanimously. [NOTE: Commissioner Odell was not present when this vote was taken.] Chairman Liakakis said, on Item #2 on Second Readings, the motion passes to table it for 30 days.

ACTION OF THE BOARD:

Commissioner Farrell moved to table this item until February 24, 2006. Commissioner Stone seconded the motion and it carried unanimously. [NOTE: Commissioner Odell was not present when this vote was taken.]

AGENDA ITEM: XII-2

AGENDA DATE: January 27, 2006

TO: Board of Commissioners

THRU: R. E. Abolt, County Manager

FROM: R. Jonathan Hart, County Attorney and Phillip M. Webber, Director of CEMA

ISSUE:

To request that Board approve a revision to Chapter 4, Article III of the Chatham County Code Book, Emergency Management (Civil Defense).

BACKGROUND:

Chatham County's original Emergency Management (Civil Defense) Code was written in the 1980's with a single amendment in April 1998. Although extremely well written, with the increase in terrorism and the advent of man-made disasters, the requirements of the Emergency Management Agency have changed. Improved technology and disaster response procedures have caused a concurrent modernization of disaster recovery activities. With the expansion of threats has come added responsibilities; the Code's current contents do not accommodate adequate response to these threats.

FACTS & FINDINGS:

1. County departmental guidelines must be both current and accurate in order to ensure its Emergency Management Agency is prepared to respond to a possible disaster.
2. The existing County Ordinance is no longer current in terms of State and Federal emergency response standards.
3. The Agreement is attached.

FUNDING:

N/A

ALTERNATIVES:

1. Approve the Revision and have the County adopt same.
2. Do not approve Revision and have the County continue to operate under outdated procedures.

POLICY ANALYSIS:

By executing this Revision the County will be better aligned with current State and Federal operational standards in the event of natural or man-made disasters.

RECOMMENDATION:

That the Board adopt Alternative 1.

enclosure

ARTICLE III
Emergency Management

§4-301 Statutory Authorization. The General Assembly of the State of Georgia, in the Official Code of Georgia Annotated, Title 38, Chapter 3, Emergency Management, "Georgia Emergency Management Act of 1981," as amended, authorizes and directs each County to establish a local organization for emergency management in accordance with the State Emergency Management Plan and Program; and Georgia Constitution, Article 9, Section II, Paragraph 1, Home Rule for Counties, delegates the responsibility to local governmental units to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry. Therefore, the Board of Commissioners of Chatham County, Georgia, acting under the authority granted to it by the Georgia Emergency Management Act of 1981 and its Enabling Act, Georgia Laws 1984, pp. 5050-5076, as amended, does ordain and enact into law the following emergency management ordinance:

§4-302 Title and Jurisdiction. This Emergency Management Ordinance shall apply to Chatham County, Georgia in its entirety. The Chatham Emergency Management Agency is the only such agency approved by Chatham County Commission for coordinating emergency management functions, and therefore, this Ordinance shall serve all of the municipalities and the unincorporated area of Chatham County plus all municipalities that agree to participate by signing the Chatham County Emergency Operations Plan.

§4-303 Georgia Emergency Management Act of 1981. The provisions of the Georgia Emergency Management Act of 1981 are incorporated herein by reference.

§4-304 Purpose and Objectives.

1. General.

Because of the existing and increasing possibility of the occurrence of emergencies or disasters resulting from man-made or natural causes, and in order to ensure that preparations of this County will be adequate to deal with such emergencies or disasters, and generally to provide for the common defense and to protect the public peace, health, and safety, and to preserve the lives and property of the people of this County, it is found and declared to be necessary:

- a. To create a Chatham Emergency Management Agency (CEMA);
- b. To confer upon the Chairman of the Chatham County Commission or the Chairman's designee the emergency powers provided in the Official Code of Georgia, Title 38, Chapter 3;
- c. To provide for the rendering of mutual aid among the political subdivisions of Chatham County, with other counties, and with the State and Federal governments with respect to the carrying out of emergency management functions; and
- d. To authorize the taking of such steps as are necessary and appropriate to carry out the requirements of the Official Code of Georgia, Title 38, Chapter 3.

2. Coordination.

It is further declared to be the purpose of this Ordinance and the policy of Chatham County that all emergency management functions of the County be coordinated to the maximum extent possible with the comparable functions of the State and Federal governments, including their various departments and agencies, of other counties, states, and localities, and of private agencies of every type, to the end that the most effective preparation and use may be made of the nation's manpower, resources, and facilities for dealing with any emergency or disaster that may occur.

§4-305 Definitions. Unless specifically defined below, words or phrases used in this Ordinance shall be interpreted so as to give them the meaning they have in common usage and to give this Ordinance its most reasonable application. Words used in the singular shall include the plural, and the plural the singular; words used in the present tense shall include the future tense. The words "shall," "will," and "must" are mandatory and not discretionary. The word "may" is permissive. As used in this Ordinance, the term:

1. Chatham County Emergency Operations Plan means the officially adopted, and Georgia Emergency Management Agency approved, emergency operations plan for Chatham County, Georgia.

2. Disaster means any happening that causes great harm or damage.

3. Emergency means any extraordinary condition in which there exists the threat or actual occurrence of a disaster or event, including "energy emergency" as defined in the Georgia Emergency Management Act and any amendments thereto, which may result in the large scale loss of life, injury, property damage or destruction, or in the major disruption of routine community affairs or business and government operations, and is of sufficient severity and magnitude to warrant extraordinary assistance by CEMA and other Chatham County departments and other agencies to supplement the efforts of available public and private resources.

4. Emergency interim successor means a person designated pursuant to this Ordinance, in the event an officer is unavailable to exercise the powers and discharge the duties of an office, until a successor is appointed or elected and qualified as may be prescribed by the Constitution, statutes, laws, charters, and ordinances of the State and its political subdivisions, or until the lawful incumbent or his successor is able to resume the exercise of the powers and the discharge of the duties of the office.

