

MINUTES OF THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF CHATHAM COUNTY, GEORGIA, HELD ON FRIDAY, APRIL 7, 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 9:35 a.m., Friday, April 7, 2006.

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II. INVOCATION

Commissioner Odell introduced Rev. Lee, pastor of St. John’s 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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YOUTH COMMISSIONERS

Chairman Liakakis welcomed the following Youth Commissioners who were in attendance: Kirsten Smith, a Junior at Johnson High School, and Wesley Stone, a Sophomore at Benedictine Military, who is also the son of Commissioner Helen Stone. We always thank Commissioner Priscilla Thomas for coming up with that idea and a lot of counties and some cities around the country are adopting what occurred here originally in Chatham County. We have some 38 representatives from the different schools around the county, both public and private, who represent the Youth Commission, and we'd like to thank Commissioner Thomas for putting all this together.

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V. PROCLAMATIONS AND SPECIAL PRESENTATIONS

1. PRESENTATION BY JUDGE FOWLER ON DUI COURT CONCEPT AND FUNDING.

Chairman Liakakis said, what I'd like to do is call on Judge Fowler on the DUI Court concept.

Judge Fowler said, good morning. Mr. Chairman, thank you and, Commissioners, please — thank you. We're always happy — Mr. Abolt can tell you we're always happy to come here and talk about our DUI Court. It has been my project and continues to be my project with the help of these two folks that are standing behind me. They are Mr. Carl Blair. Most of you know Mr. Blair, he's the Clerk and Court Administrator in our State Court, and David Wood, who is the DUI Court Coordinator. They always push me out front so if there's any bullets coming, I'll get the bullets first. I always had to do, well I almost always had to do that.

I'm going to give you a little history. Most of you know, we've been in operation in our DUI Court for three months — three years, excuse me, at the end of this month. Thus far all of our operational costs have been paid for through a grant from the National Highway Traffic Safety Administration and through the Governor's Office of Highway Safety. All of those folks have been very supportive and instrumental of what we've been able to do. We're part of a pilot project that was developed to apply to Drug Court model of court operations to cases involving recidivist drunk drivers and we're one of three courts in the State chosen for this project. So we're one of the first courts in the State to focus and put our resources for the problem of repeat DUI offenders. We, as part of this project, have gathered data from our three courts. Those courts are, of course, Savannah-Chatham County, Athens-Clarke County and Gainesville-Hall County, and this data is being used nationally to evaluate the effectiveness of DUI Courts. I can also tell you that we have now graduated 125 people and we have a success rate through today of 97%. I'm told by people in the business of treatment that these numbers are quite remarkable for their success rate. Other counties in our State, for example DeKalb County, which is probably the largest county that has undertaken DUI Courts, they have started operations in the last year. Forsyth County, through a judge named Russ McClellan — some of you might know Russ. He grew up

in Savannah and left a few years ago, and now he's State Court Judge in Forsyth County. He has started the DUI Court. We also have court starting up in some of the smaller counties, like Troup County on the west side. And they say why are courts doing this now, why is this happening around the State? Well, we're doing it because it works and that's what the data shows nationally, that's what our data on a limited basis for these three years shows, and we would like very much to be able to keep our court operating, and we're here today to ask for your help.

Judge Fowler said, in our court the day-to-day operations are handled by Mr. Wood, the Coordinator, and he has a brief presentation that he would like to make to you to give you the nuts and bolts of how our court operates. So I'll ask David [Wood] to come.

Mr. David Wood said, thank you. Mr. Chairman, ladies and gentlemen, good morning. My name is David Wood and I'm the DUI Court Coordinator for the State Court of Chatham County. Thanks for allowing Judge Fowler and I to come this morning to talk to you about DUI Court and the importance of this program. The Department of Human Resources in Atlanta tell us that anyone with two DUI's in a five-year period or three more lifetime will get another DUI. That's statistically, and it doesn't matter if we put these people in jail for one minute, one hour, one year or ten years. When they get out, they will re-offend. They say that jail is a fine punishment for the crime of DUI, but it's not going to solve the problem. Now one solution to this problem would be to incarcerate these people forever. They won't drink and drive in jail, and no one could argue that. Obviously this is not a viable option nor is it a preferred. The other solution would be to — something much more difficult to provide something much more effective, and that would be a safe and sober and productive citizen.

When a defendant is sentenced to a second DUI or a third DUI, the lifetime in the State Court of Chatham County, a condition of their probation is that they participate and comply with all the conditions of DUI Court. DUI Court involves four phases of treatment and supervision. The first phase, which is eight weeks, involves going to the Recovery Place for group counseling two times a week, Mondays and Wednesdays, from 5:30 to 7:30 in the evening. After that, the space opens to another phase, which is twelve weeks long and requires three hours of group counseling each week. After that, this thing goes to a seventeen week treatment phase. They're going also again three hours a week. The last fifteen weeks of a 52-week period is after-care and they're going once every other week. All total, they have to go to 141 hours of treatment to graduate from our program. In addition to that, we require each participant to go to three AA meetings every week to prove to us that they did those meetings. They're required to call a phone number daily and if their color, assigned color, is called, they have to go to Recovery Place and submit to a urine drug screen and an alcohol test. The participants pay for this treatment out of their own pockets — \$35 a week for a 52-week period and it equals \$1,820 per year. Not only did that make the program less costly for us to operate, but it makes the participants invested in their treatment. Participants are required to meet with their probation officers at least twice a month and come to court twice a month. During court Judge Fowler addresses any noncompliance issues that — and if deemed appropriate, he sanctions them for their noncompliance. Recommendations are made to Judge Fowler the morning of court during a staffing by the DUI Court team which consists of Judge Fowler, myself, treatment, probation, a member of the defense bar, and an assistant district attorney. Sanctions range from a verbal reprimand to time

in jail, depending upon the severity of the infraction, but I do need everyone to know that we sanction every missed or positive drug test with jail time. We conduct home visits randomly. Participants are required to submit to breath tests during those home visits and their homes are inspected for any signs of alcohol or drugs, which is a violation of their probation.

Mr. Woods said, I tell some of the newcomers —, I tell them this ain't your father's probation, and the reason I say that is since everyone in our program is a multiple offender, the chances are they've been through probation at least once and the difference is in the requirements between a first DUI and a second DUI are vast. The goal of the DUI Court is to control participant's substance abuse issue causing the recode pattern of driving under the influence of alcohol or drugs. All stakeholders in the DUI Court take this very seriously. If at any time a team member feels that the level of treatment and supervision that a participant is receiving is not adequate, the necessary steps are taken to correct this action. This could include court ordering the participant to go to a mental health evaluation, completion of substance abuse programs at SABHC, or even enrolling and completing a residential treatment program. We've also used SABHC and the VA Hospital both here in Savannah and in Charleston. Each graduate is asked after graduation to come back to Judge Fowler's chambers and talk with Judge Fowler and myself to get feedback. Countless times we've heard from individuals, graduates, that this program has changed their lives or saved their lives. One graduate told us that the only problem with the program was that it's made his life boring. When we asked what that meant, he said, well, when I was drinking at my house there was always chaos or some sort of drama, and he said his children now tell him he's boring. He went on to tell us he likes to be boring.

Mr. Woods said, put simply, the Chatham County DUI Court exists to provide offenders with the tools they need to be productive citizens. A byproduct of this court is that all successful graduates that have completed all the requirements to get their license reinstated, except for suspension of time and the requirement to drive a visionary law. This was built into the program because we had a high number of people being arrested for driving on a suspended license. I've included in each number counsel member's folder a current participation agreement, several brochures and a three-minute DVD that features an introduction DUI Court, a medallion that we award each graduate and a handbook that breaks down the minimum cost or handout that breaks down the minimum cost per person who receives a second DUI conviction in five years. Those costs easily exceed over \$13,000 for someone that follows our program and reinstates their license as the soonest possible time. All this provides all of Chatham County one thing — increasing community safety. If there's any questions, we'll be happy to answer them.

Chairman Liakakis asked, any questions to David [Wood]? Commissioner Kicklighter said, let me ask one. Chairman Liakakis recognized Commissioner Kicklighter.

Commissioner Kicklighter asked, how much does it cost to put one of the things you have to breath in to crank the car, how much does something like that cost? Mr. Wood said, the current cost — there's several companies that do it, but it's a \$75 installation fee and it's probably \$75 a month to monitor that. Commissioner Kicklighter said, because it seems like to me and any law-abiding citizen wouldn't mind if it —, does it actually not crank if you've anything to drink or does it actually perform like a police breathalyzer [sic] that would —. Mr. Woods said, what it does is

as the vehicle — before you can start the vehicle you're required to give a sample. Commissioner Kicklighter said, right. Mr. Woods said, if that sample is above .002, which is really low, the vehicle won't crank. Then as you're driving at certain times it tells you you have to blow into it again. You have to blow into the meter again and if it reads over .002, the horn will start sounding, the lights will flash and, of course, that will alert people that something is going on. Commissioner Kicklighter could they —, could it be possible, I mean, to maybe eliminate — and I know that people can be crafty and get around it — but could it be possibly standard in the future, not where you had to blow on it, a law-abiding citizen, but where every vehicle in the future came with one to originally start the car and then just standard in every vehicle and if police ever pulled someone over for a ticket, there's clearly something there that's shows where or not the thing's working and if someone had disabled it, then —. Mr. Woods said, I think it's —, I know that's entirely possible. I know that there would be a lot of car manufacturers, of course, would say it's going to increase the budget of cars and so forth, but I do think that is a possibility. Commissioner Kicklighter said, with everything they're putting in cars now, I mean, I can't imagine in mass production it actually costing that much and I think it could eliminate at least many, many, many DUI's in the future if they would just put it in standard. Mr. Woods said, there's a lot of technology out there. One of the things I did not mention and something we use is called a SCRAM-device, and it's an ankle monitor much like your bracelet you wear for home confinement. It measures alcohol vapors emitting from the skin and then it sends those results, along with some other tamper-proof things, to a modem that's sent to the Internet and we can monitor that person through the Internet, and that's all the time and it's not just when they're driving or something. The problem with that right now is it's pretty costly but as more manufacturers come on board, we hope that price will go down.

Chairman Liakakis said, Chief Judge Fowler, we thank you very much, you know, for your putting together this DUI Court because it's just stated that you have a 97% success rate and we have seen repeaters that get out into the public onto our roads and unfortunately they are accidents with injuries and sometimes death, but to have this kind of results with repeaters is going in the right direction so that we can, you know, basically reduce the amount of safety hazards to our citizens with this, and we thank you, Judge, and also David [Woods] and Carlton [Blair] and your other staff that's working on this because this is a real service to our community.

County Manager Abolt said, Mr. Chairman, ladies and gentlemen, a little over a month ago Judge Fowler did make a request that the County would set aside certain licensing fees for activities associated with alcohol that would fund this court. Consequently, you have in your agenda packet for your conceptual review and at least approval at the conceptual level that we would begin in preparation for the adoption of a mixed drink excise tax. There is a calendar of events that would occur after today if you give us that direction that would lead towards the first and second reading of an ordinance in June and then implementation of this on the first of September. That would raise about \$160,000 annually and that would defray the cost of this very vital service. So we would ask that if you're willing to do that today, give us conceptual okay to proceed with that.

Commissioner Kicklighter asked, can I asked is it in line, the mix drink tax pretty much in line with what Savannah does with theirs? County Manager Abolt said, three percent, yes sir.

Chairman Liakakis said, yeah, I think it's the same thing. Isn't it? Okay. Chairman Liakakis recognized Commissioner Shay.

Commissioner Shay said, I'd like to make a motion that we conceptually approve the idea of a mixed drink surcharge tax in the unincorporated area to fund the DUI Court. Commissioner Kicklighter said, second. County Manager Abolt said, technically not even Ms. Cramer or Mr. Hart —, I believe it's Countywide and in those cities that already have it are opted out. Commissioner Shay said, what he said. County Manager Abolt said, thank you.

Chairman Liakakis said, Jon [Hart], do we proceed since we had a first reading, can we —, you know, we'll vote on this now? Okay. We have a motion on the floor to approve the conceptually idea on the mixed drink [tax]. Go on the board. The motion carried unanimously. Chairman Liakakis said, the motion passes.

Chairman Liakakis said, thank you very much, Judge, and to you, David [Woods], and to you, Carlton [Blair], for your service to the people of this community.

Judge Fowler said, I want to continue my invitation to each of you to please come to our court and see how we operate, watch what we do. It's a public court. We have staffing meetings each other Thursday that we go through to discuss each participant and I would invite you to those staffings and we have a court session — we have two court sessions, one at three in the afternoon and at four and you're all invited to come there as well. We'd enjoy seeing you. Thank you all.

Chairman Liakakis recognized Commissioner Thomas.

Commissioner Thomas said, thank you, Mr. Chairman. I just want to say thank you for the work that you're doing. It's a well-established program and I just want to ask you if you would be amenable to participating in the state or national level with ACCG or NACo. We have been asked from time to time if there are programs in the community and have people who would like to share their ideas or programs with others. There are people who are seeking information along, you know, those lines, and my question is would you be willing to participate with any of those programs on a panel. Judge Fowler said, I would be very happy —. Commissioner Thomas said, on a state or national level. You know, it's the time to make those recommendations and we would like to see our program, you know —. Judge Fowler said, I would be very happy to do that so long as Mr. Blair lets me out of the courthouse. Commissioner Thomas said, okay. Judge Fowler said, actually I would be thrilled to do that. We are a pilot project here so we're among the first to come up with hard data on — really, we started this looking at whether these courts work or not. That was our premise and all of us have found that the court's very successful in all of — bringing up statistics like hours or very similar, and we're at different locations, we're different communities, different judges of course, different staff, different treatment providers, but our numbers are pretty close to the same. We've been really pleased and I'd be happy to share that. If you will talk with me about that, I'm happy to make myself available. Commissioner Thomas said, all right, and with the permission of this Commission I will move forward to try to seek, you know, further information for their participation on the state and national levels.

Chairman Liakakis recognized Commissioner Odell.

Commissioner Odell said, Judge Fowler, I don't know if it was approximately two or three months when we had the seminar and the speaker came down —. Judge Fowler said, yes sir, Mr. Westhuddle [phonetic] came down. Commissioner Odell said, and did an excellent job and went into detail as to the value of this court and the philosophy behind it. Did we video tape that, Judge? Judge Fowler said, no, we did not, but I can tell you that he is always willing to come back, and he does that at no cost to Chatham County by the way. So I'll be thrilled to invite him back and to make a presentation again if you would like for us to do that. Commissioner Odell said, I really do, and I'd like for us to do that but also invite all the various municipalities including the City of Savannah, and the reason is that the cost-savings that you listed, or the cost of the program, there's one major miscost and that is this is a behavioral modification that changes negative behavior to acceptable behavior, and one DUI that results in a collision and a substantial injury, there's no way you can measure the cost to that injured person, and I think that the municipalities will get behind it once they see what we saw in the program. This program works. It should not be a stand-alone, depending upon —, it should be fixed in our budget because ultimately it saves us money. Judge Fowler said, and this is coming, ladies and gentlemen, from a defense lawyer, not the prosecutor. Commissioner Odell said, and the Judge is absolutely correct, I try DUI cases, but ultimately I'm a human being who I don't run and give them the drink. I simply make certain that their constitutional rights are maintained, but if we can ever save a person from having to need an attorney, having to be arrested, having to be incarcerated, having to be photographed, then this program does that. Judge Fowler said, absolutely.

Chairman Liakakis said, okay. Thank you very much, Judge. We appreciate it.

ACTION OF THE BOARD:

Commissioner Shay made a motion to conceptually approve the idea of a mixed drink surcharge tax with those municipalities already having it being opted out. Commissioner Kicklighter seconded the motion and it carried unanimously.

AGENDA ITEM: V-I

AGENDA DATE: April 7, 2006

TO: Board of Commissioners

THRU: R. E. Abolt, County Manager

FROM: Linda B. Cramer, Finance Director
Gregori Anderson, Director, Building Safety & Regulatory Services
Carlton Blair, Clerk of State Court

ISSUE: To obtain conceptual approval to proceed with development of a Mixed Drink Excise Tax Ordinance that would provide revenue for continued funding of the DUI Court.

BACKGROUND: Under Georgia law, Chatham County is authorized to collect revenue from a mixed drink excise tax, a tax that is based on the sale price of distilled spirits by the drink (O.C.G.A. 3-4-131). The DUI Court has been in operation since May 2003. Its costs have been supplemented by grant funding; however, loss of the grant revenue is anticipated in fiscal 2007. State Court is seeking funding from the County to continue the Court's operations.

FACTS AND FINDINGS:

1. Georgia law states that the County may collect up to 3% of the charge for a beverage from the pouring establishment. The law also states if any Georgia County chooses to levy the mixed drink excise tax, the tax must be levied not only within its boundaries but also within any municipal boundaries where a mixed drink excise tax is not currently imposed.
2. The tentative implementation schedule for the mixed drink excise tax ordinance would result in a September 1, 2006 effective date. Early board consideration is required due to the lengthy timeframe involved in implementing the tax. Key dates in the development timetable include:
 - Conceptual approval by the Board of Commissioner's – April 2006
 - Development of a fact sheet for bar and restaurant owners and for other municipalities about the tax and any public hearing associated with the 2nd reading of the Ordinance – May 2006
 - Development of an ordinance that would go through 1st and 2nd readings – June 2006
 - Workshops with bar and restaurant owners to go over the requirements under the ordinance (monthly returns, form completion, other questions) – July and August 2006
 - Reminder ads and public service announcements – August 2006
3. The potential tax revenue from pouring establishments is estimated at \$160,000 annually. While the implementation period would require a concentrated involvement of staff, this should abate after the tax is implemented, providing a better ratio of cost to benefits derived.
4. Since May 2003 the State Court has operated a DUI Court as a pilot project. The court has jurisdiction over all Unincorporated Chatham County and City of Savannah DUI cases and cases bound over from other Chatham County municipalities where offenders had two or more convictions within a five year period or three or more in their lifetimes. State Court has also approached the City of Savannah with a request to participate in funding the Court. The City currently provides the DUI Court Coordinator whose salary is being reimbursed from the expiring grant funds.

5. The projected public cost of the DUI Court is approximately \$160,000 per year or roughly \$850.00 per person. The Court currently has 193 active participants (it has been as high as 230) who must also pay, from their own resources, \$35.00 per week, or a total of \$1,820 per year. During the three years of its operation, the Court has graduated 123 participants. It appears that only four graduates have been re-arrested for DUI offenses.

FUNDING:

The mixed drink excise tax would provide an estimated \$160,000 annually in tax revenue for the operation of the DUI Court.

POLICY ANALYSIS:

The procurement of diverse revenue sources is consistent with established financial policies.

ALTERNATIVES:

1. Provide conceptual approval for staff to proceed with the development of a mixed drink excise tax ordinance that would provide revenue for continued funding of the DUI Court.
2. Do not provide approval.

RECOMMENDATION:

Approve Alternative #1.

