

MINUTES OF THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF CHATHAM COUNTY, GEORGIA, HELD ON FRIDAY, JUNE 23, 2006, IN THE COMMISSION MEETING ROOM ON THE SECOND FLOOR OF THE CHATHAM COUNTY COURTHOUSE, LEGISLATIVE AND ADMINISTRATIVE BUILDING, 124 BULL STREET, SAVANNAH, GEORGIA.

I. CALL TO ORDER

Chairman Pete Liakakis called the meeting to order at 9:30 a.m., Friday, June 23, 2006.

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II. INVOCATION

Commissioner Dean Kicklighter introduced Rev. Timothy Sheppard, pastor of Central Baptist Church in Thunderbolt, Georgia, who gave the Invocation.

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III. PLEDGE OF ALLEGIANCE

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

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IV. ROLL CALL

The Clerk called the roll.

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

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

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V. PROCLAMATIONS AND SPECIAL PRESENTATIONS

1. RECOGNITION OF GRADUATES OF UNIVERSITY OF GEORGIA'S MANAGEMENT DEVELOPMENT PROGRAM.

Chairman Liakakis said, you'll have to excuse my voice this morning. I got into a pollen this past weekend and so I'm just a little horse. I'd like to right now recognize the graduates of the University of Georgia's Management Development Program. What occurred last year is this Commission put money into a program so that people with our departments could go through this particular management development program that the University of Georgia has conducted and did an excellent job, and I know our County Manager went to a couple of sessions and he was — highly recommended that to all people and thought it was a great course. Van?

Mr. Van Johnson said, good morning, Mr. Chairman, ladies and gentlemen. Today is a happy day in Chatham County because we are celebrating the achievements of our coworkers and associates who were tried and tested in the ocean of intense training and they have emerged changed and victorious. I'm talking about Chatham County's reality show called the Management Development Program. You recognize the program and the importance of training, as I Chairman said, and the professional development of our staff when you under the advise of our County Manager and Human Resources Director reestablished our relationship with the University of Georgia's Carl Vinson Institute of Government. We all know that this institute of professional development is world renown and works with local governments across the country. The Management Development Program is a flagship offering of the University's programs with over three courses covering hundreds of hours of training, self-reflection, policy and process analysis, this program has proven over the years to be effective for governmental employees. And, as many of you know, we used to sponsor this program many years ago and it went away, but we are very, very glad to have it back.

Mr. Johnson said, so we present to you this morning 17 career public servants who take my challenge over a year ago to set outside of their box and improve theirselves [sic] and the processes that they work with everyday. We present to you this morning 17 career public servants, who wanted the tutelage of an extremely demanding and dynamic instructor, completed homework assignments and conducted a very successful community service project, the Tara Nursing Home in Thunderbolt. We present to you this morning 17 career public servants, who analyzed the working processes in their present jobs and completed projects designed to improve the efficiency and the effectiveness of their current work. We plan to feature these professionals on our website, have them tract — have them mentor our future management development classes, subject to funding of course, and tract the effectiveness of their projects over time. I'm very pleased to have with us our taskmaster for this intense process. I've heard her called teacher, instructor, the encourager, the cheerleader, the inspiration of these employees of the past year, and she's Ms. Franzelle Pertilla. I just want her to stand so you will see her. We are so glad that her schedule allowed her to be with us, and I think our employees would not have had it any other way. I'm also pleased to present to you for some comments our partner in this

process, the Local Government Program Manager for the Carl Vinson Institute of Government, Mr. Gordon Manor.

Mr. Gordon Manor said, thank you, Mr. Johnson. Mr. Chairman, Madam Vice Chairman, and District 1 through 7 District Commissioners, representing here today the Carl Vinson Institute of Government of the University of Georgia, and what a special occasion this is to do this sort of thing. I drove down last Thursday to attend the graduation for the City group. I am a Chatham County native and it's a real pleasure to come back to Chatham County and to see you folks and particularly to be involved in this Management Development Program again. The program does require a project, as Mr. Johnson mentioned, and one of the things I want to emphasize is whatever money you spent for the training, you had a return on the investment from the project that well exceeded the cost of the program, and that's — we say — our philosophy is that we're not in the business of providing, we're in the business of improving local government. And those of you that have been through our County Commissioner's training, that we did at Callaway a couple of weeks ago and the annual here in Savannah, you know that you'll benefit from the training that we do.

Mr. Manor said, your funding has been an investment. It hasn't been an expenditure, it's been an investment with a return on the investment. We look forward to continued partnership with Chatham County Board of Commissioners. We look for it to many years in the future of picking this program back up. We hope that you'll seriously consider funding a program that we hopefully can begin in the Fall of this year. Thank you for your time. Congratulations to the graduates of the program, and particularly thanks to Franzelle [Pertilla] and Mr. Johnson for them putting the program on. Thank you.

Chairman Liakakis said, Gordon [Manor], stay up at the mike for just a moment please. Mr. Manor said, yes sir. Chairman Liakakis said, you know, he mentioned that he was a Chatham County native, but Gordon's an attorney, a good attorney, and his father was an outstanding attorney in this area, and since Gordon has been with the Institute of Government with the University of Georgia he has done an outstanding job. I remember some eight years being on the City Council going through a number of those programs that Gordon helped put on and all of the great work that he has done, and he has made a big difference not only, you know, helping us here and around the State of Georgia for all of the work that he has done with the Institute of Government. I'd like to thank you very much for that, Gordon. Mr. Manor said, thank you, Mr. Chairman, I appreciate it. It's been a real pleasure.

Commissioner Gellatly said, well, let me add to it. Gordon [Manor] was also the first Director of Training for the City of Savannah and Don Mendonsa hired and I'm sure inspired him a lot, too, so he did a tremendous job for the City of Savannah. He's a very competent individual and the State's lucky to have you. Mr. Manor said, thank you. That's very kind remarks. This program is about the graduates. I appreciate those comments and thank you so much.

Mr. Johnson said, [inaudible] a quick commercial, subject to funding of course, the reality show called Management Development Program Year Two, will be accepting applications from County departments in the next couple of weeks and we ask that our departments stayed tuned for

details. I would ask the Chairman, if you will come down, and our County Manager as well, and let's present these certificates. Mr. Kaigler?

Mr. Johnson said, our graduates range from 22 years to a little over a year. They're in County departments all across our County. They also range from management level staff folks to folks that are wanting to be managers. So we're very excited about this. Our first recipient is Debra Allen. She works in the best department in the entire County and she has the best Manager in the entire County. She's been with Chatham County for 17 years. Jane Austin is not with us. She's with Child Support Enforcement and she's been working for the County 18 years. Nicholas Batey works for ICS. He's been with Chatham County 10 years. James Read DeHaven, you know well, from the Finance Department has been with Chatham County 20 years. Margaret E. Disher, Senior Contract Administrator from Purchasing and Contracts, which is a division of the Human Resources and Service Department, and she's been with us 18 years. Ms. Sabrina German with Voter Registration has been with Chatham County nine years and eight months. Ramona Hill also works for the best department in Chatham County, Human Resources and Services, and she's been with us five years. I think I know this, but David Dean Kirkland in Internal Audit has been with Chatham County 22 years and two and a half months. He's our senior person in this class. Captain —, excuse me. Lieutenant Kimberly Middleton of the Chatham County Sheriff's Department has been with Chatham County 19 years. Robert Moulis from Chatham County Mosquito Control has been with Chatham County for two and a half years. Alton Peterson, Jr., is our youngest in time tenure County employee – one year and nine months. Cedric Rouse is probably our youngest person in the class. He's been with Chatham County 12 years. Robert Sebek from Building Safety and Regulatory Services has been with Chatham County two years. You've already met the Rev. Timothy Sheppard from the Chatham County State Court Clerk's office. He's been with Chatham County for 14 years. Kathy Spencer with the Public Works and Parks Services Department and she's been with Chatham County for seven years. And last and certainly not least, Mark Vallier — well, we have Sheryl Snider. Sheryl, are you here? I don't have your form. Come up Sheryl Snider, our Chief Appraiser, and I don't know how long — how long have you been with Chatham County? Ms. Snider said, 19 years. Mr. Johnson said, she's been with us 19 years. And last now, and certainly not least, Mark Vallier of Mosquito Control. He's been with us for four years. So we ask that you expect great things from them because they're going to provide great things and you, as Mr. Manor said, will see the appreciable impact of this program just through the work of these individuals. Rev. Sheppard wants to make a presentation.

Rev. Sheppard asked, Ms. Pertilla, would you please stand? Mr. Chairman, ladies and gentlemen of the Commission, and to all of you who are here today, words cannot express the deep and sincere thanks that we have for each and every one of you for having made this investment in us as employees of Chatham County. We also wanted to take time though to just say thank you and to acknowledge the great work that our instructor has done over this past year. She has given herself in many ways. She has worked with us and worked us, but we are thankful and appreciative. Ms. Pertilla, we cannot pay you for what you have done, we cannot pay you for what you mean to us, but as a small token of our appreciation, we wanted to present this plaque to you:

FOR YOUR OUTSTANDING DEDICATION AND INSTRUCTION
PROVIDED TO THE MDP CLASS OF 2006
PRESENTED THIS DAY JUNE 23, 2006
CHATHAM COUNTY MANAGEMENT DEVELOPMENT CLASS

Ms. Franzelle Pertilla said, thank you for this moment of privilege. Thank you, too, Chairman Liakakis. We did enjoy having you on the first graduation and we're really pleased to be here now. I really want to take a moment to thank Gordon Manor, the Carl Vinson Institute of Government. Gordon provides empowerment and that's only what I tried to pass on to the Chatham County class over the last three courses, and leadership is so critical. Without your leadership, the leadership of the supervisors who are sitting in the rear of the room, none of this would have been made possible. Thank you for allow me to demonstrate my expertise and what we are really looking forward to are the outcomes from the program, and I am very confident that you will definitely see a return on the investment that we talked about. Last, but certainly least, Mr. Abolt, we talked about you so much in our class and how organized you are and how much on time you are, and that's what I also reinforced, so thank you for your demonstrating and setting the example from the operational side of your business. But this class is ended and hopefully I'll look forward to seeing you all again.

Chairman Liakakis said, thank you very much. Chatham County has great employees and this Commission really supports, from our County Manager to the Assistant County Manager to all of the staff members and the department heads and all the employees because we are — we know that you're the ones that give the services and provide the services for our citizens in Chatham County. We do appreciate that, and for the general public to know this is that what happens when all of these graduates here that went through this course, they are going to be able to give even better service to their departments and to the citizens of Chatham County, and we thank each and every one of you.

Commissioner Holmes said, I think I'm the only one here who really feels honored. I don't think anyone here can see what I feel. You've got two graduates among that group that as little boys came to the Frank Callan Boys and Girls Club, and I'd like to say congratulations to them. Sheppard and Mr. Rouse, you guys, exemplify the leadership that y'all have learned through the Frank Callan Boys Club Foundation. On behalf of the staff that taught you and spanked you, congratulations.

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VI. CHAIRMAN'S ITEMS

1. APPOINTMENTS TO THE ETHICS COMMISSION ON THE 7TH OF JULY.

Chairman Liakakis said, what we are announcing today is that on the July 7th meeting we have quite a few applications for the appointments to the Ethics Commission that this Commission approved, and we'll be distributing those names to all of the Commissioners and they'll make a decision on July 7th for the members of the Ethics Commission.

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VII. COMMISSIONERS' ITEMS

1. BRIEFING ON RESTAURANT INSPECTION BY DR. SKELTON (COMMISSIONER SHAY).

Chairman Liakakis recognized Commissioner Shay.

Commissioner Shay said, Mr. Chairman, a couple of months ago while I was in the emergency room at Memorial Hospital with my wife, who at the time was diagnosed as probably having food poisoning, I read in an article in the *Atlanta Journal Constitution* where the standards that have been adopted for inspecting and posting the grades that restaurants receive in the State of Georgia were about to go away, and obviously I was frustrated by reading that. My wife is well and fully recovered, but I did have a conversation with Dr. Skelton as a result of that and asked him what was up with the inspection process and program, and that's why I asked if maybe he could give us a briefing this morning on that program.

Chairman Liakakis recognized Dr. Skelton

Dr. Douglas Skelton said, Commissioner Shay and other members of the Commission, I'm pleased to provide you an update. I'm going to revert to my professor mode and try to tell you very briefly how I see what's happening in our State and then I'll be happy to take a few questions if that's appropriate. There's been about five years of planning that went into the new food service regulations that were adopted in February of 2006. They were adopted by the DHR Board. After being submitted to the DHR Board, approved with public hearings, had two public hearings before the DHR Board, and provided their final approval back in February of 2006. You will obviously take from my comments that I think they got it right in 2006 and they need to stay there. Prior to that, the last revision was back in 1995. The enforcement of the February regulations was scheduled to begin in November of 2006. It was a nine month implementation period, which is allowed for training and education for both our public health inspectors and the food service establishment personnel. Over 50% of the Chatham County and other seven county personnel involved with environmental health had already been trained in March of this year. In April of 2006 concerns expressed for the Georgia Restaurant Association prompted State officials to

suspend the implementation efforts. That suspension occurred that afternoon at two o'clock when somebody walked in and told staff the training was over, they could go home. My staff was in and your staff were in Macon at the time for the training program.

The 2006 version of the regulation, the ones I like, the focus on the Center for Disease Control's top five risk factors contributing to food-borne illness: poor personal hygiene, food from unsafe sources, inadequate cooking, improper holding temperatures, and contaminated equipment. The 2006 version had a clear grading system, which I'll show you in a moment. It had better visibility for the public of inspection results. The scores were on the door and everybody could see it. The emphasis on employee health with regard to notifiable diseases — I was asked about that issue years ago. I think someone raised the question about Salmonella. It may have been Commissioner Kicklighter — and years ago we did screen employees. They had to have a certificate from the Health Department. Under the 2006 regulations we would have more authority to work with the restaurants to exclude employees who have a history of notifiable diseases or infectious diseases, like Shigella, E. Choli, TB. If you've been reading the paper, we've been dealing with a TB outbreak in this community. I think we've got 39 or 40 cases under direct, we observe therapy right now. A lot of it came out of a restaurant — infected restaurant employee. Specialized training is required under the 2006 February regulations. Everybody would have to have either ServSafe or some other food service training certificate that was equal to ServSafe and then we would standardize the health inspections following a Food and Drug Administration guideline so that they're all done the same. And the effort would be to eliminate the roller-coaster phenomenon. What's meant by the roller-coaster phenomenon is you come into a restaurant, you find a problem, they fix it, you leave, and come back the next time the problem's there again. They fix it and you come back the next time it's there again. So they ping-pong with their score. Down/up, down/up, down/up, up/down. The new way would have changed that.