5. Emergency management means the preparation for, and the carrying out of, all emergency and disaster functions, as more fully defined by this Ordinance.

6. Emergency management volunteer means any person officially recognized by the Director of the Chatham Emergency Management Agency and assigned duties as an emergency management volunteer.

7. Emergency readiness means the level of readiness for an anticipated or impending emergency as expressed as an operational readiness condition (OPCON) rating.

8. Emergency standing operating procedures (SOP) means the standing operating procedures developed by each emergency response unit for the purpose of preplanning the unit's response to a request for emergency assistance.

9. Energy emergency means a condition of danger to the health, safety, welfare, or economic well-being of the citizens of this County arising out of a present or

threatened shortage of usable energy resources; also any condition of substantial danger to the health, safety, or welfare of the citizens of this County resulting from the operation of any electrical power-generating facility, the transport of any energy resource by any means whatsoever, or the production, use, or disposal of any source material, special nuclear material, or by-product, as defined by the Atomic Energy Act of 1954, 68 Stat. 919, 42 U.S.C. 2011 et seq.; also any nuclear incident, as defined by the Atomic Energy Act of 1954, occurring within or outside this State, substantially affecting the health, safety, or welfare of the citizens of this County.

10. Energy resources means all forms of energy or power including, without limitation to, oil, gasoline, and other petroleum products; natural or synthetic gas; electricity in all forms and from all sources; and other fuels of any description, except wood.

11. Incident of Critical Significance means an actual or potential high-impact event that requires a coordinated and effective response by an appropriate combination of State, local, nongovernmental, and/or private-sector entities in order to save lives and minimize damage, and provide the basis for long-term community recovery and mitigation activities.

12. Local offices and local officers mean positions in the political subdivisions of the State.

13. Man-made or Human-caused disasters mean the application of one or more modes of harmful force to the built environment. These modes include but are not limited to contamination (as in the case of chemical, biological, radiological, or nuclear hazards), energy (explosives, arson, and even electromagnetic waves), or failure or denial of service (sabotage, infrastructure breakdown, and transportation service disruption).

14. Natural Disaster means any natural catastrophe including any hurricane, tornado, storm, high water, wind-driven water, tidal wave, tsunami, earthquake, volcanic eruption, landslide, mudslide, snowstorm, drought, or naturally caused fire, flood, or explosion.

15. Office means the position of head of any and all departments, agencies, boards, or commissions of the State or any of its political subdivisions; all

constitutional General Assembly offices; all constitutional and other County offices; all of the judgeships of the State and its political subdivisions; and all of the positions in the legislative departments of the State or its political subdivisions.

16. Officer means the individual who shall hold an office.

17. Political subdivision means cities, counties, towns, villages, authorities, and any other bodies created by the State and exercising any of the governmental powers of the State.

18. State of emergency means the condition declared by the Governor when, in his judgment, the threat or actual occurrence of a disaster, emergency, or energy emergency in any part of the State is of sufficient severity and magnitude to warrant extraordinary assistance by the State to supplement the efforts and available resources of the several localities and relief organizations in preventing or alleviating the damage, loss, hardship, or suffering threatened or caused thereby.

19. State office or State officer means positions in the government of this State.

20. Unavailable means either that a vacancy in an office exists as the result of any emergency as defined in this Section and there is no deputy or other successors authorized to exercise all of the powers and discharge all of the duties of the office, or that the lawful incumbent of the office, including any deputy exercising the powers and discharging the duties of an office because of a vacancy, and his duly authorized deputy are absent or unable to exercise the powers and discharge the duties of the office.

§4-306 Emergency Management.

1. Emergency Management Function Defined.

"Emergency management" means the preparation for, and the carrying out of, all emergency and disaster functions other than those functions for which military forces or other State and Federal agencies are primarily responsible to prevent, minimize, and repair injury and damage resulting from emergencies or disasters, or the imminent threat thereof, of man-made or natural origin.

These functions include, without limitation to, fire-fighting services, police services, medical and health services, rescue, engineering, warning services, communications, defense from radiological, chemical and other special weapons, evacuation of persons from stricken areas, emergency welfare services, emergency transportation, plant protection, restoration of public utility services, and other functions related to civilian population, together with all other activities necessary or incidental to total emergency and disaster preparedness for carrying out the foregoing functions.

2. Emergency Management Concept of Operations.

a. Planning and preparation for an emergency by CEMA is an ongoing activity that is funded, staffed and managed on a countywide basis by Chatham County through its Emergency Management Agency. Funding for CEMA is appropriated annually by the County Commission with supplementary matching Federal funding made available through the State from the Office of Homeland security. CEMA's mission is to create the highest possible state of emergency readiness and to be prepared to react promptly to save lives and property in the County or any of its municipalities when threatened or affected by an emergency or major disaster.

b. CEMA is responsible for the preparation of the County Emergency Operations Plan that is based on the principle that local authorities bear the initial responsibility for emergency preparedness and disaster relief. Each level of government accomplishes the functions for which it is responsible, requesting assistance from the next higher level of government only after resources at the requesting level have been expended or are clearly inadequate to cope with the effects of the emergency or disaster.

c. The Emergency Operations Plan will be based on four phases of emergency management.

(1) Prevention. Those actions taken to avoid an incident or to intervene to stop an incident from occurring. Prevention involves actions taken to protect lives and property.

(2) Response. Activities that address the short-term, direct effects of an incident. These activities

include immediate actions to preserve life, property, and the environment; meet basic human needs; and maintain the social, economic, and political structure of the affected community.

(3) Recovery. The development, coordination and execution of service and site-restoration plans and the services through individual, private sector nongovernmental, and public assistance programs.

(4) Mitigation. Any sustained actions taken to reduce or eliminate long-term risk to life and property from a hazardous event and to encourage long-term reduction of hazardous vulnerabilities. The goal of mitigation is to save lives and reduce property damage.

§4-307 Office of the Chatham Emergency Management Director.