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VI. CHAIRMAN'S ITEMS

1. PREFERRED PROJECTS FOR SPLOST VOTE.

Chairman Liakakis said, as many of you know, the County Commission, we're looking at the next SPLOST voting time and the reason for that is looking at it earlier this year as opposed to next year is because we have some specific priorities that need to be funded. The number one priority that has some real concern in our community is the jail because we need to build additional jail cells. You know, the answer to crime in our community is not just putting people in jail, but also to attack the causes of crime in our community and to reduce it like that, prevent it so we won't have people having to go to jail because we put things in there to prevent crime that we can help in the community. But right now, you know, we've got about 80% of the crime in our community is committed by some 20% of the criminals. So, you know, when the police department or the law enforcement agencies arrest someone and they put them in jail. I think our real capacity over there that we shouldn't be running over is some over 1,600, but what has happened here in the

last number of months with the jail situation is that sometimes it's been close to 1,600 or a little over 1,600 that the jail has that many inmates in it and so —, and especially I think yesterday was like 1,538 or somewhere in that figure, and we are constantly now having over 1,500 there that we have in the jail. So that situation where we have to have additional cells so that those hard — those criminals, you know, we can keep them in jail, those repeaters, once they are sentenced. And that's one of the reasons why we're discussing right now the SPLOST funding for referendum. Of course, the vote won't go until later on, but what I'd like to do is call on the County Manager to just give us a brief overview about this SPLOST vote, the projects that we have. Right now today we're not going to be other than just mentioning, you know, the jail situation that we have. We will also be getting this Tuesday evening at 6:00 P.M., we have a meeting with the City/County Coalition with all the seven cities, the County and Vernonburg to discuss the State statutes concerning SPLOST funding by the County Attorney and we will be giving information to them and then ask them to come back with their wish list and we will have workshops with the County Commission and also the other municipalities in our community. Mr. Manager?

County Manager Abolt said, thank you, Mr. Chairman. With leadership of the Chairman and your cooperation, we now have what amounts to your individual preference on projects you might like to see on SPLOST. We can now electronically capture those and we have the technology that is very similar to when we looked last year at the five-year forecasting through an Excel spreadsheet when we do have the workshop he referenced. We can show you the different variables because the legislation as the Chairman alluded to has changed from past years when the SPLOST was voted upon. You have the option of focusing in on Level I, which will certainly include the jail, and we will be able to show you in a workshop session how you can make different choices and how that will translate into dollars that would be shared with the municipalities. I think the key here is to remember, as we do the cost estimating, initially that will be very preliminary. The biggest issue will become not to conclusion until about the end of May when we have better cost estimates on the detention center and the jail. That's because the consultants are working on that with priority. But we can do what you wish and, as the Chairman has said so many times, this is a gathering not just of the County Commission but all the municipalities and to ensure that there is balance to the program and that you can make the best decision based on the information that staff will be preparing for you and we can show you again, given different variations you might have and the way in which you want to allocate money, how that would translate into the bottom line. You also have choices on the number of years you might want to have SPLOST, rather than five, you can have it at six years. These are all choices. They're all choices that can be made in plenty of time looking towards finalization of this during the Spring.

Chairman Liakakis said, okay, and the meeting that we will have with all of the municipalities and the County will be in these Chambers at 6:00 P.M., Tuesday evening.

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2. REFERRAL TO BOARD OF ASSESSORS, SOUTHERN ENERGY LIQUID NATURAL GAS SITE, TO INSURE EQUITY ACROSS THE BOARD IN TAXATION.

Chairman Liakakis said, let me preface this conversation. The Assessors and the County are separate entities altogether. The concern that we have it has been brought up to some of the Commissioners about a situation that we have with LNG Company, and what I'd like to do right now is call on one of the citizens that has discussed something about the LNG. Now this is not a court session or anything like that. We're just looking at tools before the Assessors in our County have a tough job up there in their office. You know, they get a lot of criticism. We've got people up there that work hard to do the right thing in our community, but when we have a situation like this, the Commissioners are concerned that if we want to make sure in a situation like this that the Assessors have the tools to help them in a situation that we have right now with LNB, and I'd like to call on Ken Mathews, if you'll come forward please.

Mr. Ken Mathews said, good morning. Chairman Liakakis said, identify yourself. Mr. Mathews said, Ken Mathews and I'm just here to share a few thoughts with you as a taxpayer-citizen kind of person and just because I think something's not being handled quite right yet and I think y'all can influence that. As you may know, the LNG Terminal on Elba Island just went through a major expansion. That was a \$150,000,000 increase that they just spent and the assessment on that only went up about \$60,000,000. So it didn't even go up by the amount of the new investment it made. But that's not my real point. When the LNG folks had a meeting out at Pooler recently, I went out and talked to them about what they have out there, and they told me personally — the experts that they had at the meeting — that that facility's replacement cost is half a billion dollars. It's \$500,000,000. There are 30 other folks in this country that are trying to build facilities like that. There are only four in operation. So that says something about the marketplace. The marketplace is there are lots of folks that would like to build an LNG facility. It's a long process regulated by the Federal Government, so it's hard to do. But this one is in place and operating, so it's a very valuable facility. It's currently assessed by our County at \$70,000,000 and it's a \$500,000,000 to \$800,000,000 facility. I think that you can help by ensuring that the Appraiser's office has the resources to appropriately value the facility. Their own employees told me it was \$500,000,000. I suspect it's more than that.

Mr. Mathews said, the second issue is there's inventory in the tanks. That's subject to tax also. That's also under debate. So the expert could work on both of those issues. It could cost \$100,000 to get somebody really good from Houston that's a natural gas expert, but we're talking five, six-million bucks of tax revenue that you could have collected last year, you can collect next year if you get the appraisal up to fair market value.

Chairman Liakakis asked, any questions? Chairman Liakakis recognized Commissioner Kicklighter.

Commissioner Kicklighter asked, have you talked with the Board of Assessors about this? Mr. Mathews said, I brought it to their attention, yes. Commissioner Kicklighter asked, recently or — Mr. Mathews said, not only recently, but over the last year.

Chairman Liakakis said, okay. Well, one of the things is that we're not picking on LNG or anything, but when something comes up like that, we just want LNG to pay their fair share of taxes. We have a situation where people that have homes in our community and commercial property and all and they're paying their taxes, and we just want to have, you know, fairness in —, you know, when we have assessments and have equity across the board, and we think that that's really important to be fair with all the citizens, with our homeowners and our community also. But we do not — the Commission — do not set assessment rates or anything like that. They've got a Board of Assessors who oversees the assessment department that we have in the County who go out there, particular employees go out and make assessments, but from what I understand is that resources, a tool that is needed, you know, for our assessors because you need somebody in a — that has the expertise to help them, a tool. And so we —, I'm glad you were able to come up here and share that with us today.

Commissioner Odell said, query though, Mr. Chairman. Just as this gentleman has determined that there is approximately a \$430,000,000 under evaluation, I tend to think that there may be other commercial properties that might fall into the same area. So rather than determining from someone coming forward that this is a problem, a particular problem, and without leveling criticism, the concern becomes to me is this a broader problem or did we find the only problem that exists. There's just one of these out there of underevaluation that costs us approximately \$5,000,000 [sic] and we happen to find it, but are there potentially others is the only question I'll ask of the Commission.

County Attorney Hart said, yeah, this is a situation in which you've got a very unique facility. It think there's three of them in the United States, and you've got a value issue. And you've got a good auditing staff over at the Board of Assessors, but some things are so unique you need somebody in that field to go out and give you an opinion. It's kind of like if we went out to buy a steel mill tomorrow. I don't know how many people know a lot about steel mills. Maybe we've got somebody that's an expert on the Commission, but obviously if you're going to try to value something fairly, when you have unique facilities you're probably going to have to provide, as the Chairman said, the tools to the Board of Assessors to allow them to go out and get somebody to come in and give an honest assessment as to what to do. And I think probably we have some other unique commercial entities in town that perhaps that may be appropriate, but this is what I mean.

Commissioner Odell said, that was my point, not whether or not we should not provide the resources. I mean, that's not my point. My point is, is this the only one or are there other situations that we need to look to us on. And if this is the only unique thing in Chatham County, this one of only three in the country, then we're safe, but if it's not, then we need to know that and do what's necessary to fairly appraise them because to do so ultimately shifts some of the tax burden off of the homeowners, and taxes that some other person pays under Stephen-Day doesn't have to be paid by the homeowner.

Chairman Liakakis said, and we've got, you know, our Assessors work hard over there and they've got good employees and they've got expertise, but in this particular, as was said, it takes somebody that's familiar in this are because it's a unique situation so we have to let the Assessors — talk with them, you know, and see about getting them the tools that they need, and we have nothing to do with setting any assessments whatsoever as far as the Commission. Chairman Liakakis recognized Commissioner Kicklighter.

Commissioner Kicklighter said, I guess my question is did you get some kind of negative response or something from —, I mean —. Mr. Mathews said, I think the response is that it's complex and they haven't been able to figure it out. I suggest to you that it is complex, it is unique. You can't do comparable sale like you normally do on a residence, so you have to do something else and if you —. All you've got to do is get on the Internet and you can see they're being built all over the country or being proposed in the range of \$450,000,000. I mean, that's just on the Internet. So what these guys here with me personally is not unique, so — but I think the owners have made a big issue about leases and it tried to confuse things. It shouldn't couldn't confuse anything. When somebody leases the building to somebody else, the owner of the building is still responsible for the taxes. Commissioner Kicklighter said, I guess my — the root of it, and I try to always be blunt, but it seems that — to turn out that way because this is not the proper way to address anything because they are separate. Did they indicate to you that they were not trying to correct the possible problem, is what —. Mr. Mathews said, they said that were working on it, they said that they regretted that they missed the digest last year and they weren't sure that they would make it into this year's digest. Commissioner Kicklighter asked, can I ask someone to come up from the — because, you know, that's why I think the State purposely structured the Board of Assessors separate from the County is to keep politics and all out of assessment values and all, and I just —, I think that y'all know that we support in providing you all the tools you need and all, so I just want to kind of get —.

Mr. Larry Lower said, I'm Chairman of —. Chairman Liakakis said, come a little closer to the mike or pull it down please. Mr. Lower said, Chairman of the Board of Assessors, and I think one thing that you've got to understand when you're trying to assess a piece of property. It's nice for somebody to stand up here and give you a big figure of \$500,000,000, but there's a lot that goes into that \$500,000,000, and we can throw it out there and that doesn't necessarily mean that you're going to see the total assessment of \$500,000,000 immediately. It just doesn't happen that way. You have two elements here. You have a real property side and you have a personal property side. They have to be split; they're bought together. We wish we could share some figures with you, but we can't. We're under litigation with these people right now and have been and we're going to continue to go —.

Commissioner Kicklighter said, it shouldn't be discussed publicly at all knowing that. Mr. Lower said, that's right.

Chairman Liakakis said, step up to the mike and just say —. What portion of this? Identify yourself please.

Ms. Ab Quillian said, my name's Ab Quillian. I'm the attorney that works with the County Attorney's office. The inventory theory —. Chairman Liakakis said, listen to this. Ms. Quillian said, — is pending appeal at the moment. So to the extent their numbers and negotiations going on in that, it's not proper to talk about it in the public forum.

Commissioner Kicklighter said, don't get me wrong. Anyone out there listening, I agree with Commissioner Odell. If someone's undervalued and they need to pay \$5,000,000, that's better for the homeowners here. I just wanted to hear your —, so basically y'all are working on it and if you need our assistance, you'll come tell us.

Ms. Quillian said, right, and there is an on-going audit in connection with all of the other matters, and that audit may well lead us to go into issues subpoenas as well as in the context of the pending litigation the discovery process is just beginning because they just appealed the inventory portion.

Commissioner Kicklighter said, thank you, and I want to thank this gentlemen. It was his work that kind of brought it to your attention or somehow for bringing it to your attention, and we thank you for your work.

Chairman Liakakis said, what I'd like is a motion on the floor that we, you know, for the Board of Assessors to find out what the cost factor is on somebody that has that expertise and bring that back to us to see about us funding them because they have a budget over there and to hire someone like that, you know, see about the tools if we want to do that now or just —, you know, because they have to make the decision. It's separate from us altogether, but we just want to make sure that the tools are there to have so that, you know, it will help y'all in y'all's handling of this.

Commissioner Odell asked, may I ask the attorney a question? As part of the litigation not to go into detail with regarding this, have we retained an expert? Ms. Quillian said, in regard to the inventory at the moment that is under appeal, no, and they have not identified —. In fact we're just now at the first volley of written discovery. Commissioner Odell said, so at some point potentially down the road, y'all are going to have to do —. Ms. Quillian said, if the matter's not resolved in an appropriate manner, then we will have to obviously come back to you and say, listen, we need X-amount of money to go hire an expert who can value or do this. The inventory itself —, LNG is like a commodity, like pork bellies or anything at any given day at the Wall Street Journal, and the value of it is track, but the property and stuff itself, if we have to come back, and you'll say, listen, to perform an independent lease appraisal from somebody who's familiar with these companies will cost us an extra amount of money, then we'll bring that information back to you. Commissioner Odell said, I don't know the gentlemen who spoke, but he appeared to have a wealth of information. We have his name and number and the ability to get in touch with him, have you? Ms. Quillian said, and I'm going to turn around and give him this as soon as I leave and ask him to call us.

Chairman Liakakis recognized Commissioner Shay.

Commissioner Shay said, Mr. Chairman, I understand that the dilemma that the Board of Assessors has in trying to figure out the value of something that is nearly unique, and I'm sure that like any other huge complex endeavor — the LNG stands for Liquid Natural Gas — that there are a lot of arcane facts that are not obvious. So I think we should let them know that we are willing to stand with them at such time as they need additional resources and the amounts that they deem are necessary. But I'd like to also point out that this particular facility, which serves I think the entire Southeast of the United States, so it serves a much larger area than just Chatham County, that it's also a facility that poses potentially a threat to public safety that not only are there taxing implications, but there are also costs that are associated with this County in being prepared in case something happens. When I was a Commissioner before we had a fire that burned out of control at a much, much, much, much smaller facility over on the Eastside of the City of Savannah and I think we had mobilize forces from all over the Southeast in order to figure how to even put out the fire. So there are also public policy issues that are in play here too. It's more of a potential threat to our community than a steel mill would be. I'm sure that doesn't figure into the valuation, but it does in my view figure into also the urgency that we become experts in Chatham County on what these kinds of facilities cost to replace and operate and what they're worth and make sure that our taxpayers are not being burdened with the cost of protecting the safety of something that serves the entire Southeast United States. So with that, I'll make the motion that we resolve our willingness to support the effort of the Tax Assessors to get to whatever the truth is about these valuations and numbers. Commissioner Kicklighter said, second.

Chairman Liakakis said, okay. Discussion? Chairman Liakakis recognized Commissioner Gellatly.

Commissioner Gellatly said, just an observation. I agree with Commissioner Odell that there's probably other organizations and businesses that are in our community or coming to our coming or thinking about coming to our community and a lot of them are very complex as to what their inventory or what their real worth might be and it might well be that we do need experts from time to time and they're going to take —, it's going to cost money over and above what's in your budget, and I think that the Commission in general would support furnishing those experts because they certainly have the potential if we do that to be able to bring in a lot more revenue and to help the taxpayers in this community. So I think that we all support that and we should — I think we'll go on record to do that. Also, Ken Mathews I've — I knew him when he was young, but he's gotten old. I don't know what's happened, but we go back 20 some odd years and when I used to work for a living why he spent a lot of time and effort and energy to assist law enforcement, and I'm equally grateful for that. And, yes, he is a very intelligent person and he thinks things threw and I appreciate him.

Chairman Liakakis recognized Commissioner Farrell.

Commissioner Farrell said, I just kind of want to reiterate some of what Commissioner Gellatly said, but in fairness to all the taxpayers in Chatham County, I would suggest that we not limit the extra effort to just the LNG, that we have several industries in the commercial entities in this County that kind of fall out of the normal scope of assessment as we know it — as most of us

here in the community know it — and that I would be in favor of providing the necessary resources so that each corporate citizen as well as residential citizen gets a fair market value placed on their property so that it's fair to all taxpayers.

Mr. Lower said, I wanted to address Mr. Odell and the other Commissioners, we know our limits and we have had other experts come in when we have had properties that we didn't feel we could address properly to come down and help us. One that reminds me that we had that was probably about a year ago was Hutchinson Island. We brought a person down to help us with that. So we're not going to stand before you and tell you we have all the answers. We don't and we have no problem of coming before you and telling you that there are other properties out there. When we run into a problem, if we can't handle it, we're going to come and say we need some help so that we can go after these pieces of property. So we're looking for those things.

Chairman Liakakis recognized Commissioner Kicklighter.

Commissioner Kicklighter said, Mr. Chairman, I guess that's my whole point with them being up here. They — in the past they just catch nothing but pure hell by the nature of there job anyway levying the values on property, and by bringing them up here today, I mean, that insinuates to me that they don't ask for help and they don't do whatever and, you know, come to find out they were pursuing this already, and they are smart people that if they need additional help they come to us. Sure, I want all the — from the businesses, everybody need to pay their fair share, but thank you, you're doing a good job. There's enough things that go wrong and this is not one of them, and I'm sorry y'all even had to come up here today. Mr. Lower said, that's not the problem and it's not that we do not listen to citizens when Mr. Mathews may have mentioned it before to someone else. We get on it, but we can't come out in the public and say we're going after you. You know, that's not what we do. Commissioner Kicklighter said, and I thank Mr. Mathews. He would not and should not know the proper structure as far as where things are coming from and everything. It's just — I hate that y'all are even here because y'all are working on it. So, thank you.

Chairman Liakakis said, thank y'all very much. Let's go on the board. the motion carried unanimously. Chairman Liakakis said, the motion passes.

ACTION OF THE BOARD:

Commissioner Shay moved that we resolve our willingness to support the effort of the Tax Assessors to get to whatever the truth is about the valuations on properties and numbers. Commissioner Kicklighter seconded the motion and it carried unanimously.

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VII. COMMISSIONERS' ITEMS

None.

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CHATHAM AREA TRANSIT AUTHORITY

Upon motion made by Commissioner Shay, seconded by Commissioner Kicklighter and unanimously approved, the Board recessed as the County Commission at 10:30 a.m., and convened as the Chatham Area Transit Authority.

Following adjournment of the Chatham Area Transit Authority, the meeting of the Board of Commissioners was reconvened at 11:42 a.m.

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VIII. TABLED/RECONSIDERED ITEMS

Unless action is contemplated at today's meeting, staff report and file material has not been duplicated in your agenda packet. The files are available from the Clerk. Those on which staff is requesting action are indicated by asterisk (*).
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- * **1. REQUEST FOR RENEWAL OF SUNDAY SALES OF BEER, WINE AND LIQUOR POURING LICENSE FOR 2006. PETITIONER: COBY GARRETT BROOKS, D/B/A HOOTERS OF SAVANNAH, INC., LOCATED AT 4 GATEWAY BOULEVARD. [DISTRICT 7.] *At meeting of February 24, 2006, item was tabled until questions are answered. Attached is a new staff report.***

Chairman Liakakis said, I'd like a motion on the floor for Item 1, the removal of Sunday sales of beer, wine and liquor pouring license for 2006, Petitioner Coby Garrett Brooks, d/b/a Hooters of Savannah, located at 4 Gateway Boulevard. As we know, the motion was made and approved to table that, but we understand now from a staff report that you have been distributed that all the requirements that have been signed and taken care of as reported back by staff. Do we have a motion on the floor to take it off.