The June 2006 version is a version that was approved by the Board of the Human Resources this Wednesday in Augusta bar submission to public hearings. It doesn't mean that the DHR Board has adopted. They only approved it for a 60-day public hearing period and then they act. They can act on the revisions, they can stand by their February 2006 decision, which I think they should, or they could do something else. But what they did approve even that version does still contain some positive elements. I want to be — try to be balanced here, so very specialized food training requirement is still there, ServSafe. Standardization of health inspectors is still there. The building for us to deal with the employees with notifiable infectious diseases problems is also there, and there's a uniform inspection form. Here are the controversial areas in the revision that was just approved for public hearing. A letter grade will now be assigned to a numerical inspection score. For example, if you get a score in a restaurant between 90 and 100, you will receive a letter grade of "A." Critical and non-critical violations have been re-categorized and assigned points. The critical violation went from 22 categories reduced down to 15 categories, eight points each deducted for a violation. Non-critical violations, 17 categories dropped to 10 with a one point each penalty if you violate some of those.

Dr. Skelton said, in my academic career of some 20-plus years, we would call that grade inflation. In other words, if you take out a number of things that could result in a negative on your grade, then you're going to inflate the grade. One of my colleagues in another district did a study and

the average restaurant score dropped — adjust in his study by eight points. So, this to me as a medical school dean — former medical dean is like meeting with the students and asking them to design the grading system. Obviously, they're going to remove some of the things that will deduct from your score.

The June 2006 version did not assign points to each item, but rather deducted letter grades based on the number of critical and non-critical violations. And I'm going to focus really on the critical ones. The non-critical ones are an issue only if you get a number of these one deductions to suggest things that are not quite right there. But the critical ones are the problem.

Under the June diversion — diversion — probably be a vision as well — under the diversion just approved by the Board for public hearing, one critical violation will result in a numerical score of 92, an eight-point deduction, and a letter grade of "A." Let me show you a couple of critical violations. The issue here is the cool — it's a cool temperature. This is shrimp in a bucket of ice not being held at the correct temperature and being thawed. Not being held at the correct temperature. Okay? These are hard to see on the slide, but this is a packet of meat wrapped in plastic, stuck down in the corner of a sink next to something else in this bucket, and right there on the slide that's clear is bloody water. That is the way this restaurant is thawing this meat to cook and serve to the public. These are the methods that are appropriate to thaw meat. Okay? Now just remember a restaurant could have either one of those two violations and have an "A".

Chairman Liakakis asked, meaning that restaurant is basically in compliance and has a good rating, correct? Dr. Skelton said, that's right. That "A" would signify excellence in food service preparation in their kitchen.

Dr. Skelton said, here's one other critical violation I thought I'd call to your attention. We stress hand washing. The February 2006 version required a double wash step for all employees working in a food preparation area. You wash with a nail brush and soap and then rinse and then wash with soap and rinse and dry. If it's good enough for your surgeon, it ought to be good enough for a food service employee. Now your surgeon before they go into your abdomen, they're going to scrub with a brush. We get complaints at the health department about food service employees with long fingernails. A scrub brush is an important piece that was added in 2006. The new version requires that hands be washed before and after certain activities. The scrub brush is removed.

Here's what a critical violation could result in. Those who want to change these things would refer that they can cause food-borne illnesses. Isn't that a nice three word phrase for something like Shigella, E. Coli, Salmonella, Clostridium, Hepatitis, Norovirus and Vibrio. Some of these can kill you.

Chairman Liakakis said, Dr. Skelton, explain — cause a lot of people don't what Shigella is nor Vibrio, would you explain. Dr. Skelton said, these are all bacteria or viruses that can cause serious human illness. All of them.

Dr. Skelton said, here's what the June — June 2006 version that's going to public hearing would remove the cling stickers that were approved in February to go on the — these will have to go on the door of the restaurant where they're visible to the public and beside the drive-through windows so you can see them, and they will be about three by five inches, and they would score this way. These stickers that I'm going to show you are removed by the version that was approved for public hearing. They are in the February 2006 version.

An "A" would mean you have no critical violation. A "B" would mean you had one critical violation that's correctable, immediately correctable. A critical violation that wouldn't be correctable would, say, be an equipment failure that you can't restore it at the moment. And then a "C" under the February 2006 regulations would be if you've got an unsatisfactory, you couldn't go back to an "A" or "B" until you went through a kind of conditional "C" category for 60 days. Now the "U," under the ones currently approved by the Board of Human Resources back in February, we can slap a "U" on the door once we walked in there and found dangerous violations. We could go put that "U" sticker on top of whatever was there before. Immediately.

Chairman Liakakis asked, meaning what when you've got the "U" on there? Dr. Skelton said, it means they've got 10 days to fix that problem, and if they've fixed it they go back to a "C" for 60 days before they can get back to an "A" or "B." Chairman Liakakis said, well, Dr. Skelton, we have good restaurants in our community and all, but the protection of the health of the public, if somebody's got a "U" that could be several hazardous, several types of violations. Correct? Dr. Skelton said, that's correct. Chairman Liakakis asked, why should they be allowed to operate 10 more days where they could distribute some of these viruses or bacteria that you're talking about that that's a possibility of? Dr. Skelton said, well, we give them 10 days but our inspectors would be right with them in the restaurant to see that they correct those things immediately. If they don't, we'd have to take legal action to try to close them. Chairman Liakakis said, okay. Dr. Skelton said, and that's what we would do.

Commissioner Farrell said, you would probably go a long ways to temporarily stemming the tie of consumers. Dr. Skelton said, we think — I think a "U" gets somebody's attention and the public's attention and it gets the restaurant attention. And, Mr. Chairman, you're absolutely right. You've been on the Commissioners and spoken to me about this. We have excellent restaurants along the coast of Georgia and Chatham and Savannah, and the people that we've talked to are — there have been a number of them quoted in the press about they don't understand why there's all this furor. If you're a conscientious restaurateur, you're going to do your job and you're going to be scoring 98, 99 or 100 on your scores. That's standard.

Dr. Skelton said, now here is the form. Instead of having a three by five "A," "B," "C," or "U," we went back to the old form in this proposal that the Board of Human Resources put out for public hearing to go back to this form, eight and a half by eleven, with all that's required. At least a third of it would be visible within two feet from the drive-through window, I think is one of the things it says, and you've got to show both the letter grade and the numerical grade. So in that little one-inch square right there, you'd have to put the grade and the letter and you'd have to split these two squares to do the same. You would need a powerful bird-watching microscope, I mean a

bird-watching telescope to see this thing. But that's the idea. So I call it a small print way to deal with that problem.

Commissioner Shay said, so Dr. Skelton, under the newly proposed regulations, it would go back to something where your average restaurant customer would have no idea what the restaurant scored in that evaluation process. They wouldn't really unless they were looking for it and asked to see it by just looking for it and, you know, knew where to look, but had to ask to see it. That would be the only way that they would know whether that restaurant when they were walking in the door had scored an unsatisfactory grade or not. Dr. Skelton said, that's correct. They'd either ask to see it or it would have to be displayed where they could look at it, and if they looked at it, they would have to understand that a 92 and an "A" there, which is right here from this part up, wouldn't tell them what would be down in here, which would be the violation.

Commissioner Odell said, just a couple of question. I serve on your board along with George, and my initial impression was that this was simply a way to obscure being able to identify those poor restaurants. There's no way the general public — you're out with your wife and you look at this form. It has no significance. I mean, you're not an FBI agent. You're just a personal family out for dinner. What options, if any, we're in the 60-day review and comment period, what can we do because we do have good restaurants here, and like any other enforcement it's not the good people that lead to the regulations. It's those who violate it. It's just like it's not the average shopper, it's the shoplifter that the shoplifting laws are for, and this is for that restaurant that does not comply with cleanliness and safety. What can we do to say let's go back to a system that our people can identify and then — it's kind of like an advertising sign. If an advertising sign got too much information on it, it has no meaning. But you have to be able to see it, recognize it within three seconds, and that's the same way with this thing. There's no way. They could have them posted on the door — all over the door. It is so small, it has no meaning. What can we do as the Commission to say this is a bad idea, can we go back to a system that gives some instant recognition to the consuming public?

Dr. Skelton said, Mr. Odell, there are several answers to that. Let's go to the next one here. One, during the public comment period during the next two months before the DHR Board takes final action, comments about this process can be made to Marion Cornett, who's the Hearing Officer at the address given [2 Peachtree St., N.W., 29th Floor, Atlanta, GA 30303]. The website, the DHR website [www.dhr.state.ga.us] will also have the link to the Public Health website and comments can be issued there as well. I'm sure that any comments any member of the Commission or others wish to make to the commission of the Department of Human Resources or the board members of the Department of Human Resources, any of that would be placed into that public hearing process and would be material to the board when they meet in two months to think about. The other two options — well, as an extension of this option, the interesting thing is the State is taking the action, but when the problems occur they're going to call you or they're going to call me. They're not going to call Atlanta, they're not going to call the Georgia Restaurant Association. They're going to call the Health Department, they're going to call their County Commissioners. So we're at the point of the sphere. But one of the things I'm thinking about is do I need to call special meetings of the Board of Health in this County and my other counties and say here's what's happening to these regulations and you're going to be the ones that are contacted if there's

a problem. So maybe I can get them to be concerned and express their views as well. The third — the other thing that can be done, and we're looking at this. I have yet to be able to find legal language that says you can do what I know you can do years ago, that you as a County Commission could adopt food service regulations for the County as long as they are more restrictive than the State, not less. And I've told my staff that that's there, but I have not been able to find it.

Commissioner Odell said, well, we've got the best County Attorney in Chatham County. Commissioner Shay said, I agree with that. Commissioner Odell said, and he is undeniably and I don't know if I could get the Commission to join in to see, because if they do this thing which is retrogressive then let's see if we can be progressive because we depend on tourism, and if we have a major Salmonella breakout or Tuberculosis breakout, everyone who depends on tourism and the SPLOST money, if that gets to be a known public fact, that impacts tourism. So it is good business sense and it's the right thing — it's the right thing to do. And Jon [Hart] can tell us that because he is the unquestioned best Chatham County Attorney.

Chairman Liakakis said, Doctor —. Go ahead, Patrick [Shay] and then I'll ask him something.

Commissioner Shay said, I want to second what Harris [Odell] has said. You know, in addition to the tourism that I'm reading this week is bringing something over a billion dollars a year to our local economy and I'm told that other tourist cities that are in our vicinity like Charleston, South Carolina, have this program so that when people walk into a restaurant establishment they can make the decision about whether they want to patronize a "B" or a "C" or a "U" scored restaurant and, of course, our restaurants in all likelihood would all be given "A's" for the most part, maybe entirely, but we need for people who are also living in Chatham County — I mean, you know, an urban lifestyle now, people more and more are having one or two or three meals a week outside of the home. So we're not just talking about the tourists, we're also talking about our brothers and sisters and our lives. The prettiest woman in Chatham County by the way joined us while Dr. Skelton was making his presentation, and that would be Janice Shay. Janice, would you please stand up. She won't stand up. Commissioner Odell said, you have control, Pat [Shay]. Commissioner Shay said, she obviously is in control in this relationship and chooses to do what she wants. But my point is that if it is at all possible for us to do the right thing here and make sure that people in Chatham County who patronize local restaurants have the confidence that the restaurants that they enjoy going to are "A" rated or make the decision, I suppose, if they want to risk some of these other things, that they at least know that going in the front door, then they can do that. Whether or not the State does —, maybe the State of Georgia doesn't feel like these laws make sense in other rural counties or something, I don't know, but in an urban county like Chatham County, I think it makes a great deal of sense, especially when you're talking about diseases like Tuberculosis. Dr. Skelton said, I agree.

Chairman Liakakis said, Doctor, on the rating "A," "B," "C," and "U" on that, if we did a local ordinance, we couldn't change the State rating could we? Could we in there — Jonathan [Hart], maybe you can answer this. Since they've got that rating, is it possible that we would — can do a number in there as opposed to, you know, they could have their "A" but that we could show the Chatham County rating as being maybe "90" that has several violations? County Attorney Hart

said, I'll be happy — I don't want to commit myself at this point. I think that's something we really need to look at. Unfortunately, when you get into the health code laws it seems like there's more exceptions than there are rules, so I want to take some time and really give it some thought, and I'll be happy to work with Dr. Skelton. I would point out that, you know, the Commission has in the past, if it chose to do so, as part of this public record that goes to Atlanta to the Hearing Officer, if they deem it appropriate and as a policy matter, could adopt a resolution of comment. Chairman Liakakis said, well, that's what I was just going to ask if, not just us adopting one, but if you could put some specifics in some information, that we can take information from our Commissioners and then we adopt a resolution, but I'd like to see, you know, where all of the Commissioners sign on that as opposed to just coming, you know, from me that everybody's concerned on this Commission, you know, about these new regulations, what we feel is not protecting the public like it should. Dr. Skelton said, I would be happy to work with Mr. Abolt and Mr. Hart.

Commissioner Stone said, just to follow on the heels of what's been said, Mr. Chairman, I agree that maybe we could do a resolution so we wouldn't have to wait the length of time that we might need to look at the regulations, the stricter regulations. This could be in effect maybe a little bit quicker to let the State know what our concerns are.

Chairman Liakakis said, so if you'll get that to us as soon as possible, Doctor.

Commissioner Odell asked, can we have a time limit on this, Jon [Hart], and the reason is that we have assurance today —. County Attorney Hart said, sure. I hope by — some time next week we'll be able to do y'all a memo about what your options are. Commissioner Odell said, and the proposed resolution. County Manager Abolt said, next meeting. Commissioner Odell said, yeah. I don't see it being either/or but both and that is that we do the resolution and the meat of the resolution as provided by Dr. Skelton with assistance from our Jonathan [Hart], but we also concurrently determine whether or not if the State decides to go to that, to retrogress to the numeric system, then we can have an ordinance which is greater than the State's ordinance. It just can't be less than as far as public [inaudible]. County Attorney Hart said, I'm going to have to look at that. Commissioner Odell said, I know, because that is in — that's been in flux for the last 15 years, but if we can then the first tier is don't change it and go back. If that does not fail, then the second tier is that for Chatham County and our restaurants, then the system we will use is the "A," "B," "C" and "U."

Chairman Liakakis recognized Commissioner Shay.

Commissioner Shay said, I am satisfied. You know, I'm thankful to have a colleague on this Commission who's an attorney who knows how to get these things couched. I hope that when this comes back before us that we'll pass a resolution of support for the pre-whatever — the February 2006 regulations would seem to make a great deal of sense, and I think our local restaurateurs would support it because I think they would be proud to fly that "A" designation on their front door.

Dr. Skelton said, two public comments, if I might. You have a copy of the PowerPoint there if you'd like to look at it yourself, so you may take that with you, and while I will do everything I can to respond to your concerns about Chatham County, as a former DHR Commissioner concerned about the public health of all of Georgia, I hope we can make this work so that our people of Georgia are protected, whether they're in Chatham County or whatever county they are in. Thank you very much.

Chairman Liakakis said, thank you, Doctor.

ACTION OF THE BOARD:

Dr. Douglas Skelton made a presentation to the Commission regarding the changes proposed for inspection ratings for restaurants in the State of Georgia.

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2. SPECIAL ANNOUNCEMENT (COMMISSIONER THOMAS).

Chairman Liakakis recognized Commissioner Thomas.