There is hereby established the Chatham Emergency Management Office that shall perform emergency management functions countywide in Chatham County. The Chairman of the Chatham County Commission shall nominate to the State Director of the Office of Homeland Security/Georgia Emergency Management Agency for appointment by the Governor, a Director of Emergency Management for the entire County of Chatham. When appointed, the Director is charged with the following duties:

1. To represent the governing officials of Chatham County and its municipalities on matters pertaining to emergency management;
2. To assist County and municipal officials in organizing County and municipal departments for emergency operations;
3. To assist municipal and County department officials and directors with the development of "emergency standing operating procedures (SOP)" for each of the local governmental, private, or volunteer organizations that will be responding to the emergency. Each organization must develop its own emergency response plan with CEMA assistance, and it shall be closely coordinated with CEMA's Chatham County Emergency Operations Plan that is an overall coordination plan;
4. To develop in conjunction with municipal and County departments and agencies, the Chatham County Emergency

Operation Plan for emergency functions as defined in Section 4-305 of this Ordinance. The Plan will be in consonance with the State Operations Plan, and shall be submitted to the governing officials of Chatham County and its municipalities for approval, and thence to the State Office of Homeland Security/Georgia Emergency Management Agency Director for approval;

5. To maintain CEMA and/or Department at the highest possible state of emergency\readiness as defined herein, and carry out the day-to-day administration of the County emergency management program, including the submission of required reports to the State Office of Homeland Security/Georgia Emergency Management Agency;

6. To submit reports and plans as required by Federal, State, and local authorities in keeping with good management practices (e.g. financial, management activities, etc.);

7. To operate and manage a facility to be used as the Chatham Emergency Operations Center (EOC); and

8. To coordinate the activities of the Chatham Emergency Operations Center staff during periods of a declared emergency.

§4-308 CEMA and Emergency Operations Plan.

1. CEMA.

a. CEMA is responsible for assisting each participating municipal, County, private and volunteer organization, agency, or department that agrees to assist CEMA or participate in the emergency management program, with the development of simple, workable, and understandable emergency SOPs. The purpose of having such an emergency SOP is to ensure that the emergency response unit (department, agency, etc.) is organized and knows exactly what, when, and how it is to accomplish its emergency response function. Such emergency SOPs will be submitted through the CEMA Director to the appropriate local governing body for approval.

b. The Director of CEMA shall have direct responsibility for the organization, administration, and operation of the local organization for emergency

management, subject to the direction and control of the County Commission Chairman and County Manager or their designee. Because CEMA is a countywide organization that coordinates the activities of each municipal and County department or agency, each local government retains authority over its own staff and equipment resources but subordinates itself to the overall coordination and direction of CEMA during an emergency. The extent of the participation of each local government during an emergency is determined in advance by the Plan.

c. The Director is responsible for ensuring that all of the duties and responsibilities assigned to CEMA by the "Georgia Emergency Management Act of 1981" are fulfilled to the highest degree possible given the resources provided for CEMA, including the specific duties listed in this Ordinance.

2. The Emergency Operations Plan.

a. CEMA shall develop and periodically update the emergency operations plan for the purpose of establishing policies, procedures, programs, and projects to implement this Ordinance and enable the County and municipal governments to respond to natural and man-made emergency situations.

b. The Director of CEMA is responsible for the development, execution, and coordination of the Chatham County Emergency Operations Plan. The Plan shall be developed in close coordination with the State Office of Homeland Security/Georgia Emergency Management Agency. It shall also be based on recommended principles and practices promulgated by the Federal Department of Homeland Security and other recognized emergency and disaster preparedness agencies and relief organizations.

c. The Plan shall be submitted to the Chatham County Manager and Georgia Office of Homeland Security/Georgia Emergency Management Agency for review, comment, and recommendation to the Chatham County Commission. The Plan shall be adopted by the County Commission by resolution and may be changed and updated periodically by resolution.

d. Activation of the Chatham County Emergency Operations Plan. The Chatham County Emergency Operations Plan shall become operative as follows:

(1) Automatically by the declaration of a "state of emergency" by the Governor of the State of Georgia as either a state-wide, regional, or local area emergency or emergency alert; or

(2) Automatically by the declaration of emergency by the Chairman or Vice Chairman of the Chatham County Board of Commissioners.

(3) On order of the CEMA Director provided that the existence or threatened existence of a local emergency has been declared by the Governor; or that the Director is acting as the designee of the Chairman of the County Commission.

(a) The CEMA Director is hereby authorized to order the mobilization of any appropriate emergency response organization, or any portion thereof, as required to provide for increased readiness in the event of the threatened existence of an emergency prior to the activation of the Chatham County Emergency Operations Plan.

(b) The CEMA Director is further authorized to order the activation of the full Chatham County Emergency Operations Plan and all emergency response organizations in the event that an emergency has already occurred but neither the County Commission Chairman nor his successor are available, nor can they be communicated with in a timely fashion; or, upon the request of the Mayor, legally appointed successor, or the governing body of any Chatham County municipality or adjacent local government experiencing an emergency or disaster within their jurisdiction.

§4-309 Role of Chatham County and Municipal Governments During Non-Emergency Periods.

1. General Powers and Duties of Local Governments.

a. It is the duty of each local government to provide for the public health, safety, and welfare of its citizens by making provision for emergencies and disasters that may occur at some future date. Each local government within Chatham County is authorized and empowered by the Georgia Emergency Management Act of 1981, as amended, to make, amend, and rescind such

orders, rules, and regulations as may be necessary for emergency management purposes. All such orders, rules, and regulations must be consistent with any orders, rules, or regulations promulgated by the Governor or by any State agency exercising a power delegated to it by the Governor.

b. All orders, rules, and regulations so promulgated shall have the full force and effect of law when a copy thereof is filed in the office of the Clerk of the County Commission or the appropriate municipal clerk's office.