Commissioner Odell said, I'll make the motion to take it off the table. Commissioner Stone said, second. Chairman Liakakis said, it's been seconded. Now any discussion? Commissioner Odell said, we need to vote on the motion to take it off and then we vote on —. Chairman Liakakis asked, any discussion on this? Let's go on the board. Dean [Kicklighter] are you voting? Commissioner Kicklighter said, yes sir. The motion carried unanimously. Chairman Liakakis said, the motion passes.

Chairman Liakakis said, Item # 2, Per Diem Rate for Commissioners Attending Conferences —. The Clerk said, excuse me. We did not vote on the Sunday sales. Commissioner Stone said, we're going to back to it. The Clerk said, well, we just took it off the table. Chairman Liakakis said, no, the first one we just took off the table. This is Item #2 that we made the motion, Sybil [Tillman], to take Item 2 off the, you know, off the table. The Clerk said, well, we don't take it off until we complete Item 1. Chairman Liakakis said, we've already completed Item 1. We voted

on it and approved it. The Clerk said, you only voted on untabling it. Chairman Liakakis said, we voted #1 take it off the table and #2 we voted to approve it. The Clerk said, okay. I'm sorry. Chairman Liakakis said, it was voted on both ways. The Clerk said, thank you.

Commissioner Odell said, I don't think it was, Mr. Chairman. Chairman Liakakis said, excuse me. Commissioner Odell said, we voted only one time. We voted to take it off the table and then we had to vote on whether to approve this, which we did not do, which is Sybil's question.

Chairman Liakakis said, okay. All right, let's go on the board. Commissioner Farrell said, I make a motion to approve the request. Commissioner Odell said, second. Commissioner Odell asked, who made the motion for the —? Commissioner Stone said, Commissioner Farrell. The Clerk asked, Commissioner Kicklighter? Commissioner Kicklighter said, no, I did not. I've been writing SPLOST projects. I hadn't opened my mouth. The Clerk said, I was going to ask would you like to vote. I mean, to cast your vote. Commissioner Kicklighter said, I'll cast your vote but I didn't make the motion. The Clerk said, no, I knew you didn't. The motion carried unanimously.

ACTION OF THE BOARD:

- a. Commissioner Odell moved to untable this item for consideration by the Commission. Commissioner Stone seconded the motion and it carried unanimously.
- b. Commissioner Farrell moved to approve the petition of Coby Garrett Brooks, d/b/a Hooters of Savannah, Inc., located at 4 Gateway Boulevard, for renewal of Sunday sales of beer, wine and liquor pouring license for 2006. Commissioner Odell seconded the motion and it carried unanimously.

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- * 2. PER DIEM RATE FOR COMMISSIONERS ATTENDING CONFERENCES (COMMISSIONER FARRELL). *At meeting of March 24, 2006, item was tabled for more information. See attached staff report offering background and option.***

Chairman Liakakis said, we need a motion on the floor to approve taking it off.

Commissioner Farrell said, so moved. Commissioner Thomas said, second. Chairman Liakakis said, a motion has been made and seconded to take it off. All in favor, go on the board. Chairman Liakakis and Commissioners Stone, Holmes, Shay, Farrell, Odell, Kicklighter and Thomas voted in favor of the motion to untable. Commissioner Gellatly voted in opposition. The motion carried by a vote of eight to one. Chairman Liakakis said, the motion passes.

Chairman Liakakis said, Item #2, Mr. County Manager, let's go on Item 2.

County Manager Abolt said, I don't know if I want to. Staff has researched —. Chairman Liakakis asked, everybody understands this? Go ahead. County Manager Abolt said, staff has researched what different organizations have done. Ms. Cramer has come up with possibly a workable solution that will accommodate your needs. Essentially, you will keep your current per diem rate and then be encouraged to submit expenses to go beyond that. If you fail to submit expenses, we'll give you the normal per diem rate. I think essentially this will address the fairness issue. You realize full well that wherever you travel there may be situations where the cost incurred in County business far out exceeds the per diem. We're just saying in that situation keep your expense tics, turn them in and you'll be immediately reimbursed.

Chairman Liakakis said, that sounds reasonable to me.

Chairman Liakakis recognized Commissioner Gellatly.

Commissioner Gellatly said, question. Would that apply to County employees or just the Commissioners? County Manager Abolt said, this is addressed to the County Commissioners. Commissioner Gellatly said, okay.

Commissioner Kicklighter said, question. Chairman Liakakis said, yes, go ahead. Commissioner Kicklighter asked, should there be some kind of cap where — I mean, I don't think we're going to be eating —. County Manager Abolt said, no sir. Commissioner Kicklighter said, — at a \$500 —. County Manager Abolt said, no. Let me explain. I think there's obviously trust mutual between yourselves but also staff has trust. You're going to be on County business. I think many of you travel and there are issues where you will want to get together with either other Commissioners or members of the legislative delegation. Certainly, Dr. Thomas — and I'm not trying to pick on her — but her travels with the Youth Commissioner and talking to other entities will incur expenses, it's very legitimate County business. So when that occurs, you just submit your receipts saying this is what receipt I incurred and you'll be reimbursed. Pure and simple. Chairman Liakakis said, and then you justify what it was. Commissioner Kicklighter said, as long as the meal does not exceed the cost of, say, a Hooter's or something like that.

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

Commissioner Farrell said, I make a motion that we do as the County Manager suggested as far as the per diem to keep the rate the same but under the circumstances that we're in a situation that occasionally happens where the per diem would not adequately address the true expenses, that the Commissioners have the option to just turn in the actual expenses in lieu of the per diem. Chairman Liakakis asked, okay, do we have a second? Commissioner Stone said, second.

Chairman Liakakis said, it's been seconded. Any other discussion? Okay, let's go on the board. Commissioner Thomas asked is that the same thing you just said? Chairman Liakakis and Commissioners Stone, Holmes, Shay, Farrell, Odell, Kicklighter and Thomas voted in favor of the motion. Commissioner Gellatly voted in opposition. The motion carried by a vote of eight to one. Chairman Liakakis said, the motion passes.

ACTION OF THE BOARD:

- a. Commissioner Farrell moved to untable this item for consideration by the Commissioners. Commissioner Thomas seconded the motion. Chairman Liakakis and Commissioners Stone, Holmes, Shay, Farrell, Odell, Kicklighter and Thomas voted in favor of the motion to untable. Commissioner Gellatly voted in opposition. The motion carried by a vote of eight to one.
- b. Commissioner Farrell moved to retain the current per diem, but in situations where the per diem does not adequately address the true expenses, the Commissioners have the option to submit the actual expenses in lieu of per diem. Commissioner Stone seconded the motion. Chairman Liakakis and Commissioners Stone, Holmes, Shay, Farrell, Odell, Kicklighter and Thomas voted in favor of the motion. Commissioner Gellatly voted in opposition. The motion carried by a vote of eight to one.

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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) A TRANSFER OF \$91,660 FROM THE RECREATION GENERAL FUND M&O BUDGET TO THE CAPITAL IMPROVEMENT PROGRAM FUND FOR REPAIRS TO MEMORIAL STADIUM, (2) AN AMENDMENT TO THE CAPITAL IMPROVEMENT PROGRAM FUND TO RECOGNIZE THE TRANSFER IN OF \$91,660, (3) AN AMENDMENT TO THE CAPITAL IMPROVEMENT PROGRAM (CIP) FUND TO RECOGNIZE AUCTION PROCEEDS OF \$56,365, (4) AN AMENDMENT TO THE CONFISCATED FUNDS SPECIAL REVENUE FUND TO RECOGNIZE AUCTION PROCEEDS OF \$745, (5) A TRANSFER OF \$125,000 FROM THE DETENTION CENTER REPAIR PROJECT IN THE CAPITAL IMPROVEMENT PROGRAM FUND TO THE MULTIPLE GRANT FUND FOR A GRANT MATCH, (6) ACCEPTANCE OF A \$500,000 COPS GRANT WITH AN AMENDMENT TO THE MULTIPLE GRANT FUND TO RECOGNIZE THE GRANT FUNDS AND THE TRANSFER IN FROM CIP OF \$125,000, (7) AN AMENDMENT TO THE CHILD SUPPORT RECOVERY FUND TO RECOGNIZE REVENUES AND EXPENDITURES OF \$4,130, AND (8) AN APPROPRIATION OF CONFISCATED FUNDS IN THE AMOUNT OF \$220,000 FOR THE CNT HEADQUARTERS, (9) AN AMENDMENT TO THE GENERAL M&O FUND TO INCREASE LOCAL OPTION SALES TAX REVENUE BY \$500,000 AND THE M&O CONTINGENCY BALANCE BY \$500,000, AND (10) AN AMENDMENT**

**TO THE MULTIPLE GRANT FUND TO RECOGNIZE AWARD OF A \$10,000
GEORGIA DCA GRANT TO HANDS ON SAVANNAH.**

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

Commissioner Kicklighter said, Mr. Chairman. Chairman Liakakis said, yes. Commissioner Kicklighter said, I would like to pull the first part out and table until the next meeting, the transfer of \$91,660 from the Recreation General Fund/M&O budget to the Capital Improvement Program Fund for repairs to Memorial Stadium.

County Manager Abolt asked, may I make a suggestion? Commissioner Kicklighter said, yes. County Manager Abolt possibly a better option would be just to table the item on the Purchasing report. This is a transfer of the 500 —, part of the \$500,000 so Mr. Drewry can do the repairs. Let' say, for example, you're not satisfied with the explanation on the roof. We still have to repair the roof. Putting the money in the budget is required be it's a CIP expenditure. We won't spend it until you tell us to spend it. This is just an administrative action.

Chairman Liakakis asked, so you're asking for a separate vote to just table that portion of it? County Manager Abolt said, I would say just table the award of the contract for the roof repair for two weeks.

Commissioner Kicklighter said, my point to tabling it all right now is that if we don't need the \$91,000 in the Capital Improvement Plan we surely can use a portion of that money in the operating expenses of the Recreation Department because, you know, I mean —.

County Manager Abolt said, we'd lose it, but it's up to you. I just didn't want to make it burdensome at your next meeting if you choose to take both items off the table. Your real intent is to decide whether the work should be done by the contractor based on the bids so —.

Commissioner Kicklighter asked, well, can we just remove this part of it then completely right now? Commissioner Farrell said, well, all you're doing is taking the money out of your left pocket and putting it in the right pocket. Commissioner Thomas said, that's all. Commissioner Farrell said, at this point. County Manager Abolt said, that's all you're doing at this time.

Commissioner Odell said, the money —, action comes on the Action Calendar —. County Manager Abolt said, for the roof. Commissioner Odell said, right. Commissioner Odell said, we can pull that —.

Commissioner Kicklighter asked, can we shift it back later? County Manager Abolt said, yes sir, you can shift it back. I'm just trying to make it easier on you. Maybe I'm making it more complicated. Commissioner Thomas said, right. Commissioner Kicklighter said, I was just trying to make it easy because I don't believe it will cost \$91,000 to replace the roof.

Chairman Liakakis said, let's go ahead and approve the whole Item #1 and then when we come to those individual actions, we can go from there, the Action Calendar. Commissioner Kicklighter said, that's fine. Chairman Liakakis said, okay, we have a motion on the floor —, do we have a motion on the floor now —. Commissioner Farrell said, so moved. Chairman Liakakis said, — to approve Item 1. We've got a motion, and do we have a second? Commissioner Thomas said, second. Chairman Liakakis said, it's been seconded. All in favor, go on the board. The motion carried unanimously. Chairman Liakakis said, the motion passes.

ACTION OF THE BOARD:

Commissioner Farrell moved that the Board approve the following: (1) A transfer of \$91,660 from the Recreation General Fund M&O budget to the Capital Improvement Program Fund for repairs to Memorial Stadium, (2) an amendment to the Capital Improvement Program Fund to recognize the transfer in of \$91,660, (3) an amendment to the Capital Improvement Program (CIP) Fund to recognize auction proceeds of \$56,365, (4) an amendment to the Confiscated Funds Special Revenue Fund to recognize auction proceeds of \$745, (5) a transfer of \$125,000 from the Detention Center Repair project in the Capital Improvement Program Fund to the Multiple Grant Fund for a grant match, (6) acceptance of a \$500,000 COPS Grant with an amendment to the Multiple Grant Fund to recognize the grant funds and the transfer in from CIP of \$125,000, (7) an amendment to the Child Support Recovery Fund to recognize revenues and expenditures of \$4,130, and (8) an appropriation of Confiscated Funds in the amount of \$220,000 for the CNT Headquarters, (9) an amendment to the General M&O Fund to increase Local Option Sales Tax Revenue by \$500,000 and the M&O Contingency balance by \$500,000, and (10) an amendment to the Multiple Grant Fund to recognize award of a \$10,000 Georgia DCA grant to Hands On Savannah. Commissioner Thomas seconded the motion and it carried unanimously.

AGENDA ITEM: IX-I

AGENDA DATE: April 7, 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) a transfer of \$91,660 from the Recreation General Fund M&O budget to the Capital Improvement Program Fund for repairs to Memorial Stadium, (2) an amendment to the Capital Improvement Program Fund to recognize the transfer in of \$91,660, (3) an amendment to the Capital Improvement Program (CIP) Fund to recognize auction proceeds of \$56,365, (4) an amendment to the Confiscated Funds Special Revenue Fund to recognize auction proceeds of \$745, (5) a transfer of \$125,000 from the Detention Center Repair project in the Capital Improvement Program Fund to the Multiple Grant Fund for a grant match, (6) acceptance of a \$500,000 COPS Grant with an

amendment to the Multiple Grant Fund to recognize the grant funds and the transfer in from CIP of \$125,000, (7) an amendment to the Child Support Recovery Fund to recognize revenues and expenditures of \$4,130, (8) an appropriation of Confiscated Funds in the amount of \$220,000 for the CNT Headquarters, (9) an amendment to the General M&O Fund to increase Local Option Sales Tax Revenue by \$500,000 and the M&O Contingency balance by \$500,000, and (10) an amendment to the Multiple Grant Fund to recognize award of a \$10,000 Georgia DCA grant to Hands on Savannah.

BACKGROUND:

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

FACTS AND FINDINGS:

- 1) The Recreation Department plans to repair the roof at Memorial Stadium using funds in the FY2006 General Fund M&O budget. The cost is \$91,660. Purchases of this amount are more properly recorded in the Capital Improvement Program Fund. A transfer from the Recreation General Fund M&O budget to the Capital Improvement Program Fund is in order. This will require an amendment to the Capital Improvement Program (CIP) Fund to recognize the transfer in. A resolution is attached.
- 2) The proceeds from the auction of surplus vehicles totaled \$57,110. County policy is to use funds from sale of vehicles toward the purchase of replacements. Budget amendments of \$56,365 for the CIP Fund and \$745 in the Confiscated Funds Special Revenue Fund are appropriate. Copies of correspondence and resolutions are attached.
- 3) Formal acceptance of a multi-jurisdictional COPS Grant in the amount of \$500,000 for communications equipment has been requested. Funding for the \$125,000 local match will come from a transfer of funds from a project currently funded in CIP. This will require amendments to the CIP Fund and the Multiple Grant Fund. A staff report, correspondence and budget resolutions are attached.
- 4) The Child Support Recovery Director has requested a budget amendment to recognize revenue and appropriations of \$4,130. Copies of correspondence are attached.
- 5) The Counter Narcotics Team (CNT) Commander has requested an appropriation of \$220,000 in Confiscated Funds to complete the renovation of the CNT building. Correspondence is attached.
- 6) Due to favorable LOST collections this fiscal year, it is recommended that the LOST revenue account be increased by \$500,000 with a corresponding increase

in the M&O Contingency Account. The additional contingency funds could be used for capital project needs.

- 7) The Georgia Department of Community Affairs has awarded a \$10,000 grant to Hands on Savannah. An amendment to the Multiple Grant Fund is in order. A copy of correspondence and a budget resolution are attached.

FUNDING:

Funds are available in the General Fund M&O, the Capital Improvement Program Fund, and the Confiscated Funds for the transfers. The budget amendments will set up funding in the General Fund M&O, Multiple Grant Fund, Capital Improvement Program Fund, Confiscated Funds Special Revenue Fund, and Child Support Recovery Fund for the new revenues and interfund transfers.

ALTERNATIVES:

- (1) That the Board approve the following:

GENERAL FUND M&O

- a) a transfer of \$91,660 from the Recreation budget to the Capital Improvement Program Fund for repairs to the Memorial Stadium roof.
- b) an amendment to increase Local Option Sales Tax Revenue by \$500,000 and the M&O Contingency balance by \$500,000.

CAPITAL IMPROVEMENT PROGRAM FUND

- a) an amendment to recognize the transfer in of \$91,660 from the Recreation budget for repairs to the Memorial Stadium roof.
- b) an amendment to recognize auction proceeds of \$56,365 for vehicle replacement.
- c) a transfer of \$125,000 from the Detention Center Repair project to the Multiple Grant Fund for the COPS grant match.

CONFISCATED FUNDS SPECIAL REVENUE FUND

- a) an amendment to recognize auction proceeds of \$745.
- b) an appropriation in the amount of \$220,000 for the CNT Headquarters.

MULTIPLE GRANT FUND

- a) acceptance of a \$500,000 COPS Grant with an amendment to recognize the grant funds and the transfer in from CIP of \$125,000.

- b) an amendment to recognize award of a \$10,000 Georgia DCA grant to Hands on Savannah.

CHILD SUPPORT RECOVERY FUND

- a) an amendment to recognize revenues and expenditures of \$4,130.
- 2) Amend or deny the request.

POLICY ANALYSIS:

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

RECOMMENDATION:

That the Board approve Alternative 1.

Prepared by: Read DeHaven

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2. REQUEST BOARD PROVIDE SUFFICIENT FUNDS FOR THE RELOCATION OF THE CHATHAM COUNTY EMERGENCY OPERATIONS CENTER (EOC).

Chairman Liakakis recognized County Manager Abolt.

County Manager Abolt said, Mr. Chairman, ladies and gentlemen, since we last met we're approaching, as you know, our third quarter financial report and Ms. Cramer was looking at revenues received and we've had some very good news on the LOST revenue. That's what you just did previously in your omnibus report. You recognized additional collections of about a half a million dollars. That represents then the option to address a very serious need presented to you the last time by Mr. Webber. I've worked with Mr. Webber a number of years and this is one issue the more I listen to him talk, I feel that there's a matter of profession conscience on this. He has a very compelling argument for us to relocate the Emergency Operating Center from here to the Annex on Chatham Parkway, and so I would then defer to Mr. Webber who will give you the justification, which I support.

Commissioner Odell said, I move for approval. Chairman Liakakis asked, do we have a second? Commissioner Stone said, second. Chairman Liakakis asked, any discussion? We have a motion on the floor and a second. We've heard the discussion on this previously and we've had the information in our packet. Let's go on the board. The motion carried unanimously. Chairman Liakakis said, the motion passes.