Commissioner Thomas said, thank you. Mr. Chairman, members of the Commission, ladies and gentlemen, I am extremely happy to have this opportunity to do the following. The Ralph Mark Gilbert Museum Board of Directors has formally approved a President and CEO of the museum in the person of Colonel George Bowen, former Superintendent of the Chatham County Public School System and an outstanding educator. This is exciting news, not just for the museum but for the entire community. With his leadership and the plan of action he has set forth, we will be on a journey of not only preserving the legacy of a civil rights movement, but to sustain it at a high level. I hope the community will embrace him and the entire new board that he has. Personally, I would like to thank him for accepting this demanding responsibility. He is keenly aware of the needs and is very knowledgeable about the work of the museum. He has a romance and a plan of action that we will be proud of. Accompanying him today is the Chairman of the Board of Directors, the Reverend J. E. Taylor, Ms. Helen Johnson, Executive Director, who has served this community under difficult times, and we commend her for her services, and at this time I would like for Colonel Bowen and his board to please step forward and feel free to say whatever you'd like to say. And I hope that this Commission will embrace him in this new endeavor.

Ms. Johnson said, well, first I want to say thanks to Chatham County Commission for making it possible for there to be a civil rights museum in this community, and a special thanks to the Project Manager of the museum, Mr. Gregori Anderson, who works with us so hard. And the board and staff are just excited to have Colonel Bowen with us. I am sure that we have expertise in his qualifications that he will be able to move the museum forward in a much better way than it is now, and we're just so happy to have him.

Chairman Liakakis said, identify yourself.

Elder J. E. Taylor said, Elder J. E. Taylor, Chairman of the Board. To Chairman Liakakis, distinguished members of the Council and to distinguished ladies and gentlemen present. I am indeed happy to have this opportunity to stand and to express our thanks to you for your continued support of the board and to express our joy that Colonel Bowen has accepted this tremendous responsibility. We pledge to redouble our effort to continue to make the Ralph Mark Gilbert Civil Rights Museum second to none in its mission to educate and to inspire this generation as well as future generations on the significance of the Civil Rights Museum. Thank you very much.

Colonel Bowen said, Mr. Chairman, Dr. Thomas, Commissioners —. Chairman Liakakis said, identify yourself, George [Bowen]. Colonel Bowen said, George Bowen, Colonel George Bowen, formerly with the School District and about to join the museum staff. It's been a real pleasure working with them. I've been working with them for the last month and a half and we've been looking at what we have been doing and where we needed to make changes. I'm very happy to say that we already have in place a draft multi-year development plan. We're going to continue developing that. I truly see this museum as being a critical component of what we identify as a community resource, and I think we'll need to work very hard on making sure that we let the public understand that this is a community resource that can be very valuable in helping students understand not only our past but our future. So I really look forward to working with the board, and I want to thank them for having the confidence in asking me to join them, and thank you for your support also.

Commissioner Odell said, George [Bowen], we figured that if you put up with Laidlaw for all these years, that this is going to be inspiring to have you as — the Civil Rights Museum is not just for one segment, it's for all people because this is a history of this country. It's not only the history of our successors, it's the history of our failures, but it says that we as a people that moves a country, we tend to be very good and tend to overcome, and I am personally pleased — I say that with a big "P" — I am personally pleased to have you with your experience, your education. We served on the Health Department Board and we saw this presentation before. I look forward to working with you and welcome the other Commissioners. Colonel Bowen said, thank you, Commissioner. Again I want to emphasize something else that I said before, and you've labeled it correctly, this museum is a community resource and, you know, as I told the board when we first started discussing this, we need to make sure that we don't lose the history of what happened because I am convinced that those that don't learn from history are doomed to repeat it. So we're going to work really hard at [inaudible] the museum properly and getting it readily identified in the community as a learning resource, and I think that's the critical piece, a learning resource.

Chairman Liakakis recognized Commissioner Kicklighter.

Commissioner Kicklighter said, Colonel, you're one of my favorite people and now I don't have to look you up and find where you went. I was wanting to call you and tell you. I appreciate everything you've done in the past. I think you're — I think you're an excellent educator, excellent leader, and I know as good as I'm sitting here you're the right man for this position. I know that you will — like Commissioner Odell said — you'll bring everyone in. You work for everybody. You know the right things, you do the right things. You do not fear saying what has to be said.

I trust that possible politics that may have come into play in the past in the museum, you're the man to stand up and say politics does not play a part of history, where in the past I've heard, I don't know, I heard that Mayor Adams was not hanging up in that museum, I've heard that Clarence Thomas was not hanging up in that museum and, my God, if that's not history for a young child to look at, the first African-American Mayor and the first Supreme Court Justice from our area, I don't know what history is. And I just trust that you're the man to do the job and just eliminate the politics and put history where history needs to be, and that's that museum, and I thank you. Colonel Bowen said, well, thank you, Commissioner, and that's our goal. We're going to work towards those very objectives.

Chairman Liakakis recognized Commissioner Gellatly.

Commissioner Gellatly said, Colonel, I just want to say and say this publicly that in my personal opinion, and I've worked on many programs that you were involved in, I think you're one of the best things that ever happened to the Chatham County School System. I think you were a strong, aggressive stand-up leader. You didn't have to wonder where you were coming from. You were always straight forward and forceful and I think you're going to be a very credit — very credible person working in this museum, and I think that they most certainly selected the right person for the job, and I congratulate you. And I thank you for the job you did when you were working with the school system also. Colonel Bowen said, thank you, Commissioner.

Chairman Liakakis said, I know on many occasions when you were at the School Board that citizens would call myself and there would be some kind of issue that whenever I called you that you always responded, you know, to that citizen or to the issue, which was really great, and sometimes that doesn't always happen. But you took the initiative and had a real dedication for our school system and we thank you. Colonel Bowen said, thank you, Commissioner.

Commissioner Thomas said, thank you.

Ms. Johnson said, I would like to answer Mr. Kicklighter. Mr. Adams has been asked to let us honor him by placing his photo in the museum and he has refused each time. But we have really constantly tried to get him to let us do that. Commissioner Kicklighter asked, you have to have permission from someone to put their —. Ms. Johnson said, in order for us to honor him and place him in the gallery there, we would have to have him —.

Commissioner Thomas said, you'll understand it when [inaudible]. Commissioner Kicklighter said, I don't want into politics. I just heard and I know there's — when the first Mayor's not in there, there's a problem.

ACTION OF THE BOARD:

Commissioner Thomas introduced Colonel George Bowen as the new President and CEO of the Ralph Mark Gilbert Civil Rights Museum.

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VIII. TABLED/RECONSIDERED ITEMS

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

None.

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IX. ITEMS FOR *INDIVIDUAL ACTION*

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

1. **REQUEST BOARD APPROVAL OF THE FOLLOWING: (1) TRANSFERS WITHIN THE GENERAL FUND M& O OF (A) \$167,000 FROM THE PANEL ATTORNEY'S BUDGET TO THE SHERIFF'S BUDGET, (B) \$80,000 FROM PURCHASING SALARIES AND WAGES TO TRANSFER OUT TO CIP, (C) \$20,000 FROM HUMAN RESOURCES SALARIES AND WAGES TO TRANSFER OUT TO CIP, (D) \$90,000 FROM FINANCE SALARIES AND WAGES TO TRANSFER OUT TO CIP, (E) \$10,000 FROM AUDIT CONTRACT TO TRANSFER OUT TO CIP, (F) \$150,000 FROM MOSQUITO CONTROL TO TRANSFER OUT TO CIP, (G) \$30,000 FROM ICS TO ADMINISTRATIVE SERVICES, (H) TRANSFER OF \$150,000 FROM RESTRICTED CONTINGENCY TO TRANSFER OUT TO CIP FOR TYBEE BEACH RENOURISHMENT, (I) TRANSFER OF UP TO \$120,000 FROM THE TAX ASSESSOR'S BUDGET TO TRANSFER OUT TO CIP FOR NOVALIS FUNDING AND (J) \$310 IN THE LAW LIBRARY'S BUDGET FROM MATERIALS AND SUPPLIES TO SALARIES; (2) TRANSFERS WITHIN THE SPECIAL SERVICE DISTRICT (SSD) FUND OF (A) \$47,000 FROM PUBLIC WORKS TO TRANSFER OUT TO CIP, (B) \$7,310 FROM SSD CONTINGENCY TO RDC FOR A POPULATION STUDY; (3) TRANSFER \$604,339 FROM SOLID WASTE RESTRICTED NET ASSETS TO WASTE MANAGEMENT REFUND; (4) AN AMENDMENT TO THE CIP FUND TO RECOGNIZE TRANSFERS OF (A) \$80,000 FROM PURCHASING, \$20,000 FROM HUMAN RESOURCES, \$90,000 FROM FINANCE AND \$10,000 FROM AUDIT CONTRACT FOR A HURRICANE PREPAREDNESS PLAN (B) \$150,000 FROM MOSQUITO CONTROL TOWARDS THE PURCHASE OF AN AIRPLANE AND CONCRETE WORK (C) \$47,000 FROM PUBLIC WORKS FOR THE**

PURCHASE OF TRACTORS, (D) \$150,000 FROM RESTRICTED CONTINGENCY FOR TYBEE BEACH RENOURISHMENT, (E) UP TO \$120,000 FROM TAX ASSESSOR FOR NOVALIS PROJECT COMPLETION; (5) AN AMENDMENT TO THE HOTEL MOTEL TAX FUND BUDGET TO RECOGNIZE ADDITIONAL REVENUE OF \$208,680 AND APPROPRIATE \$208,680 FOR DISTRIBUTION TO THE SPECIAL SERVICE DISTRICT (50 PERCENT), THE MARITIME AUTHORITY (33.33 PERCENT), AND THE SAVANNAH CONVENTION BUREAU (16.67 PERCENT); AND (6) A TRANSFER OF \$300,000 FROM THE CIP GENERAL M&O CONTINGENCY TO THE DETENTION CENTER PROJECT FOR CHILLER SYSTEM UPGRADE

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

Commissioner Farrell said, so moved. Commissioner Thomas said, second. Chairman Liakakis asked, do we have a second? Now, time for discussion. There was a concern that what happened when the news media on this monies for the Novalis contract is that it was the County Commissioner's fault because money was lost in the Novalis software program for the Tax Assessor's office. That's the furthest from the truth because, number one, the Tax Assessor's office is a separate entity from the County Commission and we do not tell them how to raise taxes, we do not tell them how to place assessments on people's property and the running of that office. What occurred, unfortunately, that out of that office they paid for services by that company that was providing that software for the Tax Assessor's office, they paid them in advance for work that had not been done and the work was in arrears. And that's the situation, so we hope that the news media clarifies that to the public because this County Commission did not cause that money to be lost, over \$200,000 now to remedy that particular situation. But now because of that particular problem that was had in that department, that our staff, our County Manager, our County Attorney and ICS Department are looking closely at these particular items and also any contracts that comes from a separate department in the future, that it will be heavily scrutinized by our County Attorney and his staff so we make sure that the funds that come from our citizens in Chatham County are protected. Any comments?

Chairman Liakakis recognized Commissioner Shay.

Commissioner Shay said, I think it's worth noting that the failure of this particular contractor put the Board of Assessors' behind the eight ball because they paid for it in advance, but that the one department that was under the direct supervision of our County Manager, and therefore under our policy making, did in fact hold back money for the part of the project that was being completed for the Chatham County Building Inspectors Department. In fact, that is a significant — that money that was held back is a significant part of the money that's being used to find the remedy and implement the remedy that was necessary. This is a program that is absolutely essential to our future in this community so that we can get new construction and get new parcels that are created in Chatham County onto the tax rolls in a way that's fair to all the other taxpayers. So we're doing the right thing here to correct a problem that was made outside of our control, and I

think the taxpayers and the people that are watching today need to understand that we're acting as good stewards in seeing that this happens.

Chairman Liakakis said, thank you. Okay, let's go on the board for this motion. The motion carried unanimously. Chairman Liakakis said, the motion passes.

ACTION OF THE BOARD:

Commissioner Farrell moved that the Board approve the following: (1) transfers within the General Fund M&O of (a) \$167,000 from the Panel Attorney's budget to the Sheriff's budget, (b) \$80,000 from Purchasing salaries and wages to transfer out to CIP, (c) \$20,000 from Human Resources salaries and wages to transfer out to CIP, (d) \$90,000 from Finance salaries and wages to transfer out to CIP, (e) \$10,000 from Audit Contract to transfer out to CIP, (f) \$150,000 from Mosquito Control to transfer out to CIP, (g) \$30,000 from ICS to Administrative Services, (h) transfer of \$150,000 from Restricted Contingency to transfer out to CIP for Tybee Beach renourishment, (i) transfer of up to \$120,000 from the Tax Assessor's budget to transfer out to CIP for Novalis funding and (j) \$310 in the Law Library's budget from materials and supplies to salaries; (2) transfers within the Special Service District (SSD) Fund of (a) \$47,000 from Public Works to transfer out to CIP, (b) \$7,310 from SSD Contingency to RDC for a population study; (3) transfer \$604,339 from Solid Waste Restricted Net Assets to Waste Management Refund; (4) an amendment to the CIP fund to recognize transfers of (a) \$80,000 from Purchasing, \$20,000 from Human Resources, \$90,000 from Finance and \$10,000 from Audit Contract for a Hurricane Preparedness Plan (b) \$150,000 from Mosquito Control towards the purchase of an airplane and concrete work (c) \$47,000 from Public Works for the purchase of tractors, (d) \$150,000 from Restricted Contingency for Tybee Beach Renourishment, (e) up to \$120,000 from Tax Assessor for Novalis Project completion; (5) an amendment to the Hotel Motel Tax Fund budget to recognize additional revenue of \$208,680 and appropriate \$208,680 for distribution to the Special Service District (50 percent), the Maritime Authority (33.33 percent), and the Savannah Convention Bureau (16.67 percent); and (6) a transfer of \$300,000 from the CIP General M&O Contingency to the Detention Center project for chiller system upgrade. Commissioner Thomas seconded the motion and it carried unanimously.