All laws, ordinances, rules, and regulations inconsistent with the Georgia Emergency Management Act of 1981, or with any order, rule, or regulation issued under the authority of the Georgia Emergency Management Act of 1981 or this Ordinance shall be suspended during a Declaration of Emergency and to the extent that the conflict exists.

c. In order to attain uniformity so far as practicable throughout the United States in measures taken to aid emergency management, all actions taken under the authority of the Georgia Emergency Management Act of 1981 and this Ordinance and all orders, rules, and regulations made pursuant thereto shall be taken or made with due consideration to the orders, rules, regulations, actions, recommendations, and requests of Federal authorities relevant thereto and, to the extent permitted by law, shall be consistent with such orders, rules, regulations, actions, recommendations, and requests.

2. Responsibility of Chatham County Departments and Agencies and Municipalities to Develop Emergency SOPs.

Each municipality and County department official is responsible for the development of an appropriate response plan or emergency standing operating procedure (SOP) for each response unit. Each response organization must develop its own emergency SOP with CEMA assistance in order that it is closely coordinated with the Chatham County Emergency Operations Plan that is the overall, county-wide coordination plan. The purpose of an emergency SOP is to ensure that the emergency response unit is organized and knows exactly what, when, and how it is to accomplish its emergency response function.

Each emergency SOP must be submitted through the CEMA Director to the appropriate local governing body for approval. It is the CEMA Director's responsibility to assist each emergency response unit to develop an acceptable emergency SOP document.

§4-310 Emergency Response Powers of Chatham County and Municipal Governments.

1. Declaration of Emergency.

a. Grant of Authority.

In the event of actual or threatened occurrence of a disaster or event, including "energy emergency" as defined in the Georgia Emergency Management Act and any amendments thereto, which may result in the large scale loss of life, injury, property damage or destruction, or in the major disruption of routine community affairs or business and government operations in the unincorporated area of Chatham County, and is of sufficient severity and magnitude to warrant extraordinary assistance by CEMA and other Chatham County departments and other agencies to supplement the efforts of available public and private resources, the Chairman of the Chatham County Board of Commissioners or Vice Chairman may declare an emergency. The declaration of emergency shall continue until the Chairman or Vice Chairman finds that emergency conditions no longer exist.

b. Effect of Declaration of Emergency.

A declaration of emergency shall automatically activate the Chatham County Emergency Operations Plan as applicable to the unincorporated area of Chatham County, Georgia, and shall be authority for the deployment of personnel and use of any forces to which the Plan applies and for use or distribution of any supplies, equipment, materials and facilities assembled, stockpiled, or arranged to be made available pursuant to the Georgia Emergency Management Act of 1981 or any other laws applicable to emergencies or disasters.

A declaration of emergency shall authorize the Chairman to cause to be effective any of the following sections of the Emergency Management Ordinance of Chatham County as appropriate: Sections 4-311, 4-312, 4-313, 4-314, and 4-315. The Chairman shall execute a Declaration of

Effective Ordinances During Emergency designating which of the foregoing sections are in effect. If these sections are included in a Declaration of Effective Ordinances During Emergency, they shall be in effect until the declaration of emergency has terminated.

c. Declaration of Emergency.

Upon the declaration of emergency or upon activation of the Chatham County Emergency Operations Plan as applicable to the unincorporated area of Chatham County, Georgia, an official "Declaration of Emergency" in compliance with the attached form shall be signed and communicated to the citizens of the affected area using the most effective and efficient means available. The declaration shall state the nature of the emergency, the geographic area affected by the declaration, the conditions that require the declaration and the conditions under which it will be terminated.

2. Emergency Powers of Chatham County and Municipal Governments.

a. Emergency Powers of Chatham County Government.

The Chairman of the Chatham County Board of Commissioners shall have and may exercise for such period as the declared emergency exists or continues, unless the State government assumes direct control of the emergency, the following additional emergency powers with the unincorporated area of Chatham County:

(1) To enforce all laws, rules, and regulations relating to emergency management and to assume direct operational control of all civil forces and helpers in the unincorporated area of the County;

(2) To seize or take private property for temporary use only if it cannot be acquired, temporarily or permanently, by purchase, donation or lease, and only if there is compelling necessity for the protection of the lives, health, welfare and/or property of citizens;

(3) To sell, lend, give, or distribute all or any such property among the inhabitants of the County and to account to the proper State or local agency for any funds received for the property;

(4) To perform and exercise such other functions, powers, and duties as may be deemed necessary to promote and secure the safety and protection of the civilian population of the County; and

(5) To coordinate the exercise of the above emergency powers within the unincorporated area of Chatham County with the Mayors of the municipalities of Chatham County and other appropriate local, State, and Federal officials through CEMA.

(6) In addition to any other emergency powers conferred upon the County Commission Chairman by law, the Chairman may specifically:

(a) Suspend any regulatory statute prescribing the procedures for conduct of County business, or the orders, rules, or regulations of any County agency, if strict compliance with any Ordinance, resolution, order, rule, or regulation would in any way prevent, hinder, or delay necessary action in coping with the emergency or disaster;

(b) Utilize all available resources of the Chatham County government and subordinate agencies over which it has budgetary control as reasonably necessary to cope with the emergency or disaster;

(c) Transfer the direction, personnel, or functions of any Chatham County departments and agencies or units thereof for the purpose of performing or facilitating emergency services;

(d) Commandeer or utilize any private property if the County Commission Chairman finds this necessary to cope with the emergency or disaster;

(e) Direct and compel the evacuation of all or part of the population from any stricken or threatened area within the State, if the Chairman deems this action necessary, for the preservation of life or other disaster mitigation, response, or recovery;

(f) Prescribe routes, modes of transportation, and destinations in connection with evacuation;

(g) Control ingress and egress to and from a disaster area, the movement of persons within the area, and the occupancy of premises therein;

(h) Suspend or limit the sale, dispensing, or transportation of alcoholic beverages, firearms, explosives, and combustibles; and

(i) Make provision for the availability and use of temporary emergency housing.