Commissioner Odell said, now, Phillip [Webber], you can tell us about it.

ACTION OF THE BOARD:

Commissioner Odell moved to provide sufficient funds for the relocation of the Chatham County Emergency Operations Center (EOC) to the Annex on Chatham Parkway. Commissioner Stone seconded the motion and it carried unanimously.

AGENDA ITEM: IX-2**AGENDA DATE: April 7, 2006****TO:** Board of Commissioners**THRU:** R.E. Abolt, County Manager**FROM:** Phillip M. Webber, Director, CEMA**ISSUE:** To request the Board provide sufficient funds for the relocation of the Chatham County Emergency Operations Center (EOC).**BACKGROUND:**

1. The Savannah District, US Army Corps of Engineers conducted a site survey of the County Administrative Legislative Center to evaluate its structural stability in the event of a major hurricane; partial roof and clock tower failures are predicted to cause water problems that would render the EOC inoperable.
2. The Chatham County Annex housing the County's Public Safety Answering Point is only wind rated to withstand a Category 2 hurricane.

FACTS & FINDINGS:

1. Based on the threat of hurricanes alone, it is imperative that Chatham County maintain an effective EOC that may be called into immediate service.
3. The existing EOC presents unacceptable risk to the personnel that must staff the facility in the event of an impending threat.
4. Staff of the County's Public Safety Answering Point are not protected from the effects of a major hurricane.
5. During the G-8 Conference the Chatham Parkway Annex was electronically configured and successfully used as the County's primary EOC.
6. The cost of the relocation and reconfiguration of the EOC to the training room and adjacent facilities at the Chatham Parkway Annex is not expected to exceed \$500,000. This cost will include wind and water protection estimated to withstand a Category 5 storm.
7. If funds are provided for this project the attached Action Plan and Timeline will apply.

FUNDING:

General M&O Fund Contingency Account (subject to Board Approval on 4-07-06)

ALTERNATIVES:

1. Approve funding for the relocation of the EOC to the training room and adjacent facilities at the Chatham Parkway Annex.
2. The EOC and the Public Safety Answering Point operate without protective mitigation measures.

POLICY ANALYSIS: By approving the funds for this relocation the County will be better

prepared to conduct public safety dispatch activities and coordinate the response to and recovery from a major hurricane occurring in Chatham County.

RECOMMENDATION: Approve alternative 1.

ACTION PLAN

Upon approval the following action items will be initiated concurrently:

Roof reinforcement (est 8 weeks)

Window protection (est 8 weeks)

Surge mitigation barrier (TBD)

Office retrofit (est 5 weeks)

Order EOC workstations (est 5 weeks)

Reestablish computer and telephone wiring (1 week)

Establish radio communications (est 4 weeks)

Physical relocation (est 2 days)

Tabletop exercise with GEMA (est 2 weeks prep & 4 hours test)

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3. REQUEST BOARD APPROVE THE ADOPTION OF A COMPLETE REVISION OF THE COUNTY EMERGENCY OPERATIONS PLAN (EOP).

Chairman Liakakis said, all the Commissioners you've received that, you know, in your packet concerning what has been recommended by Phillip Webber, our staff, you know, concerning our Emergency Plan. I know a number of us did read that and it is very comprehensive and shows that they have put a lot of thought and work in that for the operational plan for our County. Do we have a motion on the floor to approve.

Commissioner Gellatly said, motion to approve. Commissioner Stone said, second it. I was going to make a motion, but I'll second it. Chairman Liakakis said, a motion has been made. Do you second it? Commissioner Stone said, yes. Chairman Liakakis said, okay, a motion has been made. Go ahead, Helen [Stone].

Commissioner Stone said, I would just like to compliment staff. This was an excellent document. I liked the fact that this works across Country boundary lines with other jurisdictions. I think the fact that it comes up for review every four years is very important with all the changes that are occurring within our country, but I had a couple of questions. When I got to page 50 on the safety, I was just questioning the safety of our water supply in the event of a disaster. I know that you addressed some of the things, but I guess my concern would be more of a terroristic within our water supply and I didn't see anything addressed in there. Mr. Webber said, it's going to be under whichever emergency support function has the facilities and the owners of those water supply systems are governed by both State and federal law on security measures that have to be —, security and inspection measures that have to be in place. So that's not a function of the plan to secure any particular facility. The function of that plan is consequence management is to respond. Commissioner Stone said, I guess my question then would be, and I don't know if it actually should be directed to you or even to staff, what are we doing to protect our water supply? Mr. Webber said, that is a question that would be better handled by other subject matter specialists, but I can provide that for you. Commissioner Stone said, okay. Mr. Webber said, it could be more detailed than I would probably be able to go into today in a public setting. I would think that a lot of that information might be proprietary in nature, but I can certainly respond to you under a separate cover for that. Commissioner Stone said, okay.

Chairman Liakakis said, I can —, I'm not going to the proprietary information, but the City of Savannah that provides the majority of water for our area, they have taken certain precautions and they have put security matters in there, and they did that a few years ago and they have upgraded that also so that the City of Savannah has done that.

Commissioner Stone said, well, I just wanted to make sure that —. Mr. Webber said, I can provide you —, I will provide you with a more detailed report on those activities. Commissioner Stone said, okay, and then I guess my next question had to do with some of the responsibilities of the private sector in the event of a disaster, like a hurricane and the nursing home incident that happened in the previous evacuation. Is it up to the response — is it the responsibility of the private sector, I assume like a nursing home, to have an evacuation plan for all of their patients.

Mr. Webber said, it is, it is. Under State code, nursing homes, personal care homes, assisted living facilities are all synonymous and they are regulated under the Office of Regulatory Services out of DHR at the State level. Under those laws and under that code, they have to have emergency operation plans. Those plans also have to consider relocation, alternate facilities and transportation. Simply put, yes, by law they have to have evacuation plans. Commissioner Stone asked, so that's not the responsibility of the County? Mr. Webber said, it is not. Commissioner Stone said, this was an outstanding document and I commend you. Mr. Webber said, thank you.

Chairman Liakakis said, one of the things that you're talking about, that particular issue, Helen [Stone], is we've talked about it, the staff and I, you know, concerning that and our staff goes beyond that because if it looks like an emergency that we might be involved in something like that, the staff —, Phillip [Webber] has had his people staff to contact them ahead of time to make sure that those people have put into place the transportation and the needs of their patients, so he's gone beyond, even though it's not the responsibility, but to protect those people and not leave them in a situation that is unsafe and hazardous for them so that, you know, for a last minute —, not last minute, but ahead of time to make sure that the transportation and needs are met.

Mr. Webber said, what, Mr. Chairman, we do, we do go well beyond just saying it's your responsibility by law, but we start with the foundation of knowing what the expectations are and what the authorities and laws —, laws and authorities are for each group before we engage them, but we work to equip them, to be able to carry out those responsibilities. We work as an assistant to them providing them with information on transportation resources, providing them training and best practices for their staff to prepare the facility. We do —, we work with them several times a year. We keep in contact with them and we want them to be successful.

Commissioner Stone said, well, I just —, this is great and it makes me feel rest assured that if we have a natural disaster that we're in good shape going through this document.

Chairman Liakakis recognized Commissioner Shay.

Commissioner Shay said, I second that. It's not possible to have a failsafe perfect plan for the kind of disaster that struck in Louisiana and the Gulf Coast last year, but I know a lot of citizens here in this area have a lot of concerns in the wake of a bad situation down there and the fact that it didn't seem that they had a very well-coordinated plan, especially in and around New Orleans, and I just want our citizens to understand that we have a very detailed plan of action. We've also taken action in the Commission today to make sure that your facilities can be relocated to some place that's even better situated to be able to survive a natural disaster and that the key to this is that we have at all levels from the County Manager through you and our local law enforcement people, that we have professional people that have dedicated their lives to making sure that we're going to have a survivable experience if, God forbid, we do ever have a natural disaster, and I want our citizens to understand that in my view at least it's not at all likely we would have the kinds of problems here that they experienced in New Orleans. Mr. Webber said, it's our goal not to repeat. We used those lessons learned in other areas and take corrective action for that. We're going to have problems of our own that may be unforeseen, but we can't repeat the same mistakes as others.

Chairman Liakakis recognized Commissioner Thomas.

Commissioner Thomas said, thank you, Mr. Chairman. My words are in the form of a commendation for Mr. Webber, his staff and as well as our staff. He has done an exceptional job.

I particularly like the way that he is so approachable and he answers questions immediately and gets the job done. He works very thoroughly with citizens and their neighborhoods and he [inaudible] a lot of unnecessary grooming. He understands where I'm coming from, and by being right on target and able to work with these people, I think it's a blessing, and I just want to say that we are better off because we do have him as [inaudible].

Chairman Liakakis said, one of the things, and I'm sure most of you know this, we're having the Governor's Hurricane Conference here in May and what's going to happen, it was brought up at the RDC meeting, which is the Regional Development Center, about mutual aid. I know there are plans in there for mutual aid, but we wanted to go beyond that so that if there were multiple incidents and all, and that's going to be part of Phillip's [Webber] presentation to all of the other venues that come in, the other cities and counties, so that we know what they have to be able to supply to us or what we can help them if a disaster was to happen in our area, and to go will be even going further than that, but he's done an excellent job with that with him and his staff, and we thank you very much for that.

Mr. Webber said, thank you very much, Mr. Chairman.

ACTION OF THE BOARD:

Commissioner Gellatly moved to approve the adoption of a complete revision of the County Emergency Operations Plan (EOP). Commissioner Stone seconded the motion and it carried unanimously.

AGENDA ITEM: IX-3

AGENDA DATE: April 7, 2006

TO: Board of Commissioners

THRU: R.E. Abolt, County Manager

FROM: Phillip M. Webber, Director, CEMA

ISSUE: To request that Board approve the adoption of a complete revision of the County Emergency Operations Plan (EOP).

BACKGROUND: Chatham County's original EOP was developed by the staff of Chatham Emergency Management Agency (CEMA) in 2001 in order to fulfill a need for operational guidance for the management and coordination of resources and personnel in the event of a major emergency. Since its inception this Plan has

served us well; however, experience from major disasters has prompted the Federal government to develop and mandate adoption of national emergency management standards that will better serve communities throughout the country. Accordingly, CEMA revised the County EOP to comply with the new State and Federal procedures. The National Incident Management System and the Incident Command System (Nationally mandated operational guidelines) are both embraced within the revised Plan and have been coordinated with and adopted by every public safety agency in Chatham County.

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 EOP 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 new EOP and have the County adopt same.
2. Do not approve new EOP and have the County continue to operate under existing guidance.

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

RECOMMENDATION: That the Board adopt Alternative 1 and that CEMA subsequently obtain by written concurrence, the formal approval of the municipalities.

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4. BOARD CONSIDERATION OF REQUEST FROM MS. CAROLYN COOPER FOR HOMESTEAD EXEMPTION REFUND.

Chairman Liakakis said, in your package you had information about the consideration of request from Ms. Carolyn Cooper for homestead exemption refund and in that packet it shows you it was recommended by the Tax Commissioner's office that this refund be made to her. Do we have a motion on the floor to approve?

Commissioner Farrell said, so moved. Chairman Liakakis asked, do we have a second? Commissioner Gellatly said, second. Chairman Liakakis said, okay. Any comments? Let's go on the board. The motion carried unanimously. Chairman Liakakis said, the motion passes.

ACTION OF THE BOARD:

Commissioner Farrell moved to approve the request from Ms. Carolyn Cooper for a Homestead Exemption refund in the amount of \$3,286.81 for tax years 1981 through 2002 as a result of an error made by the Board of Assessors. Commissioner Gellatly seconded the motion and it carried unanimously.

AGENDA ITEM: IX-4

AGENDA DATE: April 7, 2006

TO: Board of Commissioners

THRU: R. E. Abolt, County Manager

FROM: R. Jonathan Hart, County Attorney

ISSUE: Request from Tax Commissioner on Behalf of Ms. Carolyn Cooper
on Homestead Exemption

ISSUE:

Consideration of request for refund of taxes paid by citizen Carolyn Cooper as a result of Homestead Exemption being dropped and deleted in error from tax years 1981 through 2002 in the amount of \$3,286.81.

BACKGROUND:

Ms. Carolyn Cooper requests a refund for taxes from tax years 1981 through 2002 on her personal residence. Ms. Cooper properly applied for Homestead Exemption and was given a Homestead Exemption in 1980. Apparently, in 1981 her Homestead Exemption was dropped or deleted in error by the Board of Assessors. This error also prevented her from receiving a Stephen's Day Exemption and Homeowners Tax Relief Grant (State credit). Ms. Cooper was paying her taxes through her mortgage escrow account and did not become aware of the deletion of this exemption until 2003 during the course of refinancing her house. The Board of Assessors has corrected their records for the tax years 2001 through 2005 but are limited by statute to a three year period. The Tax Commissioner's Office provided a refund for tax years 2001 and 2002 but could not provide a refund for the Homeowner's Tax Relief Grant (a State credit) for tax years 2001 and 2002. For

those tax years, the refund amount being requested only includes the amount of the State credit.

FACTS AND FINDINGS:

1. Ms. Cooper properly applied for Homestead Exemption that was erroneously deleted in 1981.
2. Ms. Cooper discovered the deletion of Homestead Exemption in 2003 during the course of refinancing her home.
3. Ms. Cooper requested a refund of taxes in the amount of \$3,286.81 for years 1981 through 2002 for taxes she paid as a result of deletion of her Homestead Exemption.
4. The Board of Assessors has corrected their records for tax years 2001 through 2005.
5. The Tax Commissioner's Office provided a refund for tax years 2001 and 2002 but could not provide a refund for the Homeowner's Tax Relief Grant (a State credit) for tax years 2001 and 2002. For those tax years, the refund amount being requested only includes the amount of the State credit.

FUNDING:

Tax commissioner's funds.

POLICY ANALYSIS:

Pursuant to O.C.G.A. §48-5-154:

"...the governing authority shall have the jurisdiction and power to correct all errors in the digests, or to order abatement or cancellation of taxes erroneously assessed, and to make other adjustments in the digests of a similar nature and to reflect the same in the account as stated:

The taxes assessed for Ms. Cooper's property are the result of an error by the Board of Assessors and should be corrected.

The Board of Commissioners may exercise its judgment and discretion and grant the refund for some or all of those years.

ALTERNATIVES:

1. Grant refund in the amount of \$3,286.81 for tax years 1981 through 2002.

2. Do not grant refund in the amount of \$3,286.81 for tax years 1981 through 2002.

RECOMMENDATION:

For Board consideration.

RJH/dc

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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, we have Items 1 through 5 and on Item 5 going through Item M. Do we have a motion on the floor to approve those, except ones that might want to be pulled out. Commissioner Shay?

Commissioner Shay said, I'd like to request that 5-I be removed from the Action Calendar and voted on separately for purposes of discussion.

Chairman Liakakis said, okay, and we also from Commissioner Dean Kicklighter on Item 5-B on that roofing, not to award the contract at this particular time. We will address that separately also. Do we have —. County Manager Abolt said, also, Mr. Chairman, mentioned in pre-meeting, just for the purpose of the record please have the Clerk include the award of the paving contract for Shore Avenue and Heather Street [5-L]. On your printed agenda it says "To be determined." The bids have been opened and we have the successful low bidders and that documentation has been provided.

Commissioner Kicklighter said, I move to approve the balance of the Action Calendar as amended by our County Manager. Commissioner Thomas said, second.

Chairman Liakakis said, okay, we're holding off on Items 5-B, 5-I, and then we do have the amount of money on Heather Street, we have that information. Okay. Let's go on the board for that. The motion carried unanimously. Chairman Liakakis said, the motion passes.

ACTION OF THE BOARD:

Commissioner Kicklighter moved to approve Items 1 through 5-M, as amended, except 5-B and 5-I Commissioner Thomas seconded the motion and it carried unanimously.

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

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1. APPROVAL OF THE MINUTES FOR THE PRE-MEETING AND REGULAR MEETING OF MARCH 24, 2006, AS MAILED.

ACTION OF THE BOARD:

Commission Kicklighter moved to approve the minutes of the regular meeting of March 24, 2006. Commissioner Thomas seconded the motion and it carried unanimously.

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2. CLAIMS VS. CHATHAM COUNTY FOR THE PERIOD MARCH 16 THROUGH MARCH 29, 2006.

ACTION OF THE BOARD:

Commissioner Kicklighter moved to authorize the Finance Director to pay the claims against the County for the period March 26, 2006, through March 29, 2006, in the amount of \$8,411,661. Commissioner Thomas seconded the motion and it carried unanimously.

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3. REQUEST BOARD APPROVAL FOR THE COPS INTEROPERABLE COMMUNICATIONS TECHNOLOGY GRANT, A PASS-THROUGH GRANT FROM THE CITY OF SAVANNAH, FOR THE SHERIFF'S DEPARTMENT, PROVIDING \$375,000 IN GRANT FUNDING AND REQUIRING A \$125,000 GRANT MATCH.

ACTION OF THE BOARD:

Commissioner Kicklighter moved to approve a request for a pass-through grant for COPS Interoperable Communications Technology Grant from the U. S. Department of Justice through the City of Savannah for the Sheriff's Department providing \$375,000 in grant funding and requiring a \$125,000 grant match. Commissioner Thomas seconded the motion and it carried unanimously.

AGENDA ITEM: X-3

AGENDA DATE: April 7, 2006

TO: Board of Commissioners

THRU: R.E. Abolt, County Manager

FROM: Linda B. Cramer, Finance Director

ISSUE: To request approval for the COPS Interoperable Communications Technology Grant, a pass-through grant from the City of Savannah, for the Sheriff's Department, providing \$375,000 in grant funding and requiring a \$125,000 grant match.

FACTS AND FINDINGS:

- 1) On June 24, 2005 the Board authorized the Chairman to send a letter to the City of Savannah in support of the COPS Interoperable Communications Technology Grant. This grant provides funding to multiple jurisdictions for radio communication needs including the SCMPD and the Sheriff's Department. The grant award is subject to a 25% cash match. The grant expires on August 31, 2008.
- 2) The grant lists the City of Savannah and, more specifically, the Savannah-Chatham County Metropolitan Police Department as the lead agency on the grant, and all agreements for the grant are executed between the City of Savannah and the U.S. Department of Justice. The City has developed guidelines for participating agencies to purchase and receive reimbursement under the grant. City staff has indicated that no agreements are needed between the City and the participating agencies to receive grant reimbursement.
- 3) Motorola has presented the Sheriff's Department with favorable purchase options. Therefore, the Sheriff is ready to procure equipment under the grant. No funding is provided in the FY2006 budget for the grant match of \$125,000. The Sheriff would like to "borrow" money from one of his CIP Projects and repay the money with a \$125,000 grant match in the FY2007 budget that will "reimburse" the CIP project.
- 4) City policies state that they will reimburse the County within 10 days for the grant portion of the purchase which is 75% of the purchase price.

FUNDING:

The grant receipts and disbursements will be reflected in the Multiple Grant Fund. In FY2006 funding for the grant match will be transferred from the CIP Fund. To

repay the match, the Sheriff will request a \$125,000 allocation to CIP in the FY2007 budget.