AGENDA ITEM: IX-1

AGENDA DATE: June 23, 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) transfers within the General Fund M&O of (a) \$167,000 from the Panel Attorney's budget to the Sheriff's budget, (b) \$80,000 from Purchasing salaries and wages to transfer out to CIP, (c) \$20,000

from Human Resources salaries and wages to transfer out to CIP, (d) \$90,000 from Finance salaries and wages to transfer out to CIP, (e) \$10,000 from Audit Contract to transfer out to CIP, (f) \$150,000 from Mosquito Control to transfer out to CIP, (g) \$30,000 from ICS to Administrative Services, (h) transfer of \$150,000 from Restricted Contingency to transfer out to CIP for Tybee Beach renourishment, (i) transfer of up to \$120,000 from the Tax Assessor's budget to transfer out to CIP for Novalis funding and (j) \$310 in the Law Library's budget from materials and supplies to salaries; (2) transfers within the Special Service District (SSD) Fund of (a) \$47,000 from Public Works to transfer out to CIP, (b) \$7,310 from SSD Contingency to RDC for a population study; (3) transfer \$604,339 from Solid Waste Restricted Net Assets to Waste Management Refund; (4) an amendment to the CIP fund to recognize transfers of (a) \$80,000 from Purchasing, \$20,000 from Human Resources, \$90,000 from Finance and \$10,000 from Audit Contract for a Hurricane Preparedness Plan (b) \$150,000 from Mosquito Control towards the purchase of an airplane and concrete work (c) \$47,000 from Public Works for the purchase of tractors, (d) \$150,000 from Restricted Contingency for Tybee Beach Renourishment, (e) up to \$120,000 from Tax Assessor for Novalis Project completion; (5) an amendment to the Hotel Motel Tax Fund budget to recognize additional revenue of \$208,680 and appropriate \$208,680 for distribution to the Special Service District (50 percent), the Maritime Authority (33.33 percent), and the Savannah Convention Bureau (16.67 percent); and (6) a transfer of \$300,000 from the CIP General M&O Contingency to the Detention Center project for chiller system upgrade.

BACKGROUND:

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

FACTS AND FINDINGS:

- 1) The Sheriff has requested \$167,000 to cover salaries and wages shortfall resulting from court usage of deputies.
- 2) The Finance Director and the Human Resources and Services Director has requested a transfer of \$200,000 from salary savings and Audit Contract to CIP for a Hurricane Preparedness Plan. This plan would outfit the Mosquito Control facility to be a backup work-site for 40 staff members.
- 3) The Mosquito Control Director has requested a transfer of \$150,000 from Mosquito Control's budget to CIP towards the purchase of an airplane and concrete work. Staff report is attached.
- 4) The ICS Director has requested a transfer of \$30,000 from the ICS Budget to the Administrative Services Budget to cover overruns in various line items.

- 5) A transfer of \$150,000 from Restricted Contingency to CIP for Tybee Beach Renourishment has been requested.
- 6) A transfer of up to \$120,000 from various line items and salary savings from Tax Assessor's budget to CIP for Novalis project completion is requested. Other funding is provided in the Sales Tax IV Fund.
- 7) A transfer within the Law Library's budget of \$310 from materials and supplies to salaries is requested. These funds are 100% reimbursed.
- 8) The Public Works and Parks Director has requested a transfer of \$47,000 from Public Works to CIP for the purchase of tractors.
- 9) As a result of a recent Court decision the County has to refund Waste Management \$604,339 in fees collected.
- 10) Hotel-Motel taxes are budgeted in a Special Revenue fund to record collections and disbursements. Collections are projected to exceed budget.
- 11) The Sheriff has requested funding for an upgrade to the chiller system at the Detention Center. Funds are available in the CIP General M&O Contingency. Copies of correspondence are attached.

FUNDING:

Funds are available within the respective departmental budgets, in the SSD Contingency, and the CIP General M&O Contingency for the transfers. The budget resolution will set up funding in the Capital Improvement Program (CIP) and the Hotel-Motel Tax Funds.

ALTERNATIVES:

(1) That the Board approve the following:

GENERAL FUND M&O

- a) a transfer of \$167,000 from the Panel Attorney's budget to the Sheriff's budget to cover salaries.
- b) a transfer of \$80,000 from Purchasing's budget to transfer out to the Capital Improvement Program (CIP) Fund for a Hurricane Preparedness Plan.
- c) a transfer of \$20,000 from Human Resource's budget to transfer out to the Capital Improvement Program (CIP) Fund for a Hurricane Preparedness Plan.
- d) a transfer of \$90,000 from Finance's budget to transfer out to the Capital Improvement Program (CIP) Fund for a Hurricane Preparedness Plan.

- e) a transfer of \$10,000 from the Audit Contract budget to transfer out to the Capital Improvement Program (CIP) Fund for a Hurricane Preparedness Plan.
- f) a transfer of \$150,000 from Mosquito Control's budget to transfer out to the Capital Improvement Program (CIP) Fund towards the purchase of an airplane and concrete work.
- g) a transfer of \$150,000 from Restricted Contingency to transfer out to the Capital Improvement Program (CIP) Fund towards Tybee Beach Renourishment.
- h) a transfer of up to \$120,000 from Tax Assessor's budget to transfer out to the Capital Improvement Program (CIP) Fund towards the Novalis Project.
- i) a transfer within the Law Library budget from materials and supplies to salaries.

CAPITAL IMPROVEMENT PROGRAM FUND

- a) an amendment to recognize \$80,000 transfer in from Purchasing's budget.
- b) an amendment to recognize \$20,000 transfer in from Human Resource's budget.
- c) an amendment to recognize \$90,000 transfer in from Finance's budget.
- d) an amendment to recognize \$10,000 transfer in from Audit contract.
- e) an amendment to recognize \$150,000 transfer in from Mosquito Control's budget.
- f) an amendment to recognize \$47,000 transfer in from Public Work's budget.
- g) a transfer of \$300,000 from M&O Contingency to the Detention Center project.
- h) an amendment to recognize \$150,000 transfer in from Restricted Contingency.
- i) an amendment to recognize a transfer of up to \$120,000 from the Tax Assessor's budget.

SPECIAL SERVICE DISTRICT FUND

- a) a contingency transfer of \$7,310 for RDC population study.
- b) a transfer of \$47,000 from Public Work's budget to transfer out to the Capital Improvement Program (CIP) Fund for tractors.

SOLID WASTE MANAGEMENT FUND

a transfer of \$604,339 from Restricted Net Assets to Waste Management Refund.

HOTEL-MOTEL TAX FUND

an amendment to recognize additional revenue of \$208,680 and appropriate \$208,680 for distribution to the Special Service District (50 percent), the Maritime Authority (33.33 percent), and the Savannah Convention Bureau (16.67 percent).

- 2) Amend or deny the request.

POLICY ANALYSIS:

State law grants the Board authority to amend the budget during the year as it deems necessary.

RECOMMENDATION:

That the Board approve Alternative 1.

Prepared by: Estelle Brown

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2. REQUEST BOARD ADOPT THE FY2007 BUDGET RESOLUTIONS AS SHOWN ON THE ATTACHED RESOLUTIONS IN THE FOLLOWING SEQUENCE: A) THE COUNTY FUNDS LISTED WHICH EXCLUDE THE GENERAL FUND M&O AND THE SPECIAL SERVICE DISTRICT AS AMENDED, B) THE GENERAL FUND M&O AS AMENDED, C) THE SPECIAL SERVICE DISTRICT AS AMENDED; AND TO AUTHORIZE FEE INCREASES AS ENUMERATED ON ATTACHMENT A.

Chairman Liakakis recognized Linda Cramer.

County Manager Abolt said, Mr. Chairman, Ms. Cramer is here for one purpose and one purpose only beyond answering your questions. This is a very critical moment in your future as far as next year and the future of this County, so we want to make sure as you make notes as to any amendments that they're done in compliance with State law. So any motion that's made and entertained, we want to make sure, number one, that the main motion or the base motion will in effect just as the Chairman read it, that you've got all the resolutions and the sequence that were provided in the staff report, but that when all the dust settles and if there are any amendments, you have the base document which requires us to appropriately — you all to appropriately pass a budget for next year.

Commissioner Farrell said, I'd like to make the motion as read with one amendment, to add the decision package for funding the renourishment on Tybee Beach for \$150,000 in addition to the motion that was just made. Chairman Liakakis asked, do we have a second? Commissioner Thomas said, second. Chairman Liakakis said, we have a second.

Chairman Liakakis asked, Jon [Hart], to add that on there, do we take the original first to vote or do we go for his amendment now and what sequence. The Clerk said, that is his motion. County Attorney Hart said, yeah, that's his motion to add to the amendment. If y'all want to add the amendment to the main motion and accept that, y'all can add it to the main motion. Chairman Liakakis said, okay. I know we had some other amendments too. Ms. Cramer said, that would be an amendment to the General Fund M&O. Chairman Liakakis said, let's go on the —.

Commissioner Kicklighter asked, so what is this vote now? Just to add that to it? Chairman Liakakis said, just to add that amendment to it for the renourishment of Tybee Island. Commissioner Kicklighter asked, okay, but this is not approving the whole budget? Chairman Liakakis said, no. Commissioner Kicklighter said, this is just adding the amendment to this budget? Chairman Liakakis said, right.

County Manager Abolt said, your main motion is to adopt the budget and it's been amended or requested to be amended by Commissioner Farrell. You must act on the amendment first and then the main motion. The Clerk said, excuse me. There was no motion to approve this. He's made a motion to approve and add to that. Commissioner Kicklighter said, okay, so this is one vote. The Clerk said, this was one vote. Commissioner Kicklighter said, okay, discussion.

County Attorney Hart said, we need a main motion. County Attorney Hart said, there was never a main motion made. Chairman Liakakis said, that's what I mean. There was never a main motion. County Attorney Hart said, you have an amendment without a main motion, so your proposed amendment is now your main motion. So the best thing to do is go ahead and vote on the main motion or the amendment and then go back and vote on the whole budget. Commissioner Kicklighter said, well, can't it all be just —. County Attorney Hart said, or he can withdraw it and vote on the whole main motion. Commissioner Kicklighter said, and add that to it as amended. County Attorney Hart said, the easiest thing to do would be to withdraw the motion on the floor and then make a motion to —. Commissioner Kicklighter said, approve the budget. County Attorney Hart said, — approve the main budget —. Commissioner Kicklighter said, with an amendment. County Attorney Hart said, and then make a motion to amend for that part.

Commissioner Kicklighter recognized Commissioner Stone.

Commissioner Stone said, I just have a question. Commissioner Kicklighter asked, can he withdraw first, Helen [Stone] and then we'll —? Commissioner Stone said, absolutely. Commissioner Thomas said, and I'll withdraw my second.

Commissioner Farrell said, I'll withdraw the original motion. Commissioner Thomas said, and I'll withdraw the second.

Commissioner Stone said, my question under Items for Individual Action, we just approved \$150,000 from Restricted Contingency out to the CIP for Tybee Beach Renourishment. Please explain to me why we're doing this. County Manager Abolt said, yes. Okay, what has happened and what we're doing this year is ensuring projects in which we know that there's a continuing interest, like Tybee Beach Renourishment, not lapse into fund balance. So what we're doing here, you already have \$150,000. In fact, if you look at the tag end of your agenda, at your direction when you adopted the budget we had a special item called Restricted Contingency, \$150,000. That was put there by your action saying don't spend it until there's federal money coming in. We anticipate it's your wish not to let that lapse in the fund balance so that next year when you review your CIP there'll be a project called Tybee Beach Renourishment \$150,000. Commissioner Stone said, I just wanted — I was curious as to why we were doing it twice in the same meeting. Commissioner Farrell said, that's just putting last year's budget money aside —.

Commissioner Stone said, I understand. I understand, but then let me ask this question. That was — if we are not going to get into decision packages today, would that then be necessary for you to put in today? Commissioner Kicklighter said, well, this is the budget today.

Chairman Liakakis said, no, we're doing the budget so we have to put that in there. Correct? Commissioner Shay said, we're just doing it in a different way. Chairman Liakakis said, it has to be there. Commissioner Stone said, I understand.

Chairman Liakakis recognized Commissioner Shay.

Commissioner Shay said, to get the ball rolling here I would like to make a motion that we adopt the budget resolution as it was presented to us and then we can hear amendments after that. Chairman Liakakis asked, do we have a second. Commissioner Farrell said, I'll second that.

Chairman Liakakis said, it's been seconded. Any discussion? Chairman Liakakis recognized Commissioner Kicklighter.

Commissioner Kicklighter said, Mr. Chairman, there's several reasons that I believe that we need to rollback the millage rate more than is being proposed here. Several examples I could cite and, one, just the — I mean, the M&O from 03-04 actual expenditures was \$95,000,000 and actual recommended this year is \$123,000,000. So in four years, I mean, we've increased 28 — is that \$28,000,000 or so. I could get specific, but I won't unless I get beat up for my comments here and then I'll get very specific on what items I believe could be trimmed. I just ask my colleagues to reconsider and possibly thinking of scaling this back and lowering the millage rate more than is being proposed.

Chairman Liakakis said, number one, let me clarify this. Number one is that we're not voting on increasing the millage today or decreasing it. We're having the public hearings and we've asked all the County Commissioners to please be here this coming Tuesday at 9:30 a.m., where we ask the general public to come in for that public hearing, and also on Tuesday at 6:00 p.m., that we will have another budget hearing concerning this, the tax digest, and then of course on July 7th we'll have another public hearing and at that time what the Commission will do, they can make their comments and we will be voting on the tax digest at that time, and that's when we will be discussing, you know, after we listen to all the public comment about decreasing the tax digest. Go ahead.

Commissioner Kicklighter said, with all due respect, that's like going out and buying a Mercedes today and then budgeting for it in three weeks. This sets the fate of the millage rate. This budget approved as is sets a millage rate with a very small decrease. We've had millions of dollars of increases with the tax digest. This today, the rest is fluff, legality, law that you have to throw out there. This pretty much sets the destiny and fate of the millage rate, and you pass this today and there's not going to be a larger rollback, and it's really that cut and dry. It has to be a small one with this budget passed as is.

Ms. Cramer said, if I may clarify possibly. The budget today does not have the revenue from the tax digest in it. This budget that you're adopting today is based on the proposed budget that was given to you with 6% gross plus several amendments that [inaudible] listed within it. The full 14% tax digest growth is not included in this budget.

Commissioner Kicklighter said, okay. Well, then let me ask, what would the complete, as this is proposed today, what would the rollback? County Manager Abolt said, we don't want to speak on rollback. That's your decision after you take public —. Commissioner Kicklighter said, well, I would before I vote on it. County Manager Abolt said, after you take public hearing. Commissioner Kicklighter said, if it's rolled back totally, then I'll vote yes, but that's — that's called education before you vote. Obviously —. County Manager Abolt said, no. If I may, that's not a question of staff. You have now the opportunity to pass a budget that's essentially based on a 6% growth in the digest for M&O. You've taken certain steps to add to it, modest steps to increase it. You still have flexibility when it comes to the testimony you've received and your ultimate decision on what you want to set as a millage rate. So —. Commissioner Kicklighter said, so as of now then, okay, based on 6% growth — we had how much growth? Ms. Cramer said, we had 14 —. Commissioner Kicklighter said, 14. So —. Ms. Cramer said, that's on your next agenda. Commissioner Kicklighter said, roughly, if this is approved, we rollback — we could technically rollback the millage rate half of whatever the increase was roughly. Say a little over half. Ms. Cramer said, we can quantify that for you.

County Manager Abolt said, I would ask that —, well, you have priorities you need to address, and I know you are. You've got the jail situation, you've got a need for creating capacity. You still have plenty of time to set your millage without predetermining what that millage rate's going to be, but there are some critical issues that you've evidenced in months of hearings and testimony received from departments of the community, but you're not out-stepping yourself by adopting the budget unless there's something in the budget — unless there's something in the budget that you heard testimony about that you don't like and then, of course, you can certainly alter that.