(7) When the available funds are not sufficient for the purpose of paying the expenses incident to carrying out the provisions authorized by this Ordinance and Articles 1 through 3 of the Georgia Emergency Management Act of 1981, the County Commission Chairman may transfer from any available fund in the Chatham County treasury such sum as may be necessary to meet the expenses of the emergency or disaster; and the monies so transferred shall be repaid to the fund from which transferred when monies become available for that purpose by the Chatham County Commission, Georgia General Assembly, Federal grant, or otherwise.

(8) In the event that the County Commission Chairman proclaims an emergency or disaster, as defined in this Ordinance, the Chairman may provide welfare benefits to the citizens of the unincorporated area of Chatham County in the form of grants to meet disaster related necessary expenses or serious needs of individuals or families adversely affected by an emergency or disaster in those cases where the individuals or families are unable to meet the expenses or needs from other means, provided that such grants are authorized only when matching State or Federal funds are available for such purposes.

(9) If the County Commission Chairman declares a local state of emergency solely because of an energy emergency, he shall not have the authority to:

(a) Seize, take for temporary use, or condemn property other than energy resources as authorized by this Ordinance;

(b) Sell, lend, give, or distribute property other than energy resources as authorized by this Ordinance;
or

(c) Commandeer or utilize property other than energy resources as authorized by this Ordinance.

b. Emergency Powers of Municipalities of Chatham County.

(1) The Georgia Emergency Management Act of 1981, as amended, authorizes the municipalities within Chatham County to exercise the same emergency governmental powers within their municipal boundaries as it authorizes the County Commission to exercise within the unincorporated area of the County.

(2) In addition to the normal agreements embodied in the Chatham County Emergency Operations Plan for mutual emergency assistance with all Chatham County municipalities, the Chatham County Commission may contract with any municipality for the administration of a municipal emergency response program.

§4-311 Overcharging Prohibited. In order to preserve, protect or sustain the life, health or safety of persons, or their property, within an area in the unincorporated area of Chatham County designated in a declaration of emergency, it shall be unlawful, during the duration of the emergency or subsequent recovery period, for any person, firm or corporation located or doing business in the unincorporated area of Chatham County to overcharge for any goods, materials, foods, equipment, supplies, services, labor, motel rooms, temporary lodging or houses, sold or rented, within Chatham County.

1. Definitions.

(a) Overcharging means charging prices for goods, materials, foods, equipment, supplies, services, labor, motel rooms, temporary lodging or houses, which are in excess of the customary charges by 25% or, inapplicable cases, in excess of the suppliers' or providers' costs for such goods, materials, foods, equipment, supplies, services, labor, motel rooms, temporary lodging or houses, by 25%. The existence of overcharging shall be presumed from a 25% increase in the price at which the merchandise or rate, fee, cost/rental of housing was offered in the usual course of business immediately prior to the onset of the emergency, but shall not include increases in cost to the supplier directly

attributable to the higher cost of material, supplies and labor costs resulting from the emergency.

(b) Subsequent Recovery Period means that period during which the emergency continues to cause disruptions in the area designated in the declaration of emergency, but shall not exceed six months after the declaration of emergency has been terminated.

2. This section shall become effective only upon the signing of a declaration of emergency and the signing of a declaration stating that it is in effect.

§4-312 Zoning Regulations Suspended.

1. In order to preserve, protect or sustain the life, health, welfare or safety of persons, or their property, within an area in the unincorporated area of Chatham County designated in a declaration of emergency, temporary mobile/ manufactured/ industrialized homes, travel trailers, recreational vehicles, campers or mobile/manufactured/industrialized home parks, campgrounds or other living areas may be located on property approved by the Chatham County Board of Commissioners in any zoning district. The parks, campgrounds or other living areas shall be designed by an engineer and plans shall be approved by the Chatham County Health Department, Engineering Department and Public Works Department, and the Building Safety and Regulatory Services Department. Permits may be issued by the Building Safety and Regulatory Services Department to establish temporary mobile/-manufactured/industrialized homes or mobile/manufactured/industrialized home parks for a period not to exceed eighteen months. Such approval may only be extended by the Chatham County Board of Commissioners beyond eighteen months after a public hearing and a demonstrated finding of necessity on behalf of the Chatham County Board of Commissioners. Except as provided herein, the Chatham County Zoning Ordinance shall remain in full force and effect.

2. This section shall become effective only upon the signing of a declaration of emergency and the signing of a declaration stating that it is in effect.

§4-313 Emergency Business License.

1. Before conducting any business within an area in the unincorporated area of Chatham County designated in a declaration of emergency, a business license shall be obtained and posted at the work site. Said business license shall expire at the end of twelve (12) months. The cost of the emergency business license shall be equal to the cost for a license issued under current regulations for the business conducted.

2. Applicants shall provide the following information when applying for a temporary business license:

- a. Name of applicant;
- b. Permanent address and telephone number of applicant;
- c. Local address and telephone number of applicant;
- d. Applicant's date of birth and age, if an individual;
- e. Applicant's Social Security Number or Federal Employer Identification Number;
- f. If applicant is a corporation, the state and date of incorporation;
- g. Tag registration for each vehicle to be used in the business;
- h. List of cities where business has been conducted by the applicant within the past 12 months;
- i. Georgia Sales Tax number or authorization;
- j. Georgia State Business License number, if required;

3. The temporary business license application shall be signed under oath by the applicant.

4. This section shall become effective only upon the signing of a declaration of emergency and the signing of a declaration stating that it is in effect.

§4-314 Emergency Building Permit.

1. Before repairing any structure within an area in the unincorporated area of Chatham County designated in a declaration of emergency, a building permit must be obtained and posted at the work site. The cost of the emergency building permit shall be equal to the cost for a building permit under current regulations. The permit shall only be authorized for repairs. Applicants shall provide the following information when applying for a temporary building permit:

- a. Name of applicant;
- b. Permanent address and telephone number of applicant;
- c. Local address and telephone number of applicant;
- d. Applicant's Social security Number or Federal Employer Identification Number;
- e. If applicant is a corporation, the state and date of incorporation;
- f. Tag registration for each vehicle to be used in the business;
- g. List of cities where business has been conducted by the applicant within the past 12 months;
- h. Georgia Sales Tax number or authorization;
- i. Georgia State Business License number, if required;

2. The emergency building permit application shall be signed under oath by the applicant.

3. This section shall become effective only upon the signing of a declaration of emergency and the signing of a declaration stating that it is in effect.