ALTERNATIVES:

- 1) That the Board approve the Sheriff’s Department participation in the COPS Interoperable Communications Technology Grant; or
- 2) That the Board deny approval and provide other direction.

POLICY ANALYSIS:

This request is consistent with the County’s Procedures for Financial Administration of Grants and consistent with past Board Approval for federal grant applications.

RECOMMENDATION:

That the Board approve Alternative 1.

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4. REQUEST BOARD APPROVAL OF A GRANT APPLICATION FROM THE MASSIE HERITAGE CENTER TO THE GEORGIA DEPARTMENT OF COMMUNITY AFFAIRS AND AUTHORIZE THE CHAIRMAN TO SIGN ANY DOCUMENTS RELATED TO THE GRANT APPLICATION AND ITS SUBSEQUENT AWARD.

ACTION OF THE BOARD:

Commissioner Kicklighter moved to approve a grant application for \$20,000 from the Massie Heritage Center to the Georgia Department of Community Affairs and authorize the Chairman to sign any documents related to the grant application and its subsequent award. Commissioner Thomas seconded the motion and it carried unanimously.

AGENDA ITEM: X-4

AGENDA DATE: April 7, 2006

TO: Board of Commissioners

THRU: R.E. Abolt, County Manager

FROM: Linda B. Cramer, Finance Director

ISSUE: To request approval of a grant application from the Massie Heritage Center to the Georgia Department of Community Affairs and authorize the

Chairman to sign any documents related to the grant application and its subsequent award.

FACTS AND FINDINGS:

- 1) The Massie Heritage Center is applying for a grant with the Georgia Department of Community Affairs (“DCA”) for restroom restorations. If approved, the DCA will award \$20,000 to this organization.
- 2) The County is named as local fiscal sponsor for the grant. This means that the County will receive the grant award and pass it through to the Massie Heritage Center. The County will report the grant receipt and pass-through to the State of Auditor’s office as part of its annual 2006 audit.
- 3) Upon award of the grant, the Massie Heritage Center will be required to sign a Indemnification and Reimbursement Agreement which protects the County’s interests as fiscal sponsor.
- 4) There are no matching funds requirements for Chatham County for the grant.

FUNDING: The grant receipt and disbursement will be reflected the in the Multiple Grant Fund.

ALTERNATIVES:

- 1) That the Board approve the grant application from the Massie Heritage Center to the Georgia Department of Community Affairs and authorize the Chairman to sign any documents related to the grant application and its subsequent award.
- 2) That the Board deny approval and provide other direction.

POLICY ANALYSIS:

DCA requires counties and cities to act as fiscal sponsors for local grant award.

RECOMMENDATION:

That the Board approve Alternative 1.

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

<u>ITEM</u>	<u>DEPT.</u>	<u>SOURCE</u>	<u>AMOUNT</u>	<u>FUNDING</u>
A. One (1) Hunter wheel alignment system	Fleet Operations	American Tire Distributors	\$43,152	CIP - Vehicle Replacement
B. Contract for re-roofing four (4) bathrooms, locker rooms and press box area at Memorial Stadium	Parks and Recreation	Coastal Roofing Company, Inc.	\$91,659	CIP - Parks and Recreation
C. Contract to construct the paving of Mobley Street, Perkins Place and Yucca Place	SPLOST	Griffin Contracting, Inc.	\$337,500	SPLOST (1985-1993) - Andrews Street, Mobley Street, Yucca Place, Perkins Place, Stone Street and Welch Road
D. Reject all bids received for the upgrade and improvements to the Wilmington Island Drop Off Center	Solid Waste	N/A	N/A	N/A
E. Waive the bonding requirements for a contract for the Pipemakers Canal Phase 2 Access Road Drainage Improvement project	SPLOST	Aces One, Inc.	N/A	N/A
F. Change Order No. 3 to the annual contract to provide janitorial services to various departments located in the "Downtown" area to increase scope of services to include daily janitorial services at the new CNT facility	CNT	Quality Cleaning Contractors, Inc.	\$12,600	General Fund/M&O - CNT
G. Confirmation emergency purchase of remote radios and console	CNT	Motorola Communications (State Contract)	\$13,875	2005 DSA Bonds - C.N.T. Headquarters

<u>ITEM</u>	<u>DEPT.</u>	<u>SOURCE</u>	<u>AMOUNT</u>	<u>FUNDING</u>
H. Contract for replacing dugouts, back stops and foul line fencing for Ambuc Park	Parks and Recreation	E & D Contracting Services	\$113,931	General Fund/M&O - Park and Recreation
I. Contract for Chatham County Courthouse renovations, Phase I - Underground Connector	SPLOST	The Industrial Company (TIC)	\$2,448,400	SPLOST (2003-2008) - Courthouse Renovations
J. Reject all bids for Abercorn/Arts Drive and SR 21/Northport Intersections Improvements	Engineering	N/A	N/A	N/A
K. Deductive Change Order No.3 to the contract for Charlie Brooks Park - Phase I	SPLOST	Benson Construction	(\$15,548)	SPLOST (2003-2008) - Charlie Brooks Park
L. Contract for the paving of Shore Avenue and Heather Street	SPLOST	Griffin Contracting, Inc.	\$598,000	SPLOST (1993-1998) - Bond Avenue, Heather Street, Betran Street, Shore Avenue
M. Confirmation of emergency professional services contract to provide a gap analysis of both the Assessor's Office and the Building Safety Office projects cost estimate to complete projects	Assessor	Timmons Group	\$4,000	General Fund/M&O - Assessor

As to Items 5-A through 5-M:

Commissioner Kicklighter moved to approve Items 5-A through 5-M, as amended, except Items 5-B and 5-I. Commissioner Thomas seconded the motion and it carried unanimously.

As to Item 5-B:

Contract for reroofing four (4) bathrooms, locker rooms and press box area at Memorial Stadium; Parks and Recreation; Coastal Roofing Company, Inc.; \$91,659; CIP - Parks and Recreation.

Chairman Liakakis recognized Commissioner Kicklighter.

Commissioner Kicklighter said, I'll make a motion to table it, Mr. Chairman. Commissioner Thomas said, second. Chairman Liakakis said, a motion is on the floor to table that for —. Commissioner Kicklighter said, until the next meeting and we can receive more information on —.

Chairman Liakakis said, the next meeting. Mr. County Manager, that request if it's approved right now, you'll see to it that your staff gives us the additional information on whether we should go out for a bid again. County Manager Abolt said, yes sir. Chairman Liakakis said, okay. Do we have a second on that motion? Commissioner Thomas said, I did. Chairman Liakakis said, okay. It's been seconded. Any other discussion? Let's go on the board. Are you voting on that Dean [Kicklighter]. Commissioner Kicklighter said, I thought I did. The motion carried unanimously. Chairman Liakakis said, okay. Yeah, it was your motion. I wanted to make sure.

As to Item 5-I:

Contract for Chatham County Courthouse renovations, Phase I - Underground Connector; SPLOST; The Industrial Company (TIC); \$2,448,400; SPLOST (2003-2008) - Courthouse Renovations.

Chairman Liakakis said, County Manager Russ Abolt, would you get into that?

Commissioner Shay said, well, Mr. Chairman, the reason that I brought this up is because this is, I believe, the first project that the County is prepared to award if we vote in favor of it today that would be procured through the best value process. It's been identified over the past couple of years, and that program considers a lot of factors in regard to qualifications for the contractors as well as the price, and I was hoping that maybe Pat Monahan could fill us in with a little bit on that particular program and then I do have some additional comments.

Mr. Pat Monahan said, as Commissioner Shay said, this project remains important for two major reasons. First, it does mark the first hard construction of the tunnel connectors to the courthouse as part of the courthouse master plan, so this will be the start of actual construction. Until this time, of the 40 projects with the courthouse master plan, the prior eight or nine that have been completed are all relocations and moves to prepare for the start of construction. But, secondly, as Commissioner Shay said, this is important because it represents the first use of best value contracting. As Commissioner Shay explained — I don't know why I'm explaining it further — it does consider pre-qualifications and best value scorecard prior to submission of bidding. In this case, I think the important considerations are it's already a success because under this contract we will be guaranteed a minimum of 85% local participation in terms of employment and minority participation will be a guaranteed 38%. In addition to that, the contractor will meet requirements for safety program, on-the-job training and mandatory drug testing. The contractor has a good proven track record in the community and bringing jobs within bid, on time and within budget. So overall it should present a good package that also meets the Commission's goals for its best value.

Commissioner Shay said, I'd like to take a moment to commend the prior Commission for their leadership in initiating this program and also the work with the local Trades and Labor Council. Brett Hulme was here earlier today and he asked for me to point out that as a result of the success of this program that there's already been contact from the City of Macon, from the DeKalb County Board of Education, from Charleston, South Carolina, and Birmingham, Alabama, into this particular program because they are also interested in seeing whether or not best value might be adopted in those areas. So, again, due to the prior Commission's leadership, Chatham County is at the forefront of what I think is an excellent program, and I just wanted the folks that are out there listening or watching television to know that this is the first, I think, of several projects that we intend to use the best value contracting process, and I want to commend staff for the hard work that they have done to make that successful.

Mr. Monahan said, it takes a little bit more time we've found. This is a pilot program and it took a little bit longer than we anticipated because it's not just bidding and then accepting and reviewing the bids to make sure that the financial guarantee of the bond can be met. It's get more into actually reviewing some of the past work of the different contractors involved. This is not a typical construction project in that it is a tunnel so we probably did not have as much competition as we normally would, but we should have the second phase or Phase B of this project coming along, which is the renovation of the basement of the courthouse into 195 holding cells and also offices for the Court Services Division of the Phase 1-B, and then Phase 1-C will be the renovation of the first floor of the parking garage into maintenance area and then secured parking, and then Phase 2 will be the renovation of the South Annex. We do have the Department of Corrections has scheduled that project for July. As a real stroke of irony, we will be using State inmates to demolish the interior of the old jail. [Inaudible] about a half a million dollars and then at that point we can begin the renovation and hopefully we will have all the start of the new or the non-traditional offices into the South Annex by probably late Summer or Fall of '07. We're moving right along.

County Manager Abolt said, Mr. Chairman, ladies and gentlemen, I also want to recognize this Commission. The idea was borne in the previous Commission, but you all got into depth and the details of the scorecard. You did approve that and you were very kind in your words and praise for staff. I want to particularly recognize Mr. Hart and Mr. Monahan and Mr. Bungard, Mr. Kaigler and also our consultant, a young man who did a super job for us, Mr. James.

Commissioner Shay said, with that, Mr. Chairman, I'd like to make a motion for approval of the contract for the courthouse renovations to The Industrial Company (TIC). Chairman Liakakis asked, do we have a second? Commissioner Odell said, second.

Chairman Liakakis said, it's been seconded. Everybody go on the board. Chairman Liakakis said, the motion passes.

ACTION OF THE BOARD:

- a. Commissioner Kicklighter moved to approve Items 5-A through 5-M, as amended, except Items 5-B and 5-I. Commissioner Thomas seconded the motion and it carried unanimously.

- b. Commissioner Kicklighter moved to table Item 5-B until the next meeting to receive additional information. Commissioner Thomas seconded the motion and it carried unanimously.
- c. Commissioner Shay to approve Items 5-I. Commissioner Odell seconded the motion and it carried unanimously.

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XI. FIRST READINGS

<p>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.</p>

<p>On first reading, presentation by MPC staff and discussion only by Commissioners will be heard.</p>
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<p>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.</p>

1. APPROVAL OF A FEE INCREASE FOR THE ENHANCED 911 CHARGES ON WIRELESS TELECOMMUNICATION SERVICE PROVIDERS FROM \$1.00 TO \$1.50 PER SUBSCRIBER LINE, EFFECTIVE SEPTEMBER 10, 2006, AMEND THE REVENUE ORDINANCE AND AUTHORIZE THE CHAIRMAN TO SIGN THE RELATED RESOLUTION.

Chairman Liakakis said, there is no discussion on that today, that's the first item, but in that for information purposes there will be an April 21st hearing on that and that will be published to the general public.

ACTION OF THE BOARD:

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

AGENDA ITEM: IX-I

AGENDA DATE: April 7, 2006

TO: BOARD OF COMMISSIONERS

THRU: R. E. ABOLT, COUNTY MANAGER

FROM: WILLIE LOVETT, INTERIM CHIEF OF POLICE

ISSUE: To have the Board of Commissioners approve a fee increase for the Enhanced 911 charges on Wireless Telecommunication Service Providers from

\$1.00 to \$1.50 per subscriber line, effective September 10, 2006, amend the Revenue Ordinance, and authorize the Chairman to sign the related resolution.

BACKGROUND:

In July, 1998, the Chatham County Commission adopted a resolution to impose a wireless enhanced 911 charge upon each wireless telecommunication service provider whose subscribers reside within the jurisdiction of Chatham County. The current charge imposed on the subscriber is \$1.00.

As of February, the Savannah-Chatham Metropolitan Police Department E911 Communication Center has added mapping software to its Computer Aided Dispatch system. This upgrade has allowed the Center the ability to receive Phase II information from cell phone providers which will provide longitudinal and latitudinal information to the Center when a call is received from a cell phone, those creating an additional means of tracking E911 calls in support of the phone number and address which are provided during a regular land line E911 call.

FACTS & FINDINGS:

1. The mapping system upgrade makes the Center Phase II complaint.
2. Center personnel have been trained on how to utilize the new mapping system.
3. Phase II compliance affords the governing body the ability to impose an additional \$.50 to the current witness fees.
4. As required under Georgia law, an advertised public hearing is required. The public hearing will be scheduled in conjunction with the second reading of the fee increase.
5. A Resolution reflecting the increase for the Enhanced 911 charge is attached for consideration.
6. This action amends Article 1, Public Utility Taxes- Part 2, of the Chatham County Revenue ordinance.

FUNDING:

Increasing the E911 charges on wireless telecommunication services will increase revenue. It is estimated that revenues will be increased by \$260,000, of which 30% must be set aside for provider cost recovery.

ALTERNATIVES:

1. To have the Board of Commissioners approve the fee increase for Enhanced 911 charges on Wireless Telecommunication Service Providers from \$1.00 to \$1.50 per subscriber line, effective September 10, 2006, amend the Revenue Ordinance, and authorize the Chairman to sign the related Resolution.
2. To not have the Board of Commissioners approve the fee for Enhanced 911 charges Wireless Telecommunication Service Providers from \$1.00 to \$1.50 per subscriber line, effective September 10, 2006, not amend the Revenue Ordinance, and not authorize the Chairman to sign the related Resolution.

POLICY ANALYSIS:

The E911 fees are used to help fund the cost of the E911 Center. Now that the E911 Center is qualified to recover Phase II information, it is within the Commission's policy to increase the E911 fees to help further offset the E911 Center cost.

RECOMMENDATIONS:

To accept Alternative 1.

Prepared by:

Captain Ben Herron
Asst. Information Management Division

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XII. SECOND READINGS

1. **THE PETITIONER, JONATHAN YATES, AGENT (FOR CHARLES & JUDY DOUGLAS) IS REQUESTING THE REZONING OF A PORTION OF 835 CHEVIS ROAD (0.23 ACRE OF A 5.17 ACRE TRACT) FROM AN R-A (RESIDENTIAL-AGRICULTURE) ZONING CLASSIFICATION TO AN R-A-WT (RESIDENTIAL-AGRICULTURE/WIRELESS COMMUNICATION/DIGITAL TELEVISION TOWER OVERLAY) CLASSIFICATION AND THE APPROVAL OF NEW TELECOMMUNICATION FACILITY (MPC FILE NO. T-060103-59583-1). THE REMAINDER OF THE PROPERTY WILL RETAIN THE PRESENT R-A ZONING CLASSIFICATION. THE MPC RECOMMENDED APPROVAL OF THE REQUEST TO REZONE 0.23 ACRE OF THE SUBJECT PROPERTY FROM AN R-A (RESIDENTIAL-AGRICULTURE) ZONING CLASSIFICATION TO AN R-A-**

WT (RESIDENTIAL-AGRICULTURE/WIRELESS COMMUNICATION/DIGITAL TELEVISION TOWER OVERLAY) CLASSIFICATION.**MPC FILE NO. Z-060109-32729-1****[DISTRICT 6.]**

Chairman Liakakis asked, do we have anyone from the MPC? Commissioner Kicklighter said, I want to say something. Chairman Liakakis said, yeah, I'll —.

County Attorney Hart said, Mr. Chairman, for the record we received while we were sitting here this morning a letter from a law firm in town indicating — representing the interest of the gentleman by the name of —. Commissioner Gellatly asked, we table it? Commissioner Kicklighter said, I was going to talk about that specific letter. County Attorney Hart said, — Mr. Hodges. Commissioner Kicklighter said, that's what I want to say. County Attorney Hart said, you want to make it known that apparently they are stating that they have been given two different dates. It's my understanding the MPC has given them the correct date. Apparently, this gentleman will not be able to appear today. He's out of town.

Chairman Liakakis asked, is it for or against? I mean, do we know? Commissioner Kicklighter said, I'll take —. County Attorney Hart said, I don't know. Chairman Liakakis said, okay, go ahead.

Commissioner Kicklighter said, I can elaborate on that. Previously, this gentleman was [inaudible] with a group of people and they mentioned something about this topic and I said, oh, I said that won't be discussed today, this is the first reading. I said it will be discussed at the second reading. They said, well, when's that. I said, that's the next Commission meeting, and I went on to say —, they said, well, when is that, and I said, well, it's normally the first or third or the second and fourth. I said, whatever week we're in. In other words, y'all know I didn't spit a date out as I'm point out in this letter. I said it would be best that you contact the County Manager when you leave and find out when this Commission date is for the second reading. So this letter is simply not true and it really irritates me because it's just absolutely not true. I was being helpful. I said it will be discussed at the next Commission meeting, I would suggest you contract the County Manager and find out when that meeting will be held. And having said that, I just wanted that to go in the record, but the compassionate side, these people had definite strong opinions of why they opposed this cell tower. So I would ask, if it's not — does not have to come in immediately, that we at least postpone this to the next meeting — Commission meeting where these people can state their opinion. County Attorney Hart said, it can be tabled if you choose to do that. Commissioner Kicklighter said, I, you know, I think that would be right, but again I don't like what this says, but I make a motion to table until the next meeting if that's what we want to do.

Chairman Liakakis asked, do we have a second? Commissioner Gellatly said, I would second it because I point out this is in my district. So I want to hear all sides.

Chairman Liakakis asked, Mr. County Attorney —. County Attorney Hart said, you're within your power and a motion to table is on the floor and it should be voted upon. Chairman Liakakis said, and then there's no discussion then, correct? County Attorney Hart said, we'll just — motion to table it for the next regularly scheduled meeting, and at that time —.

Commissioner Kicklighter said, so the next meeting. And I would ask that staff notify these people that —, in fact, send a FAX that it will be at the next meeting. Commissioner Thomas asked, are these the other —?

Mr. Jonathan Yates said, if I could briefly, with all due respect —.