Commissioner Kicklighter said, this assures today that there is no complete rollback of the entire digest increase. This pretty much ensures that. County Manager Abolt said, no sir. Commissioner Shay said, it does not. Ms. Cramer said, no. County Manager Abolt said, you're making some minor —. Commissioner Kicklighter said, how are you going to find a 6% increase that's planned in this particular budget without taking that 6% increase —. County Manager Abolt said, we are. Commissioner Kicklighter said, — because you planned — okay. County Manager Abolt said, we predicated this budget on a 6% increase. Commissioner Kicklighter said, right. So that means right there that if this is approved, you can't roll, as required by State law, you can't roll the entire millage back for the entire increase in revenues from property taxes. County Manager Abolt said, yes sir, I guess the answer is yes. I am a little bit taken aback only because of the amount of time y'all have spent in preparing this budget. This is not staff's budget, this is your budget. It's a decision y'all can make. We thought you were in sync on how you want to proceed with budgeting, that's all. Commissioner Kicklighter said, that's all, and my comments were brief in the beginning and I intended on keeping them brief.

Chairman Liakakis recognized Commissioner Shay.

Commissioner Shay said, since I made the motion, I want to clarify it. The motion to adopt the budget in the M&O and all the other districts — the other budgets that we're about to, was based on a very conservative estimate of what the revenue is going to be. We have budgeted very conservatively here and we are about to pass a very conservative budget. The difference between what was forecast and what actually came in, that good news is something that we will discuss between now and the adoption of the millage rate as to what we should share with the taxpayers. Okay? So we can get to where you want to get, but I don't want to mischaracterize as though I have made a motion and Commissioner Farrell has seconded a motion to adopt anything other than what could fairly be characterized as a conservative budget. Commissioner Kicklighter said, that's your opinion.

Chairman Liakakis said, okay, no. We had a number of meetings and this is what was put together by the staff and given to us and the County Commission had input into this budget so that there is monies in there that, you know, what's going to —, what can be used for whatever situation it might be after we have the public hearings, you know, for millage reduction or whatever. Did you want to say anything else, Linda [Cramer]? Ms. Cramer said, no, thank you.

Chairman Liakakis said, okay, we have a motion on the floor and it's been seconded. Commissioner Shay said, now it is appropriate for the amendment to be made.

Commissioner Farrell said, at this time I would ask the Board to consider an amendment to the budget to continue for the second year a small portion of the funding for the beach renourishment, which is a ten-year project, a ten-year cycle is the estimated life of it, and the idea as you may recall from last year was that each — that the City of Tybee and Chatham County put in a small amount of money each year to leverage our involvement to help with the State and Federal funding, and this money would not be spent this year or probably in any of the next couple of years but would be in a restricted contingency so that when the time came for beach renourishment that we would already, rather than try to go for a large lump sum on the time, that we put back an amount of money each year, and I would just ask for your consideration to do that. It's a countywide and statewide asset that we have that Tybee is doing a wonderful job in being good stewards of and the Beach Task Force is doing a great job in working out all the different aspects of getting Federal and State funding and permitting to have this come about. It takes some tremendous amount of work way ahead of — years ahead of when it's done so that we're prepared when the beach does finally wash away and there's no sand for us to walk on the beach at high tide, that we'll have a plan in action that will be well thought out and funded, and that Tybee and Chatham County and the State of Georgia can enjoy the wonderful assets that we have being on an oceanfront county that very few other counties can boast such public access to the Atlantic Ocean.

Commissioner Odell said, I'll second if that's a motion, Patrick [Farrell]. Commissioner Farrell said, yes. Commissioner Odell said, I'll second the motion and just for clarification, that is that we spend the \$150,000 for renourishment of the Tybee Beach. I do that in that the beach is part of the major ingredient and that major ingredient is that the ocean makes us different from Macon. If you really want to know the true differences, you walk or go 17 miles and you see the ocean, whereas if you're in Macon and you go 17 miles and you see a very muddy river. People come

here because of that and we benefit because of that. Tybee should not be in it alone. It benefits and the benefit flows to everyone who receives funding in part or total from SPLOST or LOST, and I commend Commissioner Farrell for his boldness in making the motion.

Chairman Liakakis said, and what's really important, too, a lot of people don't understand, that the beach has had a good bit of erosion, too, and that's why this renourishment is needed. The sooner the better, so that we can have that beach for everybody to continue to enjoy. Dean [Kicklighter]?

Commissioner Kicklighter said, clarification. Well, first I'll say I support the beach renourishment and all that, but I do, I think they're a valuable part and huge. We have to help, but the clarification that does not need a motion and a second, he needs to ask the person that made the original motion if he would accept the amendment and then the person that did the second will accept the amendment.

County Attorney Hart said, it needs a motion and a vote and then a vote on the main motion. It needs to be voted upon and then you need — and disposed of, and then vote on the main motion. Chairman Liakakis said, yeah, well, I'm waiting until everybody comments.

Commissioner Kicklighter said, legally all he's got to do is amend his motion to include beach renourishment. Commissioner Shay said, there are two ways to amend and this is the way that will allow us to consider each of the amendments separately.

Chairman Liakakis said, it's been made and seconded. Let's go on the board for this amendment for the beach renourishment. The motion carried unanimously. Chairman Liakakis said, the motion passes. Okay, we have the main motion, which is comprised of those amendments that I just read off, and now we have a motion on the floor and a second for that. Any other discussion?

Commissioner Odell said, I call for the question.

Chairman Liakakis said, all right. Let's go on the board. Chairman Liakakis and Commissioners Stone, Holmes, Shay, Farrell, Odell, Gellatly and Thomas voted in favor of the motion. Commissioner Kicklighter voted in opposition. The motion carried by a vote of eight to one. Chairman Liakakis said, the motion passes.

County Manager Abolt said, Mr. Chairman. Chairman Liakakis recognized County Manager Abolt. County Manager Abolt said, just for the record, and I think it is important and I want you all to appreciate the moment that just passed, the motion and the moment. It's been about eight years since the County Commission changed the fiscal year. This is the first time that the Commission has adopted a budget before the start of your next fiscal year. First time.

Chairman Liakakis said, and I would like to thank all the Commissioners and all the effort that has been put in looking at this and trying to give the services to the citizens as best we can. This is really important. This is a good budget that was available to the people and the community and

a number of people did come when we were having budget hearings along with the Commissioners and the staff. Chairman Liakakis recognized Commissioner Shay.

Commissioner Shay said, also there were a number of decision packages that were put in front of us of some merit in all of them. I think that this Commission, once we get through this process and we deal with the millage rate, at least in my view until we get through hurricane season, then it would be appropriate for us to sit down and take a look at the individual decision packages. I think we're also going to learn something, hopefully it will be good news whenever we have the audit results in so that we know how we did in regards to fund balance last year. But having witnessed from afar, thank God, what happened in New Orleans last year and seeing that their community was and I guess now for many, many years into the future will be financially strapped as a result of those things, I think it's prudent for us to keep this conservative budget until we see what happens with the fund balance audit until we get through hurricane season, and then we will take up in whatever order the Chairman, I suppose, decides the decisions packages that were placed in front of us for consideration.

Commissioner Thomas said, Mr. Chairman. Chairman Liakakis said, yes. Commissioner Thomas said, I'd just like to say to the Commissioners, and that includes myself, that I'm very proud of the fact that the things that we have done this year as far as trying to work together and work through the many problems and concerns that have come before this Commission, and I just want to say that if we continue to do that and stay the course, we're going to be very, very happy for the wonderful things that we're going to be continuing to do for the citizens of Chatham County. I particularly like the fact that we have included all of the municipalities in our sessions, the City of Savannah and others and as well as the citizens themselves. I think this is what is needed and if we continue along those lines, I think we can continue to be very successful in our delivery system.

Chairman Liakakis recognized Commissioner Stone.

Commissioner Stone said, I just wanted to add to what Commissioner Shay said about having money set aside in the event for an incident such as Katrina, but also the additional needs and requirements that might be placed on our in our effort to intensify our fight with crime. So I think that those need to be taken into consideration as we go forward.

Chairman Liakakis asked, anybody else? Okay.

ACTION OF THE BOARD:

- a. Commissioner Shay moved to adopt the FY2007 budgets as outlined in Alternative 1 of the staff report. Commissioner Farrell seconded the motion.
- b. Commissioner Farrell moved to amend the motion to add to the original motion a second year of funding of \$150,000 for Tybee Beach Renourishment. Commissioner Odell seconded the motion and it carried unanimously.

- c. A vote was taken on the original motion as amended. Chairman Liakakis and Commissioners Stone, Holmes, Shay, Farrell, Odell, Gellatly and Thomas voted in favor of the motion. Commissioner Kicklighter voted in opposition. The motion carried by a vote of eight to one.

AGENDA ITEM: IX-2**AGENDA DATE: June 23, 2006****DATE:** June 16, 2006**TO:** Board of Commissioners**THRU:** R. E. Abolt, County Manager**FROM:** Linda Cramer, Finance Director**ISSUE:**

To adopt the FY2007 Budget Resolutions as shown on the attached resolutions in the following sequence: a) the County funds listed which exclude the General Fund M&O and the Special Service District, b) the General Fund M&O, c) the Special Service District; and to authorize fee increases as enumerated on Attachment A herein.

BACKGROUND:

Chatham County is required by state law to adopt balanced annual budgets for its General Fund, Special Revenue Funds and Debt Service Funds. Project-length budgets can be adopted for Capital Improvement Funds.

FACTS & FINDINGS:

- (1) A public hearing was held during the Chatham County Commission meeting on June 12, 2006. Copies of the proposed budget were made available in the Finance Department as well as at all Chatham County branches of the Live Oak Public Library.
- (2) By law, Chatham County is required to wait one week after the public hearing before adopting budget Resolutions. Budget adoption was advertised on Thursday, May 26, 2006 in the *Savannah Morning News* for adoption on Friday, June 23, 2006.
- (3) Chatham County has a total of twenty nine (29) funds scheduled for adoption. Three Resolutions are attached outlining budgets for the twenty nine funds. Except for the 1% Sales Tax Fund 2003-2008 (Sales Tax IV), The Solid Waste Enterprise Fund, the General Fund M&O, and the Special Service District Fund, the Resolutions are based on the proposed budget presented on May 12, 2006.

- (4) The proposed budget for Sales Tax IV totaled \$47,117,640. The current budget totals \$ 102,293,242 and adjusts total project budgets to \$253,150,475. The difference is the result of revised cash flow forecasts showing tax collections of \$250 million. Funds have been appropriated to projects as shown in the supporting schedules attached to the Resolution.
- (5) The proposed budget for the Solid Waste Enterprise Fund totaled \$3,031,974. The resolution appropriates an additional \$25,000 in net assets for painting vehicles. The current budget totals \$3,056,974.
- (6) The General Fund M&O budget resolution increases tax revenues by \$501,000. The appropriations are increased by \$496,000 in a Restricted Contingency to fund the Judge's Pay Plan (\$118,000) and an effective date of July 1, 2006 for the employee COLA (\$378,000). The appropriation to the Youth Commission is increased by \$5,000. The amended budget totals \$123,667,186.
- (7) The Special Service District resolution increases tax revenues by \$72,830. Appropriations are increased by \$47,830 to fund an employee COLA effective July 1, 2006, and \$25,000 to Public Works for painting vehicles. The amended budget totals \$22,950,626.
- (8) If the budget is not adopted on June 23, 2006, the Board must revise the budget calendar, and re-advertise the budget adoption at least one week prior to adoption in accordance with state law.
- (9) The funded employee cost of living adjustment (COLA) will be effective July 1, 2006 (paycheck dated July 14, 2006). Insurance premium increases will be effective concurrent with the COLA.
- (10) County taxes are applied to the Chatham County Stephens Day Value shown in Box 6 on the Assessment Notice, not the Market Value shown in Box 5. The Chatham County Stephens Day Value has remained unchanged for six years.
- (11) State law does not require budget adoption for Internal Service and Enterprise funds. However, Chatham County adopts budgets for these funds to use as a management tool.
- (12) Fee increases are shown on Attachment A with effective dates for each increase.
- (13) Actual digest growth at the current millage rate yields revenues in excess of that shown in the proposed budget. Following adoption of the millage levy, the Board may wish to amend the proposed budget to allocate use of the incremental revenue.

FUNDING:

Funding sources are identified in each of the budget resolutions. Detail is on file in the Chatham County Finance Department.

ALTERNATIVES:

(1) That the Board adopt the FY2007 budgets as shown on the attached resolutions in the following sequence:

- a) the first resolution which encompasses all funds except the General Fund M&O, and the Special Service District (SSD) Special Revenue Fund. The funds covered include: the Special Revenue Funds (except for the SSD Fund), the Internal Service Funds, the Capital Improvement Funds with the changes to the 1% Sales Tax 2003-2008 (Sales Tax IV) fund as noted in Facts & Findings number 4, the Enterprise Funds with the changes to the Solid Waste Fund as noted in Facts & Findings number 5, and the Debt Service Fund,
- b) the second resolution that establishes a budget for the General Fund M&O with the changes noted in Facts & Findings number 6,
- c) the third resolution to adopt the Special Service District (SSD) Special Revenue Fund budget with the changes noted in Facts & Findings number 7,
- d) an employee cost of living adjustment (COLA) equal to the amount funded in the proposed budget to be effective July 1, 2006 (paycheck dated July 14, 2006),
- e) approve the fee increases and effective dates as listed in Attachment A,
- f) approve the Revised Total Project Balances for Sales Tax IV projects of \$253,150,475 found on pages 7 to 10.

(2) That the Board amend the proposed budgets and adopt amended resolutions.

(3) That the Board provide other direction.

POLICY ANALYSIS:

State law requires that annual budgets be adopted by the Board of Commissioners for its General Fund, Special Revenue Funds and Debt Service Funds. Project-length budgets should be adopted for Capital Projects Funds.

RECOMMENDATION:

That the Board approve Alternative 1.

PREPARED BY: Read DeHaven

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3. PRESENT PRELIMINARY TAX DIGEST INFORMATION FOR TAX YEAR 2006.

County Manager Abolt said, Mr. Chairman, ladies and gentlemen, this is just the formal presentation on your agenda as to what is in the tax digest that's required by State law, and again as the Chairman has said, you've now officially received the information. You'll be conducting a total of three public hearings. The first two will occur next Tuesday, the 27th, at 9:30 in the morning and 6:00 in the evening in this Chambers, and then your final hearing will be when you next officially meet on the 7th of July and after that and on that day we would anticipate you set the millage.

Chairman Liakakis said, and we'd like the public to know there was — in the newspaper there was a legal notice in there and it was talking about the millage and on the first part some people might have misread that and thought that we were increasing the millage in that first box. The second box explained that that was the wording in the area that was required by State law. This Board has not voted on any increase on the millage rate and to this community. We're looking at a lot of avenues and we will be proposing a millage rate after we have the third public hearing, and those hearings again are scheduled for June 27th at 9:30 a.m., in the morning. That's this coming Tuesday, and of course at 6:00 p.m., also on Tuesday, and then the third public hearing is when we have our County Commission meeting on July 7th, and at that time we will have, as I said, the public hearing and we will be voting on a millage rate.