§4-315 Closed or Restricted Areas and Curfew during Emergency.

1. In order to preserve, protect or sustain the life, health, welfare or safety of persons, or their property, within an area in the unincorporated area of Chatham County designated in a declaration of emergency, it shall be unlawful for any person to travel, loiter, wander, or stroll in or upon the public streets, highways, roads, lanes, parks, or other public grounds, public places, public buildings, places or amusement, eating places, vacant lots or any other place in the unincorporated area of Chatham County during a declared emergency between the hours of 9:00 p.m. on any day and 6:00 a.m. of the following day, unless otherwise specified by the Chairman, until the curfew is lifted by the Chairman of the Chatham County Board of Commissioners.

2. In order to promote order, protect lives, minimize the potential for looting and other crimes, and facilitate recovery operations during an emergency, the Chairman shall have discretion to impose reentry restrictions on certain areas. The Chairman shall exercise such discretion in accordance with the Chatham

County, Georgia Emergency Operations Plan, which shall be followed during all emergencies.

3. The provisions of this section shall not apply in the following instances:

- a. Authorized law enforcement personnel;
- b. Authorized health care providers;
- c. Authorized personnel of Chatham County;
- d. National Guard or Federal Military Personnel;
- e. Authorized firefighters;
- f. Emergency response personnel/volunteers working with or through CEMA;
- g. Authorized utilities repair crews;
- h. Citizens pursuing legitimate means to restore order to their homes or businesses while already on their own property or place of business;
- i. Other authorized persons as set forth in a list compiled by CEMA and/or the Chief of Police or Sheriff of Chatham County with the approval of the Chairman.

4. Enforceability. This section shall be enforced by officers of the Savannah Chatham Metropolitan Police Department, the Sheriff of Chatham County and his lawful deputies, and the officers of any other law enforcement agency authorized by the Chief of Police, the Sheriff of Chatham County and approved by the Chairman to provide aid and assistance during an emergency.

5. Nothing in this section shall prohibit an officer from bringing additional charges under State law.

6. This section shall become effective only upon the signing of a declaration of emergency and the signing of a declaration stating that it is in effect.

§4-316 Liberality of Construction, Enforcement, and Penalty for Violation.

1. Liberality of Construction.

This Ordinance shall be liberally construed in favor of the governing body of Chatham County and deemed neither to limit nor repeal any other powers granted under State statutes.

2. Enforcement.

The CEMA Director shall have the legal authority to conduct such necessary and appropriate investigations to carry out the duties prescribed in this Ordinance or properly assigned by the County, and for this purpose to enter at a reasonable time upon any property, public or private, for the purpose of investigating and inspecting the sites involved with emergency management functions.

No person shall refuse entry or access to any authorized representative or agent of the County who requests entry for purposes of inspection, and who presents appropriate credentials, nor shall any person obstruct, hamper, or interfere with any such representative while in the process of carrying out their official duties.

The law enforcement authorities of the State and of the political subdivisions thereof shall enforce the orders, rules, and regulations issued pursuant to Articles 1 through 3 of the Georgia Emergency Management Act of 1981 and this Ordinance.

3. Penalties for Violation.

Failure to comply with any of the requirements and provisions of these regulations shall constitute a violation of this Ordinance. Any person who violates this Ordinance or fails to comply with any of its requirements shall, upon conviction thereof, be fined not more than \$500, and in addition, shall pay all costs and expenses involved in the case. The owner of land upon which a violation occurs, and each person assisting in the commission of a violation, shall be guilty of a separate offense. Each day during which the violation or failure to comply continues shall be a separate violation.

In addition to the remedies set forth in Articles 1 through 3 of the Georgia Emergency Management Act of 1981, and this Ordinance, the Court is authorized under O.C.G.A. §38-3-5 of the Georgia Emergency Management Act of 1981 to obtain an injunction to restrain violations of the provisions of this Ordinance and Articles 1 through 3 of the Georgia Emergency Management Act of 1981.

§4-317 Repeal of Conflicting Ordinances and Resolutions.

All ordinances or resolutions or parts thereof in conflict with this Ordinance are hereby repealed to the

extent necessary to give this Ordinance full force and effect.

§4-318 Conflict with Other Laws. Whenever the provisions of this ordinance are more restrictive than the standards required in, or under, any other covenant, ordinance, or resolution, the provisions of this ordinance shall govern. Whenever the provisions of any other statute, covenant, ordinance, or resolution are more restrictive than the standards required in this ordinance, the provisions of said statute, etc., shall govern.

§4-319 Severability. Should any section, paragraph, subdivision, clause, phrase, or provision of this Ordinance be adjudged invalid or held unconstitutional by a court of competent jurisdiction, such declaration shall not affect the validity of this Ordinance as a whole or any part or provisions thereof, other than the part so decided to be invalid or unconstitutional.

§4-320 Effective Date. This Ordinance shall become effective on _____, 2006.