Chairman Liakakis said, just a minute. You will have the opportunity at the next meeting because when they asked to table it and they vote on that, we can't have any discussion at this time. Mr. Yates said, I'm only discussing the tabling, sir. My only comment was this, the table — you got a letter that was disingenuous at best. We've received several of them. I'm the agent for the applicant, Mr. Charles Douglas, who took time off from work, being here all morning. We have prepared to address this issue. We have Mr. Greg Knight of Cingular, we have Mr. Clint Pappenfeus from the top aviation specialist in the country who flew in today for this regularly scheduled meeting, and my only thing to say, we knew the agenda. I actually talked to the same people that Mr. Kicklighter talked to. They knew exactly when it was, it was two weeks from today [sic]. We've taken Mr. Douglas, the property owner, away from his job. He's been here since nine o'clock this morning. Mr. Pappenfeus and Mr. Knight, we all showed up. The meeting was properly noticed and properly scheduled, and we can address — not to get to the merits, but they have no concerns which could be dealt with in about three and a half minutes. We can show you [inaudible].

Chairman Liakakis said, I appreciate that very much, but once the motion is made to table on that, we cannot get into that and, you know, we have the Commission, they have a right to, you know, table a motion, but we cannot —.

Commissioner Kicklighter said, Mr. Chairman, I would like to state also that this gentleman here that I don't think he misled, I think he maybe misunderstood what I stated with this letter he wrote in today, but he is the owner, I believe, of an airport right near this cell tower and was telling me how dangerous it would be out there. So if pushed to vote on this today, without hearing the owner of an airport, I would vote against it, but I believe that, you know —. County Attorney Hart said, you need to deal with the motion to table.

Chairman Liakakis said, yeah, we've got to do the motion so let's don't get into anything today. We can't discuss that. County Attorney Hart said, it's got a motion to table. Chairman Liakakis said, the motion is on the floor —, the motion on the floor is to table this until the next meeting, and we have a second on it. Can we discuss anything further, Jon [Hart]. County Attorney Hart said, not concerning the subject matter, but you can discuss the tabling. Chairman Liakakis said, yeah, the tabling.

Commissioner Farrell said, I just want to make a comment that there's a whole group of folks here, including I see the Chairman of the Metropolitan Planning Commission. I just wonder out loud if we could hear some of the —, give the —, out of respect to all these gentlemen that have dedicated a day of their time that we could hear a little bit of what they said, and then if we so choose can we bring it back up to table the motion and not actually vote on it today? And hear what they have to say, if they would like to speak. Commissioner Kicklighter said, well, and that's very kind, but what, in my opinion, will wind up happening is we'll hear it all today and then we're going to hear it all again next time.

Chairman Liakakis said, what's going to happen is you're going to bring everybody —. Commissioner Gellatly said, you're only going to hear one side of it. Commissioner Kicklighter said, yeah, we'll hear one side and —. Chairman Liakakis said, one of the things we need to consider it's not fair to these people right here because they will have to come back again because they want to bring those things that are — what they feel is important back to the Commission. They'll talk about it today and then they'll come back because their petition, they want to amplify that for everybody to understand at the next meeting because if they bring something up now, they don't come back in the next meeting, people might forget about it, and they possibly might not be in the winning side. So we need to be, as stated, we need to be fair about this. A motion has been made and seconded to table this until the next meeting.

Chairman Liakakis recognized Commissioner Shay.

Commissioner Shay said, Mr. Chairman, in deference to the Commissioner who's district this is in, if he is in favor of the motion to table, I certainly will vote in the affirmative because I think it's —.

Commissioner Gellatly said, I'd like to call for the question.

Chairman Liakakis said, 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. We appreciate y'all coming today and sorry that this occurred.

Commissioner Shay said, sorry for your trouble.

Chairman Liakakis said, but I mean it's important that you have — everybody understands because if you were to say something today, the Commission forget about it and you're not here at the next meeting to provide your case point, then that could affect the case.

ACTION OF THE BOARD:

Commissioner Shay moved to table this item to the next meeting. Commissioner Kicklighter seconded the motion and it carried unanimously. [NOTE: Commissioner Odell was not present when this vote was taken.]

~~AGENDA ITEM: XI-I~~

~~AGENDA DATE: March 24, 2006~~

AGENDA ITEM: XII-I

AGENDA DATE: April 7, 2006

TO: BOARD OF COMMISSIONERS

THRU: R. E. ABOLT, COUNTY MANAGER

FROM: THOMAS L. THOMSON, EXECUTIVE DIRECTOR

LEGAL NOTICE/AGENDA HEADING:

The petitioner Jonathan Yates, Agent (for Charles & Judy Douglas) is requesting the rezoning of a portion of 835 Chevis Road (0.23 acre of a 5.17 acre tract) from an R-A (Residential-Agriculture) zoning classification to an R-A-WT (Residential-Agriculture-Wireless Communication/Digital Television Tower Overlay) classification and approval of new telecommunication facility (MPC File No. T-060103-59583-1). The remainder of the property will retain the present R-A zoning classification. The MPC recommended approval of the request to rezone 0.23 acre of the subject property from an R-A (Residential-Agriculture) classification to an R-A-WT (Residential-Agriculture-Wireless Communication/Digital Television Tower Overlay) classification. MPC File No. Z-060109-32729-1

ISSUE:

The rezoning of a portion of 835 Chevis Road (0.23 acre of a 5.17 acre tract) from an R-A (Residential-Agriculture) zoning classification to an R-A-WT (Residential-Agriculture-Wireless Communication/Digital Television Tower Overlay) classification and approval of a new telecommunication facility (MPC File No. T-060103-59583-1). The remainder of the property will retain the present F-A zoning classification.

BACKGROUND:

The subject property is located on the west side of Chevis Road about 0.29 miles northwest of its intersection with Wild Heron Road. The property has been zoned R-A since the property was initially zoned in 1962.

FACTS AND FINDINGS:

1. **Existing Development Pattern:** Chevis Road is a collector roadway that is accessed by Highway 17 to the west and Wild Heron Road to the east. The developed properties are mostly single-family residential. A few churches are also located along this road. Several large undeveloped properties in the vicinity with frontage on Chevis Road are planned for single-family subdivisions.

The land uses and zoning districts surrounding the subject property include:

<u>Location</u>	<u>Land Use</u>	<u>Zoning</u>
North	Vacant and Railroad	R-A
East	Vacant, Single-Family	R-A
South	Vacant	R-A
West	Railroad	R-A

2. **Transportation Network:** The property is accessible by Chevis Road which is classified as a collector street. In 2004, the average daily traffic count for this section of Chevis Road was 2,300 vehicles per day.
3. **Existing Development:** The site is currently undeveloped.
4. **Proposed Development:** The petitioner seeks to rezone the site for the purpose of constructing a wireless telecommunications tower.
5. **Public Services and Facilities:** The property is served by the Metropolitan Police Department and the Southside Fire Department.
6. **Land Use Element:** The Chatham County Comprehensive Plan Future Land use Map designates the subject property as Single-Family Residential. The requested zoning would allow a telecommunications tower as the only additional use to the existing permitted uses.
7. **Existing R-A Zoning District:**
 - a. **intent of the R-A District:** According to the Zoning Ordinance, the purpose of the R-A district is to “protect those rural areas within the urban expansion areas of the county for future urban development, and to protect certain rural highway roadside areas against strip development, which can lead to traffic congestion, traffic hazards and roadside blight.”
 - b. **Allowed Uses:** The uses allowed within the R-A district appear in the attached chart.

- c. **Development Standards:** The development standards for the R-A district appear in the attached table (Table 1).

8. Proposed WT Overlay Zoning District:

- a. **Intent of the WT Overlay District:** According to the Zoning Ordinance, the purpose of the WT overlay district is to “permit the development in rural areas of a single commercial wireless telecommunications monopole tower or a digital television where there are large tracts of undeveloped R-A zoned properties, where commercial Wireless Telecommunications Antennas and Towers Ordinance of Chatham County and all other requirements of the R-A district.
10. The WT overlay district requested requires that a development plan be submitted for a telecommunication tower with the rezoning petition (see staff report for T-060103-59583-1).

SUMMARY OF FINDINGS

1. Will the proposed zoning district permit uses that would create traffic volumes, noise level, odor, airborne particulate matter, visual blight, reduce light or increased density of development that would adversely impact the livability or quality of life in the surrounding neighborhood?
Yes ___ No ___
2. Will the proposed zoning district permit uses that would adversely impact adjacent and nearby properties by rendering such properties less desirable and therefore less marketable for the type of development permitted under the current zoning?
Yes ___ No ___
3. Will the proposed zoning district permit uses that would generate a type or mix of vehicular traffic on a street or highway that is incompatible with the type of land use development along such street or highway?
Yes ___ No ___
4. Will the proposed zoning district permit uses that would generate greater traffic volumes at vehicular access points and cross streets than is generated by uses permitted under the current zoning district to the detriment of maintaining acceptable or current volume capacity (V/C) ratio for the streets that provide vehicular access to the proposed zoning district and adjacent and nearby properties?
Yes ___ No ___

5. Will the proposed zoning district permit uses or scale of development that would require a greater level of public services such as drainage facilities, utilities, or safety services above that required for uses permitted under the current zoning district such that the provision of these services will create financial burden to the public?

Yes ____ No ____

6. Will the proposed zoning district permit uses or sale of development that would adversely impact the improvement or development of adjacent and nearby properties in accordance with existing zoning regulations and development controls deemed necessary to maintain the stability and livability of the surrounding neighborhood?

Yes ____ No ____

7. Will the proposed zoning district permit development that is inconsistent with the comprehensive land use plan?

Yes ____ No ____

ALTERNATIVES:

- 1. Approve the petitioner’s request to rezone a portion of the property from an R-A zoning classification to an R-A / W-T classification.
- 2. Deny the petitioner’s request.

POLICY ANALYSIS:

The proposed rezoning is consistent with the Chatham County Future Land Use Plan designation.

MPC RECOMMENDATION: The MPC and Director of Building Safety and Regulatory Services recommend APPROVAL of the request to rezone 0.23 acre of the subject property from an R-A (Residential-Agriculture) classification to an R-A-WT (Residential-Agriculture-Wireless Communication/Digital Television Tower Overlay) classification.

PREPARED BY: James Hansen, AICP, Director
Development Services

February 21, 2006

Gregori Anderson, Director
BUILDING SAFETY AND REGULATORY SERVICES

Petition of: Jonathan Yates, Agent; Charles and Judy Douglas, Owners
MPC NO.: Z-060109-32729-1

MPC recommends that the following described property be rezoned from its present R-A (Residential-Agriculture) classification to a R-A-W-T (Residential Agriculture Wireless Tower Overlay) classification.

LEGAL DESCRIPTION

Starting at a point located on the southwesterly right of way line of Chevis Road approximately 320 feet south of its intersection with the southeasterly right of way line of the CSX (Seaboard Coastline) railroad, thence along said southwesterly right of way line of Chevis Road distance of approximately 36 feet to a point, thence southwesterly along a line South 82 degrees 14 minutes West a distance of approximately 14 feet to a point, thence in a northwesterly direction along a line North 58 degrees 20 minutes West a distance of approximately 16 feet to a point, thence along a curve to the left having a radius of 25 feet, a curvilinear distance of approximately 22 feet and a chord bearing North 83 degrees 20 minutes West, thence southwesterly along a line South 71 degrees 39 minutes West a distance of approximately 682 feet to a point, thence along a curve to the left having a radius of 30 feet, a chord bearing South 52 degrees 42 minutes West and a curvilinear distance of approximately 20 feet to a point, thence southwesterly along a line South 33 degrees 46 minutes West a distance of approximately 84 feet to a point, thence south 71 degrees 39 minutes West a distance of approximately 56 feet to a point, said point being the point of beginning; thence proceeding in a southeasterly direction along a line South 18 degrees 20 minutes East a distance of approximately 90 feet to a point, thence southwesterly along a line South 71 degrees 39 minutes West a distance of approximately 100 feet to a point, thence along a line North 18 degrees 20 minutes West a distance of approximately 100 feet to a point, thence easterly along a line North 71 degrees 39 minutes East a distance of approximately 100 feet to a point, thence southerly along a line South 18 degrees 20 minutes East a distance of approximately 10 feet back to the point of beginning.

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

PIN.: Portion of 1-1003B-01-016

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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.

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3. ROADS AND DRAINAGE REPORTS.

ACTION OF THE BOARD:

A status report was attached for review.

AGENDA ITEM: XIII - Roads
AGENDA DATE: April 7, 2006

TO: Board of Commissioners

THRU: R. E. Abolt, County Manager

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

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

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

by the CUTS Policy Committee on June 22, 2005. Key milestone events are summarized in the attached table.

FACTS AND FINDING:

1. Truman Parkway, Phase 5. Right of way (ROW) plans were approved on June 30, 2005. The acquisition process has started and will take until mid-2007 to complete (26 parcels acquired by early acquisition; 65 parcels to acquire). Design is underway.

2. US 17, Ogeechee River to SR 204: Work is at a standstill. GDOT put the contractor on notice for non-performance, who subsequently filed for bankruptcy. GDOT advises that the bonding company has taken over the project and is presently trying to secure a contractor to complete it. A new completion date has not yet been established.

3. Middleground Road/Montgomery Cross Road Widening. Construction by APAC is at standstill, including relocation of electrical, telephone and water/sewer facilities by utility companies. GDOT is reviewing a fee proposal from the APAC for a change order as a result of a redesign for some of the storm drainage. The original contract amount for the project is \$13.6 million. The proposal for the change order is \$4.7 million (almost a 35% increase in project cost). There has been no change in status since the last report. The local GDOT office advises that negotiations on the prices submitted for the change order are ongoing. GDOT also advises that APAC has submitted a letter of intent to file a claim on the project.

4. Stephenson Avenue. Substantially complete as of April 1, 2005. Liquidated damages totaling \$54,450 were assessed from December 1, 2004 to March 31, 2005. GDOT, County, City of Savannah and APAC performed the joint final inspection on June 14, 2005. A punch list was compiled (129 items) and given to APAC on June 21, 2005. Some punch list items remain to be corrected. The City of Savannah advises that the trace lines for the water lines between Hodgson Memorial Drive and Abercorn Street still have breaks that need to be corrected. A water valve manhole under the pavement at Forest Park Drive and Stephenson Avenue needs to be raised. A fence adjacent to the West Side Rental Company needs to be re-erected. APAC has been notified by letter that the City of Savannah wants to make a final inspection on the storm water when their subcontractor (Dixie Excavating) says all corrective work is complete. Staff is coordinating with the City of Savannah and Dixie Excavating to do a final inspection on the new water lines. All sanitary sewer work has been accepted by the City of Savannah.

5. Whitfield Avenue Widening. The FHWA approved the EA on February 13, 2004. Preliminary design was completed in June, 2004. Staff was advised in January, 2005, however, that the widening of the median for landscaping and the proposed reduction in speed limit would require amending the previously approved Concept Report and Environmental Assessment. The wider median with landscaping

causes four additional residential displacements and increases GDOT's ROW acquisition costs. The revised Concept Report was submitted to GDOT on July 6, 2005. GDOT asked for updated ROW acquisition cost which was provided to GDOT on October 21, 2005. A Public Information Open House (PIOH) was held on February 28, 2006 (157 attended). The comment period for the PIOH ended March 14, 2006.

6. Diamond Causeway Widening. The Draft EA was approved by the FHWA on February 25, 2005, for advancement to public hearing. A PIOH was held on June 9. GDOT staff is re-looking design criteria (width of median and design speed of high span bridge) in the Draft EA. GDOT is taking over design and management of the project. In the meantime, the County offered to do the improvements on Skidaway Island by County Contract or permit. The preliminary design for the portion on the Island is complete, and was submitted to GDOT for review in January.

7. Bay Street Widening from I-516 to Bay Street Viaduct. The Concept Report was approved by the GDOT on February 9, 2005. The Draft EA was sent to the FHWA on February 1, 2006. FHWA comments were recorded March 28, 2006. When the Draft EA is signed, a public hearing can be scheduled.

8. Jimmy DeLoach Parkway, Phase 2 (I-16 to US 80). GDOT forwarded the EA/FONSI, to the FHWA on October 20, 2005. Hallelujah. The FHWA approved the Final EA on March 3, 2006.

9. White Bluff/Coffee Bluff Road. A PIOH was held on August 12, 2004. The Need and Purpose Statement was revised to essentially create a 3-lane section from Willow Road to Cedar Grove (near entrance to Country Day School) and improve the two lanes (i.e. widen pavement to 12 feet wide travel lanes) from Cedar Grove to Rose Dhu Road. It was submitted to GDOT January 19, 2006. The project will include either sidewalks on both sides or a multi-purpose trail on one side.

10. Eisenhower Widening from Abercorn to Truman Parkway. The Concept Report was approved by GDOT on June 22, 2004, but was not received by the County until November 15, 2004. Because of the high estimated ROW costs (over \$22 million – local cost), the City of Savannah, County and consultant proposed reductions in the project. The proposal was sent to GDOT October 28, 2005.

11. Abercorn Widening from Largo Drive to Rio Road. A revised Concept Report changing the terminus from Deerfield Road to Largo was sent to GDOT on June 28, 2004. This project is affected by other projects currently under design (intersection improvements at Largo and Truman, Ph 5).

12. Skidaway Widening: The Final EA was approved by the FHWA on December 30, 2004. The County's consultant submitted a proposal (over \$750,000) which staff will need to evaluate for an amendment to the engineering services contract or a new contract to incorporate all new GDOT requirements known to date to complete the design. In accordance with the LGPA, the County is responsible for acquiring the necessary ROW. The GDOT has agreed to fund, award and manage the construction project. Due to reductions in state and federal highway funds, staff will look at the feasibility of requesting that GDOT break this project into several construction contracts.

13. Islands Expressway Bridge Replacement. LPA Group (consultant) is under contract with County to develop the Concept Report. A PIOH was held on May 26, 2005, presenting three alternatives to construct high span bridges (approximately 75 attended). The consultant has prepared responses to the comments received. Estimates of utility relocation costs from GDOT are needed to complete the Draft Concept Report.

14. US 80/SR26

a. Lynes Parkway to Victory Drive. GDOT is preparing the EA. The GDOT schedule shows a PIOH in 2006 and award of a construction contract in 2008.

b. Bull River to Lazaretto Creek. GDOT is working on the EA. The GDOT hosted a PIOH on August 25, 2005, at the Tybee Island City Hall.