Commissioner Kicklighter said, I just want to state for the record I will not be at that particular meeting, but for the record I just hope that the Commission will set a millage rate that does not exceed the millage rate that would come with the budget you approved today, and I will ask that you do rollback at least that amount from the increased revenues, and — that's it.

Chairman Liakakis asked, Piccolo — John [Pierce], you wanted to say something?

Mr. John Saxon (Piccolo) Pierce said, I see what y'all are doing, taxes [inaudible]. Every time you do something, taxes go up. That's bad. Pete [Liakakis], you're doing the best you could, but some things you don't know what's going on. You don't know what's going down. But I think when you raise the tax a little bit higher, people get themselves [inaudible] and now they're getting [inaudible] more than anybody else. Got Savannah, got to get local here. People working hard, harder than their fee. People [inaudible]. Police working hard, everybody working hard, but what when you come back? You come back [inaudible]. We've got to have something. We've got to tell people what's going on because you know why? You're doing the best you could, but them tax hurt them people. It hurt them people too hard. They've got to go —, I [inaudible] all of them vote the County Commission the Sixth District. All will say, if you mess with the taxes, you've got [inaudible]. When they send the tax down, you'll tell me you have to do what the people say do. I [inaudible] that tax thing, but I ain't like it with the tax. When you get down and government go to Atlanta and tell you want some more money because — you want some more money because I seen it go down and Pete [Liakakis] down and they working hard. I been to the beach. I been to [inaudible]. The police go down there, working hard. I sat down there and watched them, I sat in a chair and watched them. And I want to tell you thank you for telling me to sit in the chair. I

want to tell you thank you, Pete [Liakakis], and the best I could [inaudible] wherever you are, you try to be the best that you are.

Chairman Liakakis said, thank you very much, and this Commission has not voted on a tax increase or millage increase.

ACTION OF THE BOARD:

The County has scheduled two public hearings on Tuesday, June 27th, at 9:30 a.m., and 6:00 p.m., and the third hearing will be held at the regular meeting on July 7, 2006, prior to the Commission considering setting the millage rate.

AGENDA ITEM: IX-3

AGENDA DATE: June 23, 2006

TO: Board of Commissioners

THRU: R.E. Abolt, County Manager

FROM: Linda Cramer, Finance Director

ISSUE:

To present Preliminary Tax Digest information for tax year 2006.

BACKGROUND:

The 2006 tax digest totals have been received from the Board of Assessors.

FACTS AND FINDINGS:

- (1) The tax digest information received on May 22, 2006 indicates a net digest growth of 14.41% in the General Fund M&O and 10.71% in the Special Service District. The proposed FY2007 budget was balanced based on historical trends in digest growth equal to 6.0% in the General Fund M&O, and in the Special Service District.
- (2) Attachment I summarizes the effect of the difference in actual vs projected growth. If the millage is kept at its current rate (no rollback), the incremental revenue from actual digest growth is \$7,364,666 in the General Fund M&O, and \$549,133 in the Special Service District.
- (3) If the board wishes to adopt a millage other than the roll back rate, three public hearings, as were held last year, will be necessary. Public hearings are scheduled for June 27, 2006 at 9:30 am and 6:00 pm, and July 7, 2006 at 9:30 am.

FUNDING:

N/A

ALTERNATIVES:

For information

POLICY ANALYSIS:

Adoption of the annual budget and tax millage rates are governed by State Code.

RECOMMENDATION:

For information

Prepared by: Read DeHaven

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4. REQUEST CONCEPTUAL APPROVAL OF STRATEGIC PLAN TO DEAL WITH CURRENT JAIL POPULATION.

Chairman Liakakis recognized County Manager Abolt.

County Manager Abolt said, Mr. Chairman, ladies and gentlemen, this is — and I'll used my word guardedly, but in my estimation I think we're at a critical mass now in jail population. You're well aware of the figures. They're not falling below the 1,600 count and we find ourselves with not only a well run jail, but a jail that's more than taxed itself on its capacity to deal with the ever-growing number of detainees. I've asked Sheriff St. Lawrence, and he was already prepared even before I made the call to do a couple of things. One was to make the request for the chiller so that the existing unit will have an air conditioning unit that works. You've already approved that budget transfer early on. That still does not deal with the real immediacy of doing something to house detainees. You've given us the okay, you've received a report from the consultant saying 800 beds approximately are needed. That's why you're using that as a priority in your SPLOST, but the importance of all that information is if the voters approve it, first if you go forward with it, but then if the voters approve it we must plan no sooner than the first of January 2010 to have that Detention Center operational. There is no stretch in the imagination that would lead me to have you believe that Sheriff St. Lawrence, Col. Holmes, or their staff can get by that long without more facility. Consequently, we are asking to go out and advertise for temporary housing and will come back to you in several weeks with a recommendation. But I do want to point up front, because it's a critical nature of the jail, if we proceed in the course that we are recommending now and in a few weeks or months I come back and come up with a funding alternative. Right now it's depending on spending some of that additional digest growth. So just be mindful of that. We've got the estimates from the Sheriff and they've done an excellent job of putting it together, but right now the expenditures we would have in place would be a little — almost two and a half million dollars.

Chairman Liakakis recognized Sheriff St. Lawrence.

Sheriff St. Lawrence said, yeah, that's correct and that count's not going to come below 1,600. It just keeps increasing and we see that from the Needs Assessment that was done on the facility. This is the first year since 1992, and I'm told by Col. Holmes we go further back than that before my time, that we've overrun our budget. You've already added \$798,000, but if you take just the increase in per diem and medical costs and food for the year on the County, average daily count, that's \$836,000, so we're just, you know, it's always — you always overrun one line item or another, but overall you balance the budget, you contribute to the fund balance. That's just — that's not going to happen this year, as you already know. What the Manager is talking about is that we've located an area within the secure fenced area, and we've already talked with the company, but of course that's been turned over to Mr. Kaigler to go out and see who else can do this, we provide 300 beds. That would still leave us approximately 200, but — overcrowded, but it's going to take the pressure off. Instead of having three people in a one-person cell, we can cut way back on that by putting these 300 in these two facilities. If they come in and put up — it's a lease deal —, if they come in and put up what they call mobilization, they furnish the beds, they furnish — they do all the plumbing and everything else. All the County has to do is tie in to the sewer and water lines and that will help take some pressure off of the Colonel and his staff over there because we've got them on top of one another. We're housing in the booking area. You know, the booking area is for booking and you're supposed to move them out, and that's not possible anymore with 1,600-1,665 count of inmates, and I want to remind you that 98% of those people we've got in that jail right now are felons. They're not for speeding fines or anything else. They're felons. So we've got to — doing nothing is not an option. We've got to have some temporary solution to take the pressure off the facility as we know it right now.

Commissioner Kicklighter said, Mr. Chairman. Chairman Liakakis said, go ahead. Commissioner Kicklighter said, based on the fact that I believe that the \$2,000,000 can be found in the budget that was just approved without using the additional revenues, I will make a motion to approve. Commissioner Thomas asked, approve what?

Chairman Liakakis asked are you saying get it out of the budget that we just approved? Commissioner Kicklighter said, that's not part of my motion. That was per my opinion and then I said I'll make a motion to approve. Chairman Liakakis said, okay, but you're not adding that on there? Commissioner Kicklighter said, no sir. Chairman Liakakis said, okay. Commissioner Gellatly said, second. Chairman Liakakis said, okay.

Sheriff St. Lawrence said, let me say this about that two and a half million dollars.

Commissioner Thomas asked, what are you approving? Commissioner Kicklighter said, the strategic plan to help with the jail overcrowding right now.

Sheriff St. Lawrence said, let me say this about that two and a half million dollar cost, and I think you have that in your information. It's not going to be that for this year because we were basing our numbers on beginning July 1. There's no way we can begin July 1. Them units can be brought in, there's a mobilization cost which is included in that for setup and all, so we may be

looking at November or December before I actually get these beds in place and everything ready and then we can take some of those inmates that we have sleeping on top of one another and do something about it.

Chairman Liakakis recognized Commissioner Odell.

Commissioner Odell said, Al [St. Lawrence], I think this is a must-do. I don't think we have an option. I tend to agree. When you have the kind of overcrowding that Col. Holmes can attest to, you have increase in the rate of violence and abuse, and the vast majority of these people are pretrial and that is to say that they are to say that they have not been convicted, and when you have an overcrowding I think it's cruel and unusual punishment for a person who's not been convicted — I mean, they're charged, but we still live in a country which you have to be convicted. It's not a presumption of guilt, there's a presumption of innocence. That combined with the fact that the motion made by Dean [Kicklighter] my understanding is that your motion is to approve the \$2,000,000, and just as — what's the word, Jon [Hart] —. Chairman Liakakis said, no, that's not what the motion is. Commissioner Odell said, — just says. Commissioner Gellatly said, the motion is go out for bid.

Commissioner Kicklighter said, mine is just to approve the conceptual whatever the —. Commissioner Gellatly said, approve the plan. Commissioner Kicklighter said, yeah, the plan.

Sheriff St. Lawrence said, in other words, we know what we can do, we probably can do it better. That's what Mr. Kaigler and them are working on now.

Commissioner Odell said, okay. So what you're asking us for is to approve —. County Manager Abolt said, conceptual approval. Sheriff St. Lawrence said, conceptual. Commissioner Kicklighter said, of the strategic plan. Commissioner Odell asked, and no money? Col. Holmes said, yes, money. Sheriff St. Lawrence said, it won't be money. Chairman Liakakis said, not now. Commissioner Odell said, yeah, but this —.

County Manager Abolt said, to be very direct with you and to answer the question, yes there will be money involved. It will have to be money involved. Commissioner Odell said, but this motion doesn't include money. It simply says let's look at what the options are and at some point later when we know what they are you come back with the money. County Manager Abolt said, yes, but this — but the money would — well, again, yes sir. The idea is this, that the only way we could identify now because of the budget you've approved not just now but over your weeks of deliberation that we would anticipate we would have to get about two and a half million dollars in reoccurring costs, so that's something you want to consider as you're looking at your millage. You'll also want to consider from the standpoint of your priorities.

Commissioner Odell said, when we say reoccurring that is not just for the facility, that is for the staff and for those —. County Manager Abolt said, if you look at the issue of rent and staffing, you've got about a two and a half million dollar reoccurring cost whatever you incur. Commissioner Odell asked, that can eat up some of that 14-point something —. County Manager Abolt said, yes sir, it does and I'm trying not to — yes sir.

Chairman Liakakis recognized Commissioner Stone.

Commissioner Stone said, I think this piggybacks on what Commissioner Odell just said. Is there any way this going to eat into what we're allocating for future expansion, is there any way instead of this being modular if this could be something that could be, I don't know, incorporated into future plans so that —.

Sheriff St. Lawrence said, I don't want to describe it as modular, Commissioner Stone, because these people that we dealt with, but we were dealing with one company that we knew could furnish it. Now we're turning it over to the County and they'll go out and see who else can furnish it. It's not really modular. They're going to —. Commissioner Odell said, just like a mobile home. Sheriff St. Lawrence said, it's not a mobile home. They come in here — they even furnish the beds. All you've got to do, the plumbing's all done and everything else. All you've got to do is hook up to the water and sewer and it's got to fit within the secure area of the fence and the alarm system and all.

Commissioner Stone said, I understand. I just — if there was any way possible to incorporate that into the future plans. I mean, if there —, in other words, I hate to put temporary money — I mean, money for temporary use if long term we're going to have to expand the jail, and I don't know if there's any possibility of combining those two efforts, and that's not, you know, you all are better of determining that. Sheriff St. Lawrence said, well, I don't think there's a way — the one thing that would transfer to the new facility would be the staffing. There would be less staff once we got [inaudible]. Commissioner Stone said, I would just like that to be taken into consideration if there's any way possible so that we can maximize our dollar. Sheriff St. Lawrence said, I don't want one of these situations, we're talking about temporary and I don't want it to become permanent. We're just trying to get the pressure off overcrowding at the jail. Commissioner Stone said, I understand, but we know long term there's got to be something that's going to be permanent and I don't know if there's any possibility of looking at these two together. Commissioner Odell said, they can. You can look at it.

Chairman Liakakis recognized Commissioner Thomas.

Commissioner Thomas said, thank you, Mr. Chairman. Sheriff, and I agree that you do need some relief temporary to more, the numbers and so forth and so on. I'm surprised that we have not had the type of accidents or whatever taking place with, you know, three people being in a cell that's made for one. These felons, are the majority them, their cases have not been heard at all? What is —? Sheriff St. Lawrence said, well, some of them have been heard, but then, you know, when a person's arrested, that's working on now with Dan Massey and working in their software that they're going to design to come in. There's an arrest, there's an arraignment, there's a preliminary hearing, there's an indictment, and then there's hearings on motions, et cetera, et cetera, and until the case is disposed of we've got to hang onto to them, but a lot of them are just strictly pretrial. Commissioner Thomas said, pretrial. Sheriff St. Lawrence said, but they've been indicted and so forth and so on. We looked at another option, to let you know and we talked with the Manager about a plan, we looked at another option of shopping roommates out to other county jails. First of all, you can't — the most you can get is 15 to 20 beds, if you can find one that

will take it. The cost of doing that would be over \$5,000,000 a year and that does not include all the running up and down the road, so we threw that option out right away — to do the same thing with 300 inmates.

Chairman Liakakis recognized Commissioner Shay.

Commissioner Shay said, as I understand it, what we're doing is we're basically looking at leasing a solution and hoping that we have a SPLOST [inaudible] at some point in the future so that we can build a permanent solution to this. Sheriff St. Lawrence said, correct. Commissioner Shay said, the cost of maintaining it, whether it's the least units for the newly constructed units, the employees' costs is what the recurring cost that's got to come back to us no matter what. Right? County Manager Abolt said, yes sir. Commissioner Shay said, okay. You know, when we have 14% growth in the County in the tax digest, you know it's unrealistic to think that our costs are going to remain — in the County are going to remain flat and level. You know, this is more unfortunate consequences of having the kind of growth that we have in Chatham County is that we also have to grow the jail with it. Sorry.

Chairman Liakakis recognized Commissioner Gellatly.