**STATE OF GEORGIA
COUNTY OF CHATHAM**

DECLARATION OF EMERGENCY

WHEREAS, the Chatham County Board of Commissioners as the governing body of Chatham County, Georgia is vested with the power to protect the lives, health, welfare and property of citizens coextensive with the necessity of the situation and the safeguard of the public interest, pursuant to Ga. Constitution Art. 9, §2, ¶3, GA. Constitution Art. 9, §2, ¶1 and the laws of the State of Georgia; and

WHEREAS, the Chatham County Board of Commissioners adopted amendments to the Chatham County Emergency Management Ordinance for the protection of the public during emergencies which shall only be implemented upon a declaration of emergency and the signing of a declaration stating that they are in effect; and

WHEREAS, in the judgment of the Chairman of the Chatham County Board of Commissioners, with appropriate

advice from the Chatham Emergency Management Agency ("CEMA") and other agencies, emergency conditions exist in _____ (geographic location) due to _____ (conditions which require the declaration to be issued); and

WHEREAS, "emergency" means any extraordinary condition in which there exists the threat or actual occurrence of a disaster or event, including "energy emergency" as defined in the Georgia Emergency Management Act and any amendments thereto, which may result in the large scale loss of life, injury, property damage or destruction, or in the major disruption of routine community affairs or business and government operations, and is of sufficient severity and magnitude to warrant extraordinary assistance by CEMA and other Chatham County departments and other agencies to supplement the efforts of available public and private resources.

NOW THEREFORE, pursuant to the authority vested in me by the laws of the State of Georgia,

IT IS HEREBY DECLARED that emergency conditions exist in _____ (geographic location) due to _____ (conditions which require the declaration to be issued) and that upon the occurrence of _____ (conditions under which declaration to be terminated), this declaration shall be terminated.

=====

- 3. THE PETITIONER, CLAY LOYLESS, AGENT (FOR KERN-COLEMAN & CO.), IS REQUESTING THE REZONING FOR 1401 ARGYLE ROAD. A 56.67 ACRE (PORTION TO BE REZONED) PROPERTY FROM AN R-A (RESIDENTIAL AGRICULTURE) CLASSIFICATION TO PDR-SM (PLANNED DEVELOPMENT RECLAMATION-SURFACE MINING) CLASSIFICATION AND A GENERAL DEVELOPMENT PLAN SUBMITTED IN CONJUNCTION THEREWITH. THE MPC RECOMMENDS APPROVAL.
MPC FILE NO. Z-051014-60038-1
[DISTRICT 7.]**

Chairman Liakakis said, you have the information in your —.

Commissioner Kicklighter said, one quick question. Chairman Liakakis said, yes. Commissioner Kicklighter asked, is there anyone in the audience that opposes this? If not, I'll make a motion to approve. Commissioner Farrell said, second. Commissioner Thomas said, second.

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

ACTION OF THE BOARD:

Commissioner Kicklighter moved to approve the petition of Clay Loyless, Agent (for Kern-Coleman & Co.) requesting the rezoning for 1401 Argyle Road, a 56.67 acre (portion to be rezoned) property, from an R-A (Residential-Agriculture classification to a PDR-SM (Planned Development-Reclamation-Surface Mining) classification and a General Development Plan submitted in conjunction therewith. Commissioners Farrell and Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Odell was not present when this vote was taken.]

AGENDA ITEM: XII-3

AGENDA DATE: January 27, 2006

TO: BOARD OF COMMISSIONERS

THRU: R. E. ABOLT, COUNTY MANAGER

FROM: THOMAS L. THOMSON, EXECUTIVE DIRECTOR

LEGAL NOTICE/AGENDA HEADING:

The petitioner Clay Loyless, Agent (for Kern-Coleman & Co.) is requesting the rezoning for 1401 Argyle Road a 56.67 acre (portion to be rezoned) property from an R-A (Residential Agriculture) classification to PDR-SM (Planned Development Reclamation-Surface Mining) classification and a General Development Plan submitted in conjunction therewith. The MPC recommends approval. MPC File No. Z-051014-60038-1

ISSUE:

Rezoning approximately 56.67 acres currently zoned R-A (Residential-Agriculture) to a PDR-SM (Planned Development-Reclamation-Surface Mining) classification. The petitioner is also seeking approval of a General Development Plan (MPC File No. P-040114-48815-1) as required by the PDR-SM district regulations.

BACKGROUND:

The 56.67 acre site to be rezoned is part of a larger 255.50 acre parcel. In 2004, a 32.33 acre portion of the parcel was zoned to PDR-SM to allow surface mining of sand and gravel. The current petition proposes to expand the surface mining area. Accordingly, rezoning a portion of the overall parcel is required.

The Chatham County Zoning Ordinance requires that a General Development Plan be submitted as part of a rezoning petition to PDR-SM. The MPC may disapprove, approve, or modify the plan so as to meet the purpose of Section 4-6.8, P-D-R. The referenced section contains submittal requirements and includes standards for buffering, operations, access and reclamation. A review of the General Development Plan is attached (MPC File No. P-051110-40139-1).

....

REQUESTED ZONE**PD-R-SM (Planned Development-Reclamation Surface Mining)**

The purpose of this district is to permit the filling and/or surface mining of land in a manner which insures that the operation of such activity does not adversely affect the ecology, or the use and enjoyment of surrounding properties, and that upon a timely conclusion of such activity, the site is permanently established as either an inert landfill or a lake in such a manner so as to render the property aesthetically compatible with surrounding uses and in a date condition. PD-R districts approved for inert landfills shall be designated PD-R-L and PD-R districts approved for surface mining shall be designated PD-R-SM at the time of rezoning. Such designations shall be shown on the official zoning Map of Chatham County.

....

**Petition of Clay Loyless, Agent
MPC File No. Z-051014-60038-1**

MPC recommends that the following described property be rezoned from its present R-A (Residential Agricultural) classification to a PDR-SM (Planned Development Reclamation-Surface Mining) classification.