15. Local Roads

a. Fountain Road. ROW acquisition is in process. The quit claim deed approved by the Board at the March 24, 2006, meeting to complete the Vaden property transaction has been executed. Closing on that property is imminent. There is one other property to be acquired that is in probate court. It is expected to be clear by the end of April. In the meantime, the project will be advertised for bid.

b. Mobley Street, Yucca Place, Perkins Place, Stone Street. Bids for a construction contract were opened on March 22, 2006. GDOT executed the County Contract on March 1, 2006, and issued the Notice to Proceed that same date. Approval of award of construction contract by the Board is pending.

c. Bond Avenue, Heather Street, Betran Avenue, Shore Road. GDOT executed the County Contract and issued NTP on August 19, 2005. Right-of-way issues on all the roads required changed to the construction plans, thereby delaying the bid process. Complications in the ROW negotiations on Bond and Betran Avenues are going to take much longer than originally believed. As a result, GDOT agreed to a staff request to bid Heather Street and Shore Road separately for construction. The bid opening for Heather and Shore is scheduled for April 5, 2006.

d. Dulany Road, Cramer Street, Palm Drive and Old Pine Barren Road. Requests for County Contracts with GDOT on Old Pine Barren and Dulany were approved by the Board approval on October 21, 2005. ROW and construction plans for Dulany and Old Pine Barren should be ready in April. The consultant (McGee Partners) met with staff on February 21-23 to discuss plan development on Cramer Street, Palm Drive and other projects. During this visit a field trip to Cramer Street was made to listen to property owner concerns. The meeting was productive and McGee Partners will review the concept and design impacts considering the input from the property owners. Another property owner meeting will be held when the plans are revised. The schedule calls for construction plans to be ready on Cramer Street and Palm Drive in June 2006.

e. Stone Street. The property owners on this street originally did not want the street paved and submitted a petition to not pave the street. After several meetings, they changed their mind and submitted another petition with 20 of 22 property owners requesting that the street be paved. The Board authorized entering into a County Contract with GDOT on February 24, 2006. The request (GDOT Form 532) was sent to GDOT on March 1, 2006. Final construction plans will be ready in April, 2006.

RECOMMENDATION: For information.

Districts: All

SUMMARY OF ROAD PROJECT STATUS

April 2006

PROJECT	ELEMENT	MILESTONE FOR COMPLETION	AGENCY RESPONSIBLE	NOTES
Truman Parkway, Ph 5	Environmental ROW	Complete Dec 2006	County County/GDOT	EIS approved 8/12/99 Acquisition underway as of 7/1/05. COMMISSIONER STONE LR
	Final Design Construction	Feb 2007 TBD	County/GDOT GDOT	
US 17: Ogeechee Riv/SR204	Construction	Jan 2006	GDOT	GDOT has referred lack of progress to bonding company.
Middleground/Montgomery Cross Road Widening	Construction	May 2006	GDOT	Will be extended.
Jimmy DeLoach Pkwy, Ph 2	Environmental ROW Construction	Mar 2005	County County GDOT	Final EA approved by FHWA. COMMISSIONER STONE LR

Whitfield Avenue Widening	Environmental Design ROW Construction	Feb 2004	County County County/GDOT GDOT	EA/FONSI approved. Preliminary plans on hold. ROW funded FY2005/06 COMMISSIONER STONE FY 2007
Diamond Causeway Widening and two bridges	Environmental Design ROW Construction	Unknown	County County GDOT GDOT	Draft EA signed Feb 05. ROW FY 2007 COMMISSIONER STONE LR
Skidaway Road Widening	Environmental Design ROW Construction	Complete	County County County GDOT	Final EA signed 12.30.04 Change order or new contract needed for design to continue.
Bay Street from I-516 to Viaduct	Environmental ROW Final Design Construction	Apr 2006 Feb 2007 Apr 2007 TBD	County County County GDOT	Draft EA pending approval by FHWA. COMMISSIONER STONE LR
US 80 Widening - Bull River to Lazaretto Ck - I-516 to Victory Drive	Environmental Environmental	Unknown Unknown	GDOT GDOT	COMMISSIONER STONE LR COMMISSIONER STONE FY 2007
White Bluff/Coffee Bluff	Environmental	Unknown	County	COMMISSIONER STONE LR
Eisenhower (Abercorn to Truman Parkway)	Environmental		County	Concept Report approved June 22, 2004.
Abercorn (Largo Drive to Rio Road)	Environmental		County	Concept Report pending approval by GDOT.

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

AGENDA ITEM: XIII-3 Drainage**AGENDA DATE: April 7, 2006****TO:** Board of Commissioners**THRU:** R. E. Abolt, County Manager**FROM:** A. G. Bungard, P.E., County Engineer**ISSUE:** To provide information on the status of Chatham County drainage projects.**BACKGROUND:** For construction contracts that have been awarded, this report provides the latest scheduled completion dates. For projects pending environmental permits, start dates are best estimates. All project scopes include varying degrees of canal widening, bank stabilization, larger bridges and culverts.**FACTS AND FINDING:**1. Pipemakers Canal

- a. Phase 1 (From the outfall at Savannah River to SR 21). Double channel size, replace bridges, replace tidegate, and provide maintenance access.
 - i. The construction work is complete and the new sluice gates are now able to function automatically.
 - ii. Substantial completion was achieved on January 24, 2006. The consultant continues to monitor the system and make operational adjustments. The level sensor transducers have been adjusted to achieve a lower operating level. Operating problems associated with this adjustment are being evaluated. The obligation of the contractor or the consultant to pay for correcting these problems will be determined after the causes are identified.
- b. Phase 2 (From SR 21 to I-95). Double channel size and provide maintenance access.
 - i. Staff is reviewing portions of the consultant's revised permit application documents.
 - ii. A contract to install an access road between Phase 1 and SR21. The contractor can not acquire the required bonds. Staff is considering available options including waiver of this requirement by the Board.
- c. Kahn Mitigation Site. The final mitigation package for Phase 2, which includes the Kahn Site, is being designed concurrently with Phase 2 design. Final design drawings have been reviewed and returned to the consultant for corrections.
- d. Bridge Removal and Sheet Pile Wall Modifications. A project to remove the existing bridge (with the tidegates) restricting the flow of drainage from Pipemakers Canal into the Savannah River. Design is underway. As a

- result of higher than expected construction costs, staff is discussing options with the Georgia Ports Authority.
2. Hardin Canal
 - a. Phase 1 (SR307 bridges). Widen channel and replace bridge crossings.
 - i. Efforts to acquire necessary permits from the USACE are ongoing. As a result of strong objections from various review agencies, this phase of the project has been reduced in scope to include only the crossings at SR307.
 - ii. Design work is in progress.
 - b. Phase 2 (From 307 to Pine Barren Road). Widen channel and construct a detention pond. No target construction date. Staff is working to acquire canal rights of way for the future improvements on property owned by the Georgia Ports Authority.
 3. Westlake/Springfield Canal
 - a. Phase 1. Crossing and channel improvements from Perimeter Road on Hunter Army Airfield downstream toward the Forest River. Completed January 2002.
 - b. Phase 2. Acquisition and removal of flood-prone properties are complete. Plans to provide access, site security and improve the outfall are being prepared by staff to be constructed in 2006.
 - c. The railroad undercrossing Final Design is complete. Staff is negotiating for access onto Hunter Army Airfield property (required for project construction). Easements for construction are being acquired under the Louis Mills Drainage Improvement Project.
 - d. Perimeter Road Repairs. Staff requested HAAF to reimburse the County for the cost of the repairs. HAAF subsequently denied any responsibility and has refused to reimburse the County. Staff is considering options.
 4. Placentia Canal
 - a. Phase 1. Tidegate at Bonaventure Road. Completed February 1999.
 - b. Phase 2. Crossing and channel widening from Bonaventure Road to Shell Road in Thunderbolt. Completed October, 2002.
 - c. Placentia Beautification Project: Correction of a drainage problem along Tennessee Ave. and to improve the appearance of the canal near the Staff is proceeding with fencing modifications to improve access for the Department of Public Works. Bonaventure Bridge. No target date for construction has been set.
 5. Conaway Branch Canal (tributary of Pipemakers Canal) Widen channel with road crossing improvements and a maintenance road.
 - a. Phase 1 includes channel improvements and crossing upgrades north of Main Street to Pipemakers Canal.

- i. Phase 1A extends from Pipemakers Canal to Conaway road. Preliminary construction and right of way plans have been returned to the Consultant for corrections. Coordination with GDOT for the crossing at Highway 80 is ongoing. Wetland delineation approval and a Provisional Wetland Permit have been received from the USACE. Staff is working on fulfilling mitigation requirements via the County's banking instrument.
 - ii. Phase 1B extends from Conaway Road to Main Street. Construction of these improvements is subject to available funding.
 - iii. Phase 1C includes the area west of Maple Street. Construction costs are to be funded by the City of Bloomingdale. Recommended improvements have been provided to the City of Bloomingdale.
 - b. Phase 2 includes improvements to system south of Main Street to Hardin Canal. These improvements are the responsibility of the City of Bloomingdale.
6. Little Hurst Canal Improve undercrossings at SR 21 and railroad, and widen channel downstream of SR21. A project to establish necessary rights of way and easements, and to acquire the required permits is being developed by staff. A contract for these professional services was approved by the Board at its meeting of March 10, 2006.
7. Wilmington Park Canal
 - a. Phase 1. (Construction of tide gate) Completed September 2002.
 - b. Phase 2. Widen channel and improve culvert crossings under Wilmington Island Road.
 - i. Received permit from USACE on July 5, 2002. Project is under design, incorporating changes to reduce cost while still attaining storm water goals. Surveying for alternative route is complete. Review of preliminary report and recommendations is underway.
 - ii. Repairs of a slope stabilization problem by County Public Works have achieved satisfactory results. Further work does not appear to be required at this time.
8. Kings Way Canal Widen channel and enlarge culverts from Kings Way Court to the Vernon River.
 - a. Phase 1. Improvements to crossing of the canal under Whitfield and the Truman Parkway were constructed as part of the Truman Parkway, Phase 4 project.
 - b. Phase 2. Improvements to widen the canal and enlarge culverts upstream of Truman Parkway were delayed because of strong objections by a property owner and by constructability issues at road crossings. Staff expects to make a final decision on alignment and begin final design.
9. Romney Place Drainage

- a. Phase 1. Improve drainage along Central Avenue. Completed October 2001.
 - b. Phase 2. Improve storm drains and road crossings on Romney Place and along Parkersburg Road. Final design drawings are 95% complete. Permitting and acquisition of rights of way and easements is underway.
10. Village Green Canal
- a. Phase 1. Upgrade culvert under Cambridge Drive. Completed October 1999.
 - b. Phase 2. Staff re-evaluating the consultant's recommendations for improvements that can be constructed with minimal objection from permitting agencies. Wetland delineation has been approved by the USACE.
11. Port Industrial Park Increase the capacity of the crossing under State Route 307 and improve the channel downstream to Pipemakers Canal.
- a. Design of the project to improve the canal downstream from SR307 to Pipemakers Canal is complete. The extension to the wetland permit has been obtained from the USACE.
 - b. The parcel upon which the project resides has been acquired by a developer. Staff is working with Garden City staff to coordinate approval of the proposed development with the needs of the project.
12. Louis Mills Canal Widen channel from Veterans Parkway downstream to outfall at Westlake Canal and improve crossing under Marshall Avenue. Design is complete. Acquisition of Easements and ROW is underway. Easements at the downstream end of this project will be used and are necessary for construction of the Westlake Undercrossing project (See item 3.c. above). The permit from the USACE has been obtained. Acquisition of easements is underway.
13. Redgate/Rahn Dairy A project to provide larger underdrains at several road crossings, canal widening and provisions for maintenance access.
- a. This project will reduce stormwater flows in the Louis Mills system as well as provide improve drainage in the existing canal.
 - b. Preliminary design is complete. Acquisition of easements and permitting is underway.
14. Diggs Avenue Drainage (part of Louis Mills) This drainage improvement project involves improving drainage at the east end of Diggs Avenue. The required ROW has been obtained. The County solicited bids for the work and received only one response. Negotiations with the contractor to secure an agreeable price and scope of work are underway.
15. Ogeechee Farms

- a. Phase 1. Improve internal collector system south of Vidalia Road. The project is complete and was accepted by the County in December 2005.
 - b. Phase 2. Improve road crossings at various locations.
 - i. The County has received the Section 404 wetlands permit from USACE. Mitigation requirements have been met.
 - ii. Due to budget constraints, project scope has been revised to include crossing improvements at various locations. Staff has requested a fee proposal from the Consultant for design of additional problem areas identified by Public Works.
16. Fawcett Canal
- a. Phase 1. Widen channel and improve crossings from Georgetown downstream to crossing under Grove Point Road, and replace tide gate. Construction completed in August 2002. Other work to improve the function and appearance of the lagoons completed in May 2005.
 - b. Phase 2. Provide increased storm water drainage capacity in areas affecting Red Fox Drive and White Hawthorne Drive. Acquisition of easements from the City of Savannah is complete. Acquisition of the remaining easements is underway. Final drawings are under review by staff. The Consultant has been given notice to stake the required easements.
17. Quacco Canal Drainage Improvements East of US17 (Formerly the Ecosystem Restoration Project) Improve Quacco Canal and associated road undercrossing capacities from US 17 to marsh, including removal of a private tidegate structure. The work is expected to reduce the 50-year flood level by about 2 feet at US17 and at the same time restore a salt marsh ecosystem to its original condition.
- a. Efforts to acquire the permit from the USACE continues. Additional information required by the State Historic Preservation Office (SHPO) has been provided and a release obtained by that agency. A permit from USACE is expected once agreements with the affected property owner are in place.
 - b. Acquisition of easements is underway.
18. Quacco/Regency Park Storm collector improvements to relieve severity and frequency of flooding within community. The final Design Study Report final report has been approved. Final design work is underway.
19. Halcyon Bluff Subdivision Storm collector improvements to relieve severity and frequency of flooding within community. Construction is underway. Progress has been slower than anticipated. Staff continues to work with the Contractor to address these issues.
20. Golden Isles Subdivision Storm collector improvements to relieve severity and frequency of flooding within community.
- a. Phase 1. Outfall improvements completed 1997.

- b. Phase 2. Improvements to collector system. Approval by Health Department to proceed with the project has been obtained. Right of way acquisition is complete.
 - c. Options to provide access for maintenance of the outfall are being evaluated. Staff has requested Consultant for a fee proposal for surveying services to determine limits of drainage right-of-way.
21. Georgetown Canal Upgrading roadway undercrossings to improve drainage capacity at St. Ives Way. Construction work was completed in February 2006, with minor cleanup still remaining to be completed.
22. Wilmington Outfall A project to correct storm sewer drainage pipes between Wilmington Road and the Wilmington River. Design work is underway. At the consultant's recommendation, a preparatory cleaning and inspection project will be accomplished. The information will facilitate the design and bidding of the construction work.
23. Henderson Channel and crossing improvements to alleviate flooding in the subdivision.
- a. Brown Thrush Canal: Crossing and channel improvements on the canal parallel to Brown Thrush Road, from Al Henderson Blvd. to Little Neck Road. Survey and analysis are complete. Staff will develop project scopes and solicit proposals for design of recommended improvements, beginning with replacement of the Little Neck Road culvert.
 - b. Henderson Canal: Provide maintenance road for canal from Gateway Blvd. to Little Neck Road through wetlands. Wetland delineation has been approved by the USACE.
24. Walthour Canal at Off Shore A small project to improve the undersized culverts under the entrance road to the Off Shore Subdivision. Final construction documents have been received. Efforts continue to secure the necessary permits for the project. Staff is working to address concerns raised by the Coastal Resources Division of the Department of Natural Resources over impacts to marshland habitat that has grown in the manmade Walthour Canal.

RECOMMENDATION: For information.

Districts: All
P.E.

Prepared by W.C. Uhl,

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4. MONTHLY STATUS REPORT ON NEW RECREATION RESOURCES (RAP).**ACTION OF THE BOARD:**

A status report was attached for review.

AGENDA ITEM: XIII-4

AGENDA DATE: April 7, 2006

TO: Board of Commissioners

THRU: R. E. Abolt, County Manager

FROM: Robert Drewry Director, Public Works and Park Services

ISSUE: Provide Board a status update on RAP and provide Turf Maintenance and Operation plan for Charlie Brooks Sports Complex

BACKGROUND:

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

FACTS AND FINDINGS:

1. To provide Board with a status update on RAP
2. To address the Charlie Brooks Park Turf Management Program:
 - Extension Service staff recommended a heavier Core Aerator, and will provide a list of vendors that sell this product. Extension Service staff is in contact with vendors to provide needed information.
 - County Maintenance Staff assumed responsibility for the turf.
 - A purchase request for Liquid Fertilize will be on the purchasing agenda for the 2nd Commissioner meeting in April.
 - Extension Services provided a copy of the latest publication on maintaining bermuda grass sports fields, and is in the process of developing a Use Operation Plan to minimize over use of the new turf.
 - Red Carpet tour was held on 3/25/06. In attendance were County Commissioners, County Manager, Coaches, and County Staff.
3. The RAP is as Follows:

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

Purchased additional carpentry tools. The crew has begun making repairs as noted further in the update.

II. Facility Repairs**Task:****1. Lake Mayer****A. Replace roof on large pavilion.**

- In a previous staff report, staff advised that the mandatory pre-bid was scheduled for 2/28/06 with bid opening on 3/9/06. This was a staff error. This mandatory pre-bid was for Memorial Stadium. The correct mandatory pre-bid date is 4/19/06.

B. Renovate restrooms

- Staff has started to replace old petitions, removal of all old rotten boards, and enclose all exposed pipes to improve the appearance of the restroom.
- Facilities Maintenance and Operations will provide assistance with electrical and plumbing requirements.
- Staff to update the Chairman of the progress at Lake Mayer not to lose those that volunteered to assist with the painting of the restroom floor.

2. Ambuc Park**A. Renovate restrooms**

- Staff has secured the needed material for the restroom renovation, and will move to Ambuc from Lake Mayer.

B. Reestablish baseball infields

- All grading is completed and the fields are being used.

C. Request to award the contract to replace the backstops fencing at Ambuc is on the next Commissioners agenda.**D. Replace score clocks: Score clocks are on hold pending Board approval at the 4/7/06 Commissioners meeting.****3. L. Scott Stell Park/Jim Golden Complex****A. Renovate restrooms**

- Staff is currently securing the material cost to begin construction.

B. Reestablish baseball infields.

- All grading has been completed and the fields are useable.

C. Install concrete walks at concession building**D. Because of high bids, replacement of the backstop fencing is placed on hold until next fiscal year.**

E. Replace score clocks. Score clocks are on hold pending Board approval.

4. Memorial Stadium

A. Request to award contract is on the purchasing agenda for this Commissioners meeting to repair roofing.

III. Recreational Programs

Task

1. Create a local sports panel of select coaches, parents, volunteers.
2. **The panel will solicit and recruit more teams for the baseball/softball recreation leagues with particular emphasis in the unincorporated neighborhoods.**
 - Chairman/Vice Chairman were elected at the March meeting.
 - Recommendations will be submitted to the Chairman/Vice Chairman to be presented to the County Staff for jointly implementation.
3. **In baseball/softball programs, an open division will be offered along with the recreational league to create opportunities for youth to complete within their own skills and abilities.**
 - Five middle schools have signed up to play in the Select Baseball League.
 - The first game of the open division was played on 3/2/06.
4. **Take advantage of public school facilities for programs such as basketball when available.**
 - The basketball tournament that was scheduled for the first weekend in March has been rescheduled during the summer months due to a low response.

Funding:

N/A

FOR BOARD INFORMATION ONLY

Various Districts

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5. EARLY SUBMISSION OF CHATHAM COUNTY-SAVANNAH COMPREHENSIVE PLAN STAFF REPORT TO BE ACTED UPON AT YOUR JOINT MEETING WITH THE CITY COUNCIL AT 8:30 A.M. ON TUESDAY, THE 11TH OF APRIL, AT THE COASTAL GEORGIA CENTER.