Commissioner Gellatly said, I agree with the Sheriff wholeheartedly that we have to do something and we have to do something now, and if we're not able to make a proper and timely decision, we're going to have —, and I said this before, a Federal judge is going to make that decision for us and the Sheriff is going to get an order that his jail population is a set number and he's going to have to immediately release 400 prisoners, and that's a fact of life. We've been through this in this County before in the old jail. Judge Edenfield signed a court order that it was overcrowded, he set the jail population at a certain number and if we exceeded that by one person, one person had to be released immediately, and we did in fact release felons back then, but it was just a couple. But now we're talking that if that same order was put into effect today, the Sheriff would have to turn loose 400 people, most of which are felons, and so I think it's incumbent upon us to make a proper decision and to make it quickly. My concern —, you know, if you did a staffing level study, and I know they've done it before, he probably doesn't have adequate staff right now. I mean, even if the jail was at 1,200 people he probably doesn't have adequate staff. I would hope also with temporary jail space out there, and I don't — it's difficult for me to conceive what that would look like, but I can envision temporary classrooms that were used in this County and how they became permanent classrooms, and I would hope — I support the temporary, but I want to make sure that we don't have anyone, I don't think we have anyone on this Commission that would be foolish enough to say, well, let's make those temporary permanent. You know, that would be a really dumb and stupid thing for us to do. We need to get on with it, we need to move as fast as we can and that 800 bed facility has to occur. Everyone's — and I'm glad of this — everyone's concerned about our crime rate and reducing our crime rate and making Savannah one of the safest in Chatham County, one of the safest places to live in the nation, but to do that it costs money, and it is again really stupid to build up your police force and not do the same thing with your jail facility and I think we all recognize that. So, again, my concern is that we need to go forward with the Sheriff's recommendation and get him whatever temporary relief that he needs out there, but make sure we understand that word is temporary and that we don't end up

like the school did with temporary classrooms that were falling apart, but some of them stayed out there almost 20 years.

Sheriff St. Lawrence said, Commissioner, I'm just delighted with your comments. Even if we had 300 beds tomorrow, we'd still be 200 overcrowded. It's going to take a lot of the pressure off the staff. We've had a couple of things happen out there that I attribute to overcrowding and I didn't like what happened, but, you know, when you have people working overtime, double shifts, and they have to, if somebody don't volunteer, somebody's got to be on post. And it's just a situation that we have to find some relief in some fashion or other.

Chairman Liakakis recognized Commissioner Kicklighter.

Commissioner Kicklighter said, thank you. Sheriff, I may have been misunderstood. I wholeheartedly support the plans. We need to move forward. What I didn't, I guess, take to was the description right off the bat that automatically part of the tax digest increase would be ate up. We can sit down and that's why I didn't get specific because, like Dr. Thomas said, we're a great working —, we work good together. There's no use in me getting specific in things that I see that can be trimmed, but before, when all we were asked today to do approve a conceptual approval of a plan, I did not want at that point for the rest of our increase of the tax digest to be ate up, so that was my initial statement because we can sit down and talk and, you know, I'll just give like one brief example. Before the merger of the Chatham County Police Department, we were at \$6.9 million budgeted for that. Four years later we're at \$10.8 million. It has increased over half of what it cost before the merger, what the expense was before the merger. So there's things we can look at and work because public safety's our number one priority as far as I'm concerned. I'm here to help. I'm just saying there's areas that I believe we can sit down as a group without beating each other up or anything, and we can find it and we're going to do for you and for the citizens here what needs to be done, that's provide the space to keep the thugs behind the bars, and I'm there for you. Having said that, can I call for the question or does anybody else want to talk?

Chairman Liakakis said, no, I've got Harris [Odell], please. Chairman Liakakis recognized Commissioner Odell.

Commissioner Odell said, thank you. Our decision, and it is our decision for now, it may not be our decision down the road if we don't have a plan. David [Gellatly], I think what would happen is that those 300 excess, we would be required to fond them out to various other jails, and rather than look, Helen [Stone], at a two and a half million dollar temporary housing solution, it would probably cost five to seven million dollars, and that would not be optional. So those people who want to do the taxpayers a favor, the option is — I think the Sheriff and Col. Holmes are on the right track. We've got to have some temporary relief. This provides temporary relief. You cannot have the kind of growth that we've had without having some of the negative, and for those people who have districts who are kind of rural, you will not — and I anticipate this question — you will not be able to have your clients who are charged with felonies to move their mobile homes directly onto Al's [St. Lawrence] property. Commissioner Farrell said, bring your own housing. Commissioner Odell said, bring your own house. You will not be able to do that.

Sheriff St. Lawrence said, seems like we're always up here asking for money. There is some good things going on. The City of Savannah, their focus —, their impact program, they're locking the people up and we're taking them, and they're getting some of these felons off the street or charged with felonies. Nothing comes down it seems like. Everything goes up, it's more money, but you've got a food service contract in here this morning that you're going to save \$182,000 a year on because they're coming down 10¢ a meal at 5,000 meals a day. So, you know, some good things are happening.

Commissioner Odell said, there a lot of good things happening, and a good thing that's happening and it's never reported is that when you look up a person who's killed two or three people, then the good thing is that he's not out there and you may not be a victim that when he gets high on crack and you're taking the wife and kiddies out for ice cream that he jumps in your car and kills your daughter or son. So there are good things. There are consequences, but there are always costs. I took a course in listening and it was my devout belief from that course that we're all saying the same thing. The only difference is the potential funding on Dean [Kicklighter] and Helen [Stone] let's look at permanency, but we're saying the same thing. I think there's a unanimous agreement there's no one up here who does not want to house felons. If you do, then determine what you wanted to do after you're defeated in re-election.

Chairman Liakakis recognized Commissioner Stone.

Commissioner Stone said, my last comment. Sheriff and Col. Holmes, y'all have a thankless job and I know that. I would love to see us find some additional monies to fund these programs — better funds these programs, like Savannah Impact that really are making a difference in this community. I think that it's going to take all of us to try to be creative and do what we need to do and then if there are monies that can be saved, to expand on some of these programs that could be helpful in the future. But you all do a magnificent job out there and there's no question about that and we certainly want to give you what you need to operate to the best of your ability.

Sheriff St. Lawrence said, I've said it before, you can't have it both ways at [inaudible]. Savannah-Chatham PD and the Sheriff's Department is part of Operation Safe Savannah down there at night, you want these people off the street and they're getting them off the street, but they're overcrowding the jails. So that's the consequence.

Chairman Liakakis said, one of the reasons why the crime rate in the City of Savannah has dropped down to over 16% is because the Metropolitan Police Department have arrested many of those repeaters. Twenty percent of the repeaters in our community commit 80% of the crime, and what has happened, the police department has arrested quite a number of those repeaters reducing the crime in our community. And as the Sheriff just stated, 98% of those prisoners there are felons that are in that jail right now. So what I'd like to do is everybody go on the board for this conceptual plan. The motion carried unanimously. Chairman Liakakis said, the motion passes.

ACTION OF THE BOARD:

Commissioner Kicklighter moved to conceptually approve a plan to deal with the current jail population problem and authorize County staff to solicit bids for temporary housing units. Commissioner Gellatly seconded the motion and it carried unanimously.

AGENDA ITEM: IX-4

AGENDA DATE: June 23, 2005

To: Board of Commissioners

Thru: Sheriff Al St Lawrence

From: Colonel McArthur Holmes, Jail Administrator

Issue:

To request conceptual approval of a strategic plan to deal with current jail population.

Background:

The Chatham County Detention Center has experienced inmate populations over the past several months that are in excess of 400 above design capacity. The short and long term projections both indicate that our population will continue to increase.

Though we are moving forward with plans to construct additional permanent beds, it is estimated that we will be close to three (3) years after awarding a contract before we can actually occupy the structure.

Temporary housing units will allow us to house inmates on the premises until the permanent units are completed not having to farm inmates out to other facilities. It will also give tremendous bed space relief allowing additional housing flexibility.

Facts and Findings:

1). The increased inmate population at the Detention Center has placed a tremendous burden on our present housing capabilities. We are at the point of having to increase wing populations to dangerously high numbers.

- 2). Housing units designed to house 56 inmates are presently housing up to 112 inmates. This increase dictate that additional staff be assigned to ensure adequate safety and security requirements.
- 3). Due to the high count in the inmate living units, staff are experiencing increased incidents of policy and rule infractions that are associated with simply having too many people in a given area.
- 4). Staff has identified several vendors that can provide temporary housing that will meet our short term bed space needs.
- 5). These temporary housing units are presently being used at several correctional facilities across the nation and have proven to be a viable short term alternative.
- 6). Temporary housing units will allow us to house inmates on the premises until the permanent units are completed not having to farm inmates out to other facilities. It will also give us tremendous bed space relief allowing additional housing flexibility.
- 7). The cost for these temporary housing units is estimated to be approximately \$750,000 per year with a \$200,000 one time erection and dismantling charge for a first year total of approximately \$950,000. If approval is granted, Purchasing staff will begin the formal solicitation process.
- 8). The operations of the temporary housing unit obviously will require additional staffing. Due to time needed to recruit, hire and train staff, we will have to cover staffing needs with overtime until adequate staffing can be obtained. The staff hired will simply transfer to the permanent structure once completed. Below is a listing of the projected staffing needs to provide manpower for the temporary housing structure. This covers salaries and benefits for a six month period and 12 month period.

Position	Quantity	Total Projected Salaries & Benefits	
		12 Months	6 Months
Lt.	1	\$ 57,000.00	\$ 28,300.00
Sgt.	1	\$ 51,912.00	\$ 25,956.00
Cpl.	4	\$ 187,340.00	\$ 93,670.00
Dep. Corrections Officer	25	\$1,074,650.00	\$ 537,325.00
Admn. Asst. I	1	\$ 36,505.00	\$ 18,253.00
Counselor	1	\$ 42,300.00	\$ 21,150.00
Classification Specialist	1	\$ 48,122.00	\$ 24,061.00
Maintenance Mechanic	1	\$ 46,197.00	\$ 23,099.00
Totals		\$1,544,026.00	\$ 771,814.00

Funding:

No funding is required at this time. Staff will present total costs once bids are received.

Alternatives:

- 1). Approve the Sheriff's plan to deal with the current jail population problem and authorize County staff to solicit bids for temporary housing units.
- 2). Provide staff with other direction.
- 3). Reject proposal and continue to operate under present conditions.

Analysis:

In an effort to address the present and future inmate housing needs of Chatham County, it is imperative that proactive measures be taken to address the housing issue. The temporary 300 bed housing option allows a means to bridge the population gap until permanent inmate housing is constructed. It will further add much needed relief to a overburdened jail system.

Recommendation:

For Board consideration.

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5. **BOARD DIRECTION ON TIMING OF SPLOST ELECTION AND WHETHER YOU WISH TO CALL A SPECIAL MEETING TO MEET WITH THE MUNICIPALITIES, ASSUMING THAT THE ELECTION DATE WILL BE THE 19TH OF SEPTEMBER.**

Chairman Liakakis recognized County Manager Abolt.

County Manager Abolt said, Mr. Chairman, ladies and gentlemen, you'll recall, those of you and all of you were in attendance when you had the meeting with the cities that the Chairman called. There was a preponderance and a straw poll that the desire by those in this room them to look at the 19th of September as the day, it's important, that the day would be the day if you wish to go for a SPLOST election on the 19th that you would give us that direction today, and then the follow-up on that, there would be more discussion on a special-called meeting with the municipalities as required in SPLOST, and then I would I make a short presentation on how to handle the information, but the pyramid begins with your decision as to whether or not you wish to have an election on SPLOST for the 19th of September.

Commissioner Kicklighter said, motion to approve an election on SPLOST on the 19th of September. Chairman Liakakis asked, do we have a second? Commissioner Odell said, second.

Chairman Liakakis said, motion on the floor. Any discussion? Commissioner Kicklighter said, I want to just make sure, that's the day the Board [of Education] is holding their's also? Chairman Liakakis said, yes. That's correct. Let's go on the board. Commissioner Odell said, we'll do them together. The motion carried unanimously. Chairman Liakakis said, the motion passes unanimously.

County Manager Abolt said, Mr. Chairman, I ask for the patience because this is a very tight time schedule and it's very important that we comply fully with the law as far as what leads up to the SPLOST election. In discussion with the Chairman, I would suggest that you consider a special-called meeting —, excuse me, yeah, a special meeting wherein we would invite the cities to come and officially make their presentation on SPLOST projects. That is essential even though you've had these deliberations, these semi-informal sessions, they did not suffice in meeting the intent of the law. You set up the election on the 19th. In conversation with the Chairman, I believe the recommendation will be to have a special-called meeting wherein all the cities would be invited for six in the evening on Wednesday, the 5th of July.

Chairman Liakakis asked, do we have a motion on the floor to have that city/county coalition meeting? County Manager Abolt said, no. Commissioner Stone said, so moved, Mr. Chairman. Chairman Liakakis said, the municipalities about the SPLOST fund meeting. County Manager Abolt said, this is an official meeting of this County Commission. Commissioner Gellatly asked, what time? County Manager Abolt said, six in the evening. Chairman Liakakis said, 6:00 p.m., on the 5th of July.

Chairman Liakakis said, so moved, Mr. Chairman. Commissioner Odell said, second. Chairman Liakakis said, okay, let's go on the board. The motion carried unanimously.

County Manager Abolt said, now, Mr. Chairman, again the last bit of housekeeping on this. A letter will go out today to all the Mayors. It will be hand-delivered to them under the signature of the Chairman announcing that they come forward on that day and present. I would not anticipate that would be a very lengthy meeting. What I've suggested to you in an earlier submission this week is that on that date you would receive their projects. In some cases the cities might say well whatever we gave you before are fine. That's great. We still need an affirmation of that. After we receive that, and by the procedure I've developed, what I've suggested is then we'll begin to think inside the box, and from the crude drawing I did and the fax I sent to you a few days ago, the box is defined as \$440,000,000, which is the estimate and it's based on the assumption of a six-year SPLOST, and then it also quantifies and arranges within that box Level One projects, which are the jail, courthouse, juvenile court expansion, health department, and improvements to this building, which have been estimated by staff at about one and a half million dollars. Below that — \$150,000,000, excuse me. I'll take a drink. Commissioner Odell said, and that's water. County Manager Abolt said, and that is water, yes. And following that, you have the choices on roads, drainage, and countywide projects and then local projects. After we receive the inventory

from each of the cities, staff will rearrange the box in each of these categories. So, for example, Mr. Bungard has talked about CUTS roads. We will not just be listing CUTS roads. If you or a city councilperson of any municipality said we want this road built, we will list it on the roads, and the same for drainage. In the same, any municipality comes in and says this is a countywide project, we're not going to equivocate over it, it will be listed in the countywide projects. Everything else will be arranged then in the bottom, the third drawer. So we'll have a debt to find what amounts to be what you must deliberate between now and the middle of August in making your decision on what goes before the voters as far as a ballot, and then I will shortly after that special called meeting on the 5th, I will invite — in fact, I will invite today — the City Managers and the elite staff from municipalities that do have City Managers, to come to this building and we as staff will collectively suggest criteria for you to evaluate what is in the box. And then you will call probably, and this is only my estimate, an estimate of about no less than two hearings where you will meet in the current setting you find yourself right now as the County Commission and proponents for any of the projects that are in the box will come before you and make their case, and then you may listen and you will also look at criteria. This is not at all dissimilar to what you've done now for two years on CIP program development, but that will allow you to make the decision. It will allow you also to organize the box in such a way where you know where the money will go, and then by the 18th of August you will make the final decision as to what is on the ballot. At the same time, Mr. Hart and other staff will work with the Department of Justice on so many moving pieces that we have to keep in one direction and focused on leading us to mid-August where in effect we can say that this community is ready to go on an election.