LEGAL DESCRIPTION

Starting on a point located at the intersection of the centerline of Ga. Hwy 204 and the eastern right of way of the access road to the petitioners' property, thence proceeding southerly along a line South 01 degrees 53 minutes 42 seconds a distance of approximately 1260 feet to a point, thence

westerly along a line North 83 degrees 23 minutes 03 seconds West a distance of approximately 732 feet to a point, said point being the point of beginning, thence westerly along a line North 83 degrees 23 minutes 03 seconds West a distance of approximately 1472 feet to a point, thence southerly along a line South 35 degrees 04 minutes 52 seconds West a distance of approximately 877 feet to a point, thence easterly along a line South 72 degrees 10 minutes 22 seconds East a distance of approximately 646 feet to a point, thence along a line South 19 degrees 34 minutes 27 seconds East a distance of approximately 609 feet to a point, thence along a line South 45 degrees 05 minutes 33 seconds East a distance of approximately 383 feet to a point, thence along a line South 74 degrees 54 minutes 59 seconds a distance of approximately 341 feet to a point, thence along a line South 48 degrees 34 minutes 05 seconds East a distance of approximately 323 feet to a point, thence along a line South 62 degrees 43 minutes 57 seconds East a distance of approximately 383 feet to a point, thence along a line South 05 degrees 56 minutes 01 second East a distance of approximately 41 feet to a point, thence along a line South 72 degrees 13 minutes 52 seconds East a distance of approximately 260 feet to a point, thence in a northerly direction along a line North 45 degrees 10 minutes 01 second East a distance of approximately 559 feet to a point, thence along a line North 01 degrees 41 minutes 03 seconds East a distance of approximately 131 feet to a point, thence westerly along a line North 88 degrees 19 minutes 03 seconds West a distance of approximately 393 feet to a point, thence along a line North 74 degrees 47 minutes 09 seconds West a distance of approximately 695 feet to a point, thence along a line North 39 degrees 52 minutes, 52 seconds West a distance of approximately 116 feet to a point, thence along a line North 32 degrees 02 minutes 52 seconds East a distance of approximately 327 feet to a point, thence along a line N 37 degrees 23 minutes 34 seconds West a distance of approximately 217 feet to a point, thence along a line North 20 degrees 05 minutes 41 seconds East a distance of approximately 157 feet to a point, thence along a line North 82 degrees 21 minutes 01 second East a distance of approximately 239 feet to a point, thence along a line North 41 degrees 59 minutes 10 seconds East a distance of approximately 265 feet to a point, thence in a northerly direction along a line North 20 degrees 06 minutes 51 seconds West a distance of approximately 190 feet to a point, thence along a line North 02 degrees 38 minutes 40 seconds East a distance of approximately 368 feet back to the point of beginning.

The property is further identified by Property Identification Numbers follows:

P.I.N.: 1-1050-01-002

MPC File No. Z-051014-60038-1

=====

Chairman Liakakis asked, John [Pierce], did you want to speak? Come up to the microphone.

Mr. John Saxon Pierce said, I wanted to thank y'all for passing the tax money. I want to thank y'all for —, Pete [Liakakis], you're doing a good job, and I'd like to say if you ever run again, I'll vote for you. Thank you.

Chairman Liakakis said, I want everybody to know that's the first time I've seen him in six months. I had nothing to do with that.

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XIII. INFORMATION ITEMS

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

ACTION OF THE BOARD:

A status report was attached for review.

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

ACTION OF THE BOARD:

A status report was attached for review.

AGENDA ITEM: XIII-2

AGENDA DATE: January 27, 2006

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>
Four (4) Canon scanners	Assessor	GHA Technologies, Inc.	\$9,396	General Fund/M&O - Assessor

<u>ITEM</u>	<u>DEPT.</u>	<u>SOURCE</u>	<u>AMOUNT</u>	<u>FUNDING</u>
Install concrete paving for handicap parking at Ambuc Park for ADA compliance	Facilities Maintenance and Operations	Coastline Concrete Services, Inc.	\$2,887	General Fund/M&O - Facilities Maintenance and Operations
Install sidewalks to bleachers at Ambuc Park for ADA compliance	Facilities Maintenance and Operations	Coastline Concrete Services, Inc.	\$5,761	General Fund/M&O - Facilities Maintenance and Operations
Replace No Wake signs	Public Works and Park Services	Boaen Marine Construction, Inc.	\$3,090	General Fund/M&O - Parks and Recreation
Toolbox bed for new Public Works truck	SPLOST	Coastal Trailer Company, Inc.	\$8,327	SPLOST (2003-2008) - Vehicle Purchase - SSD
Purchase and installation of emergency vehicle lighting and equipment for new vehicles	Fleet Operations	West Chatham Warning Devices	\$3,878	CIP - Vehicle Purchase - SSD

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EXECUTIVE SESSION

Upon motion being made by Commissioner Thomas and seconded by Commissioner Kicklighter, the board recessed at 11:30 a.m. to go into Executive Session for the purpose of discussing litigation, land acquisition and personnel.

Following adjournment of the Executive Session, the meeting of the Board of Commissioners was reconvened at 1:05 p.m.

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ITEMS FROM EXECUTIVE SESSION

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

ACTION OF THE BOARD:

Commissioner Odell moved to approve a motion to authorize the Chairman to execute an Affidavit that the Executive Session was held in compliance with the Open Meetings Act. Commissioner Thomas seconded the motion and it carried unanimously.

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APPOINTMENTS

1. METROPOLITAN PLANNING COMMISSION

Chairman Liakakis said, we're going to vote on some appointments now for the County Commission. Commissioner Shay said, Metropolitan Planning Commission. Chairman Liakakis said, for the Metropolitan Planning Commission. Do we have any nominations on the floor?

Commissioner Kicklighter said, yes sir, Mr. Chairman. First, I'd like to state that we had many, many good people and great applications and had some great interviews. It was a hard decision, but we've basically come up with what I believe would be a consensus to vote on. I now nominate Shedrick Coleman, Ben Farmer, Doug Bean and Susie Myers to the MPC.

Chairman Liakakis asked, do we have a second? Commissioner Gellatly said, second. Okay we have a motion on the floor for these four candidates for the Metropolitan Planning Commission. Let's go on

the board. The motion carried unanimously. Chairman Liakakis said, the motion passes. We will thank all of the candidates.

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ADJOURNMENT

There being no further business, the Chairman declared the meeting adjourned at 1:08 p.m.

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APPROVED: THIS _____ DAY OF _____, 2006

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

SYBIL E. TILLMAN, CLERK OF COMMISSION