County Manager Abolt said, remember we're going to talk about #5 on there about your hearing on Tuesday.

Chairman Liakakis said, yes. There's Early Submission of Chatham County-Savannah Comprehensive Plan Staff Report to be acted upon at your joint meeting with the City Council at 8:30 a.m., on Tuesday, the 11th of April, at the Coastal Georgia Center. We need a motion on the floor to approve this meeting between the City Council and Chatham County Commission. You know, this Tricentennial Plan, this comprehensive plan, is really important to this community. A lot of work has been put in it, a lot of study, and the staff has worked with the MPC and other entities and we would appreciate all of the members of the County Commission to please come to this meeting if at all possible so that you will have your input in this very important issue. I'd like a motion on the floor for this meeting.

County Attorney Hart said, it is a motion for special meeting. Commissioner Stone said, I make a motion. Chairman Liakakis said, it is a special meeting for April 11th at 8:30 a.m., at the Coastal Center. Do we have a second? Commissioner Thomas said, second. Chairman Liakakis said, it's been seconded. Let's go on the board. The Clerk said, I did not hear the maker. Commissioner Stone said, I made the motion. The Clerk said, thank you. The motion carried unanimously. [NOTE: Commissioner Odell was not present when this vote was taken.] Chairman Liakakis said, the motion passes.

Chairman Liakakis said, I'd like a motion on the floor to recess to Executive Session. County Attorney Hart said, Mr. Chairman, I believe MPC staff is going to make a brief presentation. Chairman Liakakis asked, a brief presentation on —? County Manager Abolt said, this is what, remember, Mr. Thomson talked to us about. I don't see all of MPC staff here. I'm a little bit of a loss. Chairman Liakakis said, well, would y'all like this or do you want to wait until the —.

Commissioner Shay asked, are you going to show us what's on this disk? Mr. Alan Bray said, no, we have a PowerPoint presentation.

Chairman Liakakis asked, well, what is the desire? Do we want to hear this or — because they've worked hard on this. An MPC staff member said, maybe when y'all come back if y'all are going to recess. Commissioner Farrell asked, how long do you think it will take? Mr. Holmes asked, how long is the presentation? An MPC staff member said, five to ten minutes. Chairman Liakakis said, well, let's just go ahead and do it now. We have the Executive Session, so we won't have to come back here and, you know, we open the doors and make sure that we follow the procedures for the meeting. Go ahead. Come up and identify yourself first and then you can start into your presentation. Come up to the microphone and identify yourself.

Mr. Alan Bray said, Alan Bray with the MPC. Mr. Chairman, our Chairman is on his way over — our Executive Director, Tom Thomson. He's on his way in now.

Chairman Liakakis asked, Alan [Bray], are you going to operate the equipment and he'll make the presentation. Mr. Bray said, yes, I'm turning on the equipment now. Dennis [Hutton], is he

outside? Is Tom [Thomson] outside? Mr. Hutton said, he's on the way over here. County Manager Abolt said, Dennis [Hutton], you start.

Mr. Dennis Hutton said, okay. I'm Dennis Hutton. I'm the Director of Comprehensive Planning at Metropolitan Planning Commission, standing in for Mr. Thomson. Commissioner Shay said, have you ever had the opportunity to filibuster before? Mr. Hutton said, never had, Mr. Shay. This is my first attempt. Chairman Liakakis said, let him —. Mr. Hutton said, I can begin. Chairman Liakakis said, go ahead, Dennis. Mr. Hutton said, the Comprehensive Plan consists of three documents. The first two documents, which is the community assessment and the Community Participation Plan, have been submitted to the State DCA and they have been approved. This third document is — will come before you for your consideration on April 11th is the Community Agenda, which really is the policy document that contains really the guidance for the community for the next 30 years. Now it will be updated every five years. Do you want to take over, Tom [Thomson]?

Mr. Tom Thomson said, good morning. I apologize for being late. I guess you all sped through some things. Chairman Liakakis said, identify yourself please. Mr. Thomson said, Tom Thomson, Executive Director of the Metropolitan Planning Commission. We have a Chairman Stephen Lufburrow, who's here as well, as well as some staff that as we get into this we may introduce if you have some questions for you. Of course, we're here to prepare for April 11th. Dennis [Hutton] may already have covered that with that of the Chairman and the County Manager and discussed some of the logistics issues. I just have a few short slides that cover — I was asked to keep it brief today and you had a long meeting I know.

Mr. Thomson said, this is the beginning — I want to cover a few quick points that may be important to you as we go further in this process. This is a continuous process, which means that we can stop in addition to the periodic five and ten year updates that we do, we can stop at any time and address concerns that are brought forth on the comprehensive plan and amend it. This is the launching pad of the comprehensive plan. It's the launching pad for both moving onto the zoning — unified zoning code [inaudible] and starting to implement the comprehensive plan. I'll come back to that in a minute. I want to stress that this has been an on-going process since about 2001-2002 and that we've kind of lost count at about 100 meetings. We think there are lot more, but we can document around 100 meetings. We've had 93 committee members that the Commission had a hand in appointing. We engaged staff from a number of agencies and last Summer particularly we went out in the community and really rolled up our sleeves with the task in front of us and worked out the land use components of that. Alan [Bray], if you'll change to the next one.

Mr. Thomson said, we had this issue come up with [inaudible] City, so I'm kind of repeating it a couple of times. Even though we worked on this hard for a number of years, once it's adopted it's not set in stone. Our process is about, you know, being able to going back and look at what we've done and amend it from time to time, but this process is necessary to bring an apparently out of date plan —, I'm trying to be kind to it, Commissioner Stone — to as current as we can make it. But there will be time to time where we'll be in front of you with petitions that have gone through the MPC to amend it. This is the big picture so keep that in mind when we move to

zoning. That's the micro-picture. We may be coming back to the big picture from time to time and say, well, now that we've studied this a little more closely, maybe the land use that was appropriate here is a little bit different. So that may happen, and all in all we think we're ready to launch this onto the next step at the appropriate point and time for your action to move this to DCA for review, and they have 60 days statutorily to review it. During that 60 days we can work together any fine tuning that you see between now and the time it comes back in mid-Summer for a formal adoption.

Mr. Thomson said, real quickly I want to go over some probably history. We're in the Phase 1 and we want to bring it to a close of getting the comprehensive plan update adopted and next steps are the zoning ordinance update and something that is as important and that is to begin the implementation plan, the short-term work program, that's in the document we gave you and start moving the actual proposed strategies into — implement them and get them on the ground. Recent meetings: I just want to point out that the MPC did hold at least six public hearings on this community agenda report. We've got testimony from a group of people on a number of issues that we handed out to you a summary of that and on February 21st the MPC recommended moving it on to you all for action to move it to DCA. We already have the first two volumes of the plan that aren't officially adopted by the local governments. The community assessment and the public participation program were approved by DCA and RDC, and we had a similar session in a workshop format with City Council last week.

Mr. Thomson said, Mr. Chairman, that's your picture there. Shortly on your parade route there. Next to me standing watching the parade was a retired couple from Ottawa, Canada, and when you came around the corner by the MPC, the one fellow remarked, "Boy, that is sure a different kind of Irish name." So, we had this picture to —. Chairman Liakakis asked, you didn't tell them it was O'Liakakis? Mr. Thomson said, that's exactly what we said, and so anyway this is the —, these are the parks. In front of you should be a Table of Contents for the Community Agenda report and I'm going to use a little analogy here. The community vision is like the brain of the eyes for this plan, and the issues, opportunities and policies are the things that the community indicated were the hot items to work on. So they're like what's at our fingertips, at our arm's reach, and in that we're going to deal with early on. The strategic plan is like the heart. It's raw but the policy statements are goals, objectives and policies, and it's the heart of the document and the short-term work program are the legs. That's how we're going to get it forward. The zoning is the body, so I'm using that analogy to help emphasize the different parts of this all go together to work towards moving us and helping us into a greater community.

Mr. Thomson said, parts of the comp plan to focus in on, the map is the key element, the future land use map is a key element. It's where you are saying in the general terms that those colors represent other land uses for the future. These are the 10 issues and opportunities that would help with people that participated and identify it as a top issues in the agenda. Each of these is discussed in some detail. The short-term work program also in the agenda document is what we pulled out and put into the section called short-term work program that we plan to be the managers of because we have to work with all the implementing agencies as we do this and plan to facilitate moving that forward. Covering public meetings, just to mention a couple — a couple of things. First of next week on the 11th, we have a joint City-County workshop and I'm not sure

who — the County Manager or the County Attorney handled this before —, County Manager Abolt said, taken care of. Mr. Thomson said, with the special meeting —. County Manager Abolt said, it's taken care of. Mr. Thomson said, okay. And the City decided it needed to make its decision under the dome, so we're agendaing [sic] the actual decision for them on April 13th following the April 11th meeting, and I'm not sure what advise we have at this point from the County, but I think tentatively we're assuming we might be scheduling an April 21st decision for the —. County Manager Abolt said, that's correct. Mr. Thomson said, thank you. We'll have it before them on the 21st. Mr. Thomson said, and then after the reviews and final edits are done, we'll be back mid-Summer for the actual adoption process.

Mr. Thomson said, I want to give you some comfort level for next week's meeting. These are all the places that we have advertised and we went to the expense of putting a quarter page to half page ad, depending upon exactly the publication, so it was a very visible advertisement, lots of logos — the tricentennial plan logo, County, City and MPC logo, so hopefully we attracted some attention when people turned — it was the second page of *The Herald* that was inside the back page of the first section of *The Centennial* — I think it comes out on Sunday — and the *Savannah Morning News*. So watch for those big ads. And that's all I have for an overview. If I can answer any questions you may have.

Chairman Liakakis said, okay. Chairman Liakakis recognized Commissioner Shay.

Commissioner Shay said, briefly, Mr. Chairman, in my view the adoption of this plan in the final form and the implementation of the fine tuning of all zoning is the most significant thing that I think I'll vote on during my term as a Commissioner. Right now we have time and time again situations where developers interested in investing millions and millions — tens of millions and hundreds of millions of dollars in this community come here. They want to do the things that are consistent with this plan and consistent with this vision, but because our zoning code is outdated and archaic, they find themselves completely hamstrung and the Commissioners of the MPC are then stuck with trying to explain to their neighbors and residents and other people that are affected by this how it is that something that is completely consistent with the vision and goals that have been identified in this community don't work within the framework of a legal framework that can go there. I tell you it's terribly frustrating as a consultant to represent a client, as I have on many occasions, where we find ourselves trying to do the right thing for the community and I mean that in every sense of the word, and being really battling hamstrung by the existing zoning codes that we have right now. They were good codes for 1950, they were probably good codes for 1960, but I'm telling you right now they are not good codes for the 21st Century. If we really needed to roll up our sleeves, support you in making sure the MPC has the resources that they need to follow through on this and get it implemented, but to me, Tom [Thomson], this is the most important thing that I will vote on as a Commissioner up here this time around.

Chairman Liakakis recognized Commissioner Stone.

Commissioner Stone said, I can echo what Commissioner Shay said, but also to thank the staff. This has been a long process, it's been a difficult process at times. There have been a lot of public hearings, but having lived with that original document and worked with that original

document, the flaws and the band-aids, and however you want to phrase it, are all there. This is a document that's over 40 years old and I think the only people that could interpret it were attorneys because it was very hard as a member of the planning Commission to follow even the document because sometimes in different sections the wording got to where it conflicted with another section. So it has been amended and amended and amended and it's time and I think Commissioner Shay said it correctly that this is probably one of the most important things that we will vote on. And I thank you for all of your time and effort and for the MPC Commission as well.

Chairman Liakakis said, and what's going to happen too is once we — everybody's in agreement and we go over these things, have the public hearings and all, it will be good because unfortunately in some instances City zoning is different from what it is in the County and we need to be, you know, on the same page because it will alleviate a lot of problems that we had in the past and it will be good for all the citizens in our community to have this comprehensive plan put into place. And, again, I invite each and everyone of you, 8:30 a.m., on Tuesday morning to please come to the, you know, to the area over there so that we can have that meeting, you know, and if you've got questions you want to ask and we can listen to the concerns of the City so that we can all be together as a team to get something done on this as soon as possible.

Commissioner Kicklighter said, Mr. Chairman, I just want to state that I think we're lucky to have Tom Thomson here running the show. He's doing a great job. Commissioner Farrell said, I'll second that vote.

Mr. Thomson said, thank you, sir. Mr. Chairman, just one other — I see another Planning Commission member who came in late, Lacy Manigault just wanted to recognize him and his —. Mr. Thomson said, Manigault, M-A-N-I-G-A-U-L-T. The Clerk said, I just didn't hear you. Mr. Thomson said, and I echo an opportunity to say thank you to my staff for the hard work they have put in and all the community members who have participated in this. And I think we also passed out, just to make sure that we did, a list of the issues that were on the forefront for a —. Chairman Liakakis said, yes. Mr. Thomson said, — lot of folks so you'll have a summary of that before you came in next Tuesday — 8:30 Georgia Coastal Center. Thank you, sir.

Chairman Liakakis said, we have Steve Lufburrow who is the Chairman of the Metropolitan Planning Commission and of course Lacy Manigault, who's worked over there for a number of years, too. We appreciate that.

ACTION OF THE BOARD:

Commissioner Stone made a motion that a special meeting be held at 8:30 a.m., on April 11, 2006, at the Coastal Georgia Center for early submission of Chatham County-Savannah Comprehensive Plan staff report. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Odell was not present when this vote was taken.]

AGENDA ITEM: XIII-5

AGENDA DATE: April 7, 2006

TO: Board of Commissioners

RE: R. E. Abolt, County Manager

FROM: Thomas L. Thomson, Executive Director

AGENDA HEADING:

Chatham County – Savannah Comprehensive Plan

Community Agenda Report

MPC File No. L-060313-60023-1

ISSUE:

Adoption of the Community Agenda portion of the Chatham County-Savannah Comprehensive Plan and resolution to submit to the Coastal Regional Development Center and Georgia Department of Community Affairs for official review.

BACKGROUND:

1. The Chatham County Commissioners and the Mayor and Aldermen of the City of Savannah instructed the Metropolitan Planning Commission to update the Zoning Ordinances that had been adopted in the early 1960's. In order to establish a policy framework for the modernized zoning ordinances, they also instructed the Metropolitan Planning Commission to update the Chatham County-Savannah Comprehensive Plan.
2. In January 2001, the staff of the Metropolitan Planning Commission began preparation for the update of the Chatham County – Savannah Comprehensive Plan in accordance with the Georgia Department of Community Affairs Minimum Standards and Procedures for Local Comprehensive Planning (Chapter 110-12-1).
3. The staff of the Metropolitan Planning Commission prepared the Comprehensive Plan in accordance with the above Standards, including a revision to the Standards in May 2005.

FACTS AND FINDINGS:

1. MPC staff has prepared the Public Participation Program, the Community Assessment and the Community Agenda components of the Comprehensive Plan in accordance with Chapter 110-12-1 of the Georgia Department of Community Affairs Local Planning Requirements.
2. The Public Participation Program accurately describes the outreach plan that was used to involve the public in the formulation of the Comprehensive Plan.
3. The Community Assessment accurately analyzes historic trends, future projections, and the current state of the community in the areas of community indicators, demographics, land use, economic development, housing historic and cultural resources natural resources, transportation, community facilities and services, and intergovernmental coordination.
4. The Community Agenda reflects the vision of the Steering Committee of the Comprehensive Plan, neighborhood associations, and other citizens of Chatham County.
5. In accordance with the Rules and Procedures contained in Chapter 110-12-1, on January 3, 2006, the Metropolitan Planning Commission submitted the Public Participation Program and the Community Assessment to the Georgia Department of Community Affairs and the Community Assessment to the Coastal Georgia Regional Development Center for their review.
6. The Rules and Procedures contained in Chapter 110-12-1 require review and adoption of the Community Agenda document of the Comprehensive Plan by the Chatham County Commission.
7. The Metropolitan Planning Commission recommended that the Community Agenda document of the Comprehensive Plan be forwarded to the Chatham County Commission for adoption on February 21, 2006.

FUNDING:

No separate funding is required.

ALTERNATIVES:

1. Adopt the Community Agenda document of the Chatham County-Savannah Comprehensive Plan and forward it to the Georgia Department of Community Affairs and to the Coastal Georgia Regional Development Center for their review.

- 2. Do not adopt the Community Agenda document of the Chatham County-Savannah Comprehensive Plan.

POLICY ANALYSIS:

Adoption of a Comprehensive Plan for unincorporated Chatham County and the City of Savannah is required by the Georgia Planning Act of 1989.

MPC RECOMMENDATION:

The MPC recommended approval of Alternate 1.

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EXECUTIVE SESSION

Upon motion being made by Commissioner Farrell and seconded by Commissioner Thomas, the board recessed at 12:43 p.m. to go into Executive Session for the purpose of personnel.

Following adjournment of the Executive Session, the meeting of the Board of Commissioners was reconvened at 1:15 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 Kicklighter 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 Farrell seconded the motion and it carried unanimously. [NOTE: Commissioner Odell was not present when this vote was taken.]

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APPOINTMENTS

1. HISTORIC PRESERVATION COMMISSION

ACTION OF THE BOARD:

- a. Commissioner Kicklighter moved to appoint George Cohen to the Historic Preservation Commission. Commissioner Gellatly seconded the motion and it carried unanimously. [NOTE: Commissioner Odell was not present when this vote was taken.]
- b. Commissioner Stone moved to appoint Pamela G. Lossing to the Historic Preservation Commission. Commissioner Kicklighter seconded the motion and it carried unanimously. [NOTE: Commissioner Odell was not present when this vote was taken.]
- c. Commissioner Shay moved that the terms of the initial appointments to the Historic Preservation Commission be allocated alphabetically with the names closes to the letter "A" being appointed for one (1) year, the names closes to the letter "Z" being appointed for three (3) years, and the three names in the middle being appointed for two (2) year. Commissioner Holmes seconded the motion and it carried unanimously. [NOTE: Commissioner Odell was not present when this vote was taken.]

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2. GATEWAY COMMUNITY SERVICE BOARD

ACTION OF THE BOARD:

Commissioner Kicklighter moved to reappoint the following individuals to the Gateway Community Service Board: Lois Reed, Leslie C. Taylor, David F. Richards, Jr., James W. Reeder, and Birney Bull. Commissioner Holmes seconded the motion and it carried unanimously. [NOTE: Commissioner Odell was not present when this vote was taken.]

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3. CHATHAM COUNTY BOARD OF HEALTH

ACTION OF THE BOARD:

Commissioner Kicklighter moved to appoint Rosalyn D. Taylor, M.D., to the Chatham County Board of Health with a term to expire December 31, 2011. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Odell was not present when this vote was taken.]

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ADJOURNMENT

There being no further business, Commissioner Gellatly moved that the meeting be adjourned. Commissioner Holmes seconded the motion and it carried the motion carried unanimously. [NOTE: Commissioner Odell was not present when this vote was taken.] The Chairman declared the meeting adjourned at 1:20 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