Chairman Liakakis said, the County Commissioners as well as all the cities have to understand that if we go the Level One, which is stated by the State law, is \$150,000,000, which would leave \$290,000,000 for the County and all the seven cities and Vernonburg to have that money distributed. So all of us here on the County Commission need to think seriously about, you know, the ones that we want to propose because we have to reduce the ones that we want, you know, in this SPLOST funding as well as the other cities because there's no way that we could possibly, you know, fund every project that the County and all the cities are proposing at this time. There's no way. The money is just not there. So we have to look at it, so I'd like a motion on the floor for setting that — for that meeting. Commissioner Stone said, we did that. Chairman Liakakis said, yeah, okay. We've got it. Let's go on the board. Commissioner Kicklighter said, we already approved. Commissioner Gellatly said, we already did that. Chairman Liakakis asked, did we? Okay, because I'm involved — you know, engrossed in this.

ACTION OF THE BOARD:

- a. Commissioner Kicklighter moved to approve an election on SPLOST on the 19th of September, 2006. Commissioner Odell seconded the motion and it carried unanimously.
- b. Commissioner Stone moved to have a special-called meeting wherein all the cities will be invited for 6:00 p.m., on Wednesday, the 5th of July, to officially make their presentations on SPLOST projects. Commissioner Odell seconded the motion and it carried unanimously.

AGENDA ITEM: IX-5
AGENDA DATE: June 23, 2006

Date: June 21, 2006
To: Chairman and Members of the Board
From: R. E. Abolt, County Manager
Subject: Thinking "Inside the Box," A Process Leading to a Decision on Projects to be Included in the SPLOST Vote

Ladies and gentlemen, today the Chairman met with Mayor Johnson, Mayor Pro-tem Edna Jackson, Michael Brown and myself to discuss SPLOST and the possible vote in September of this year. I took the liberty of suggesting a process that is described below, and about which I will make a presentation to you during Friday's Board meeting.

The Box

\$440 Million

The box is defined by estimated revenue over six years

Here's how the contents of the box might be arranged.

Level 1

Jail	
Courthouse	
Juvenile	\$150 million
Health Department	
County Admin Building	

Roads ?
Drainage ?
County-wide Projects ?

Local Projects

Cities ?
Unincorporated Area ?

Process to Organize “What’s Inside the Box”

1. As required by State law, have a called meeting of the County Commission to officially receive project requests from the cities.
2. Following that, staff will arrange the projects “in the box.” For example, all road projects will be in that compartment, the same for drainage and any item identified by the proposer as being “County-wide” in nature will be put in that category. County staff will not edit or take exception with designation of the proposer.
3. The city managers and lead staff for any municipality not having one, will be asked to meet with the County manager to suggest criteria for evaluating the project. (Example: critical nature of the request, relevance to public safety, continuity with already in place construction, such as, road and drainage ways, etc.)
4. The County Commission will use this criteria and conduct probably no less than two hearings where proponents will come before you and testify on the merits of their request.
5. By the 18th of August, a final decision will be made by the County Commission on what is to be on the ballot. This

implies that you will have discussion with other elected officials as to the contents of the intergovernmental agreement.

CONCLUSION: This is not dissimilar from the process you followed as you reviewed and adopted the Capital Improvement Program. Further explanation will be given during this Friday's meeting.

REA:dbh

cc: Michael B. Brown, City Manager, City of Savannah (via fax)
A. G. Bungard, P.E., County Engineer (via fax)
Linda B. Cramer, Finance Director (via fax)
R. Jonathan Hart, County Attorney (via fax)

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6. REQUEST FROM SAVANNAH SCOTTISH GAMES, INC., FOR REIMBURSEMENT OF SPECIAL EVENT PERMIT FEES UNDER THE FEE WAIVER PROVISIONS FOR NON-PROFIT ORGANIZATIONS.

County Manager Abolt said, the amount is \$235.00.

Commissioner Stone said, so moved, Mr. Chairman. Commissioner Farrell said, second. Commissioner Thomas said, second.

Chairman Liakakis said, let's go on the board. The motion carried unanimously. Chairman Liakakis said, all right, the motion passes.

ACTION OF THE BOARD:

Commissioner Stone moved to approve a request from Savannah Scottish Games, Inc., for reimbursement of a Special Event Permit Fee under the fee waiver provisions for nonprofit organizations in the amount of \$235.00. Commissioners Farrell and Thomas seconded the motion and it carried unanimously.

AGENDA ITEM: IX-6**AGENDA DATE: June 23, 2006**

TO: BOARD OF COMMISSIONERS

THROUGH: R.E. ABOLT, COUNTY MANAGER

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

SUBJECT: SAVANNAH SCOTTISH GAMES, INC.

ISSUE:

Request for reimbursement of special event permit fees under the fee waiver provisions for non-profit organizations.

FACTS AND FINDINGS:

1. The Savannah Scottish Games were held at the Bethesda Boys Home on May 6, 2006.
2. A special event permit was issued on April 18, 2006 at a fee of \$235.00.
3. The County Occupational Tax Ordinance allows for the waiver of the permit fees for non-profit organizations.

FUNDING

Special Service District general fund

ALTERNATIVES

1. Grant the request for the reimbursement of the special event permit fees.
2. Provide direction to staff.

POLICY ANALYSIS

The County Occupational Tax Ordinance allows for the waiver of special event permit fees for non-profit organizations. The Savannah Scottish Games, Inc., meet the ordinance definition of a non-profit organization. Since the event has already taken place, a request for reimbursement has been submitted on behalf of Savannah Scottish Games, Inc. § 16-104(7) of the Occupational Tax Ordinance requires that the Board of Commissioners grant the reimbursement of special event fees waived for non-profit organizations, after the fact.

RECOMMENDATION

Alternative #1, Grant request for the reimbursement of the special event permit fees.

Savannah Scottish Games, Inc.
PO Box 9468
Savannah, GA 31412-9468
912-233-6017
Savannah.Scottish.Games@gmail.com

May 18, 2006

Mr. Gregori S. Anderson
Director, Department of Building Safety and Regulatory Services
Chatham County
PO Box 8161
Savannah, GA 31406

Dear Greg,

While planning the Savannah Scottish Games we asked, for safety, about closing for the day the narrow drive (Bethesda Road?) That connects Whitfield Avenue and Ferguson Avenue. We were told that it was possible to achieve a temporary road closing, but that we were required to apply for a festival ordinance.

We dutifully applied for a festival permit, making several trips to your office to complete the paperwork and, as required, paid in two checks \$235.00 for the permits. Subsequently, Assistant County Attorney Emily Gerard, responded to my inquiry that non-profits were exempt by ordinance from such fees.

We respectfully request a refund in the amount of \$235.00.

Sincerely,
/s/ Neill
Neill F. McDonald

enc: Skinner, Barndollar & Lane, PC cover letter
Screen capture of IRS web page listing Savannah Scottish Games, Inc.
under "Charities & Non-profits"

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X. ACTION CALENDAR

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

Chairman Liakakis said, all right, we have on the Action Calendar items 1 through 12 and under 13 items A through N. Do we have any items that the Commission would like to hold as we vote for the entire unit? Commissioner Thomas said, if not, Mr. Chairman, I move that the entire Action Calendar be approved. Commissioner Farrell said, second. Chairman Liakakis said, okay, I'd like to hold out on Item 13, just explain Item C, and Item D for Russ [Abolt] on that Ralph Mark —, and Item M — well, we've already discussed — no, let's talk about Item M, too. The Sheriff briefly mentioned it. So, we hold off Item C, D and M.

Chairman Liakakis said, we have a motion on the floor. Let's go on the board. The motion carried unanimously. [NOTE: Commissioner Gellatly was not present when this vote was taken.] Chairman Liakakis said, the motion passes.

ACTION OF THE BOARD:

Commissioner Thomas moved to approve Items 1 through 13-N except Items 13-C, 13-D and 13-M. Commissioner Farrell seconded the motion and it carried unanimously. [NOTE: Commissioner Gellatly was not present when this vote was taken.]

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

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1. APPROVAL OF THE MINUTES FOR THE REGULAR MEETING OF JUNE 12, 2006, AS MAILED.

ACTION OF THE BOARD:

Commission Thomas moved to approve the minutes of the regular meeting of June 12, 2006. Commissioner Farrell seconded the motion and it carried unanimously. [NOTE: Commissioner Gellatly was not present when this vote was taken.]

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2. CLAIMS VS. CHATHAM COUNTY FOR THE PERIOD JUNE 2 THROUGH JUNE 14, 2006.

ACTION OF THE BOARD:

Commissioner Thomas moved to authorize the Finance Director to pay the claims against the County for the period June 2, 2006, through June 14, 2006, in the amount of \$2,528,589. Commissioner Farrell seconded the motion and it carried unanimously. [NOTE: Commissioner Gellatly was not present when this vote was taken.]

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3. REQUEST BOARD PASS A RESOLUTION SELECTING THE LENGTH OF TERMS OF OFFICE FOR MEMBERS OF THE BOARD OF ASSESSORS.

ACTION OF THE BOARD:

Commissioner Thomas moved to approve a resolution selecting the length of terms of office for members of the Board of Assessors. Commissioner Farrell seconded the motion and it carried unanimously. [NOTE: Commissioner Gellatly was not present when this vote was taken.]

AGENDA ITEM: X-3

AGENDA DATE: June 23, 2006

TO: Board of Commissioners
THRU: R. E. Abolt, County Manager
FROM: R. Jonathan Hart, County Attorney
Abda Quillian, Attorney for Board of Assessors

ISSUE:

Request Board pass a resolution selecting the length of terms of office for members of Board of Assessors.

BACKGROUND:

The 2006 Legislature passed House Bill 1502 which amended O.C.G.A. § 48-5-295 (a). Under O.C.G.A. § 48-5-295 (a), as amended, the Commission is required to pass a resolution selecting the length of terms of office for members of the Board of Assessors. Following the adoption of such resolution, all new appointments and reappointments to the Board of Assessors shall be for the term lengths specified in the resolution; however, such resolution shall not have the effect of shortening or extending the terms of office of

current members of the Board of Assessors whose terms have not yet expired.

Under this Code section the Commission shall not be authorized to again change the term length until the expiration of the term of office of the first appointment or reappointment following the resolution that last changed such terms of office. If the resolution changing the terms of office of the Board of Assessors would result in a voting majority of the Board of Assessors having their terms expire in the same calendar year, the Commission shall provide in the resolution for staggered initial appointments of a duration of not less than three nor more than six years that will prevent such an occurrence.

The Commission shall transmit to the Board of Assessors a copy of the resolution setting the length of terms of members of the Board of Assessors within ten days of the date the resolution is adopted.

This Code section also provides that any member of the Board of Assessors shall be eligible for reappointment after review of his or her service by the Commission. Such review shall include education and certification information furnished by the Revenue Commissioner. Any member of the Board of Assessors who fails to maintain the certification and qualifications specified pursuant to Code Section 48-5-291 shall not be eligible for reappointment until all requirements have been met.

Under this Code section, in case of a vacancy on the Board of Assessors, whether caused by death, resignation, removal, or otherwise, the vacancy shall be immediately filled by the Commission. This requirement is new and the language was stricken which previously allowed an appointment to continue until a successor was duly appointed and qualified. Any person appointed to fill a vacancy shall be appointed only to serve for the remainder of the unexpired term of office and shall possess the same qualifications required under this part for regular appointment to a full term of office.

On June 27, 1997, pursuant to Ga. L. 1994, p. 3940, the old Board of Assessors was dissolved and a new Board of Assessors was appointed, with an increase in members from four to five. The 1994 law provided that appointments to the Chatham County Board of Assessors were to be made pursuant to the general laws of the State of Georgia.

The members of the current Board of Assessors are serving four year terms. The following chart provides the expiration dates of the terms of the current Board of Assessors and shows that the terms are currently staggered:

<u>Name</u>	<u>Term Expires</u>
Brunette Mitchell-Dixon	6/27/07
Robert J. Bartolotta	6/27/07
Larry Lower	6/27/08
Terry Tolbert	6/27/09
James Gunter	6/27/09

FACTS AND FINDINGS:

1. House Bill 1502 requires the Commission to pass a resolution selecting the length of terms of office for members of the Board of Assessors. The terms must be not less than three nor more than six years.
2. Following the adoption of the resolution, all new appointments and reappointments to the Board of Assessors shall be for the term lengths specified in the resolution; however, such resolution shall not have the effect of shortening or extending the terms of office of current members of the Board of Assessors whose terms have not yet expired.
3. Upon the adoption of the resolution, the Commission shall not be authorized to again change the term length until the expiration of the term of office of the first appointment or reappointment following the resolution that last changed such terms of office.
4. If the resolution changing the terms of office of the Board of Assessors would result in a voting majority of the Board of Assessors having their terms expire in the same calendar year, the Commission shall provide in the resolution for staggered initial appointments of a duration of not less than three nor more than six years that will prevent such an occurrence.
5. Under this Code section, a vacancy shall be immediately filled and the person appointed to fill the vacancy shall be appointed only to serve for the remainder of the unexpired term of office.

FUNDING:

N/A

POLICY ANALYSIS:

The Commission must comply with House Bill 1502 and pass a resolution selecting the length of terms of office for members of Board of Assessors. It is a policy decision as to the length of terms of office for members of the Board of Assessors; however, the terms of a voting majority of the Board of Assessors may not expire in the same calendar year. In such a case, staggered terms must be provided. Based on the expiration dates of the current members of the Board of Assessors, the terms of a voting majority do not expire in the same calendar year. Therefore, the terms may continue to be four-year terms.

ALTERNATIVES:

1. Adopt a resolution selecting the length of terms of office for members of Board of Assessors, effective June 27, 2007.
2. Do not adopt a resolution selecting the length of terms of office for members of Board of Assessors.

RECOMMENDATION:

Alternative 1

RESOLUTION

TERMS OF OFFICE OF THE BOARD OF ASSESSORS

WHEREAS, in 2006, the General Assembly passed House Bill 1502 which amended O.C.G.A. § 48-5-295 (a) regarding the setting of terms of the Board of Assessors; and

WHEREAS, House Bill 1502 requires the Commission to pass a resolution selecting the length of terms of office for members of the Board of Assessors, which must be not less than three nor more than six years; and

WHEREAS, following the adoption of such resolution, all new appointments and reappointments to the Board of Assessors shall be for the term lengths specified in the resolution; however, such resolution shall not have the effect of shortening or extending the terms of office of current members of the Board of Assessors whose terms have not yet expired; and

WHEREAS, if the resolution changing the terms of office of the Board of Assessors would result in a voting majority of the Board of Assessors having their terms expire in the same calendar year, the Commission shall provide in the resolution for staggered initial appointments of a duration of not less than three nor more than six years that will prevent such an occurrence; and

WHEREAS, the Commission shall transmit to the Board of Assessors a copy of the resolution setting the length of terms of members of the Board of Assessors within ten days of the date the resolution is adopted; and

WHEREAS, House Bill 1502 does not allow the term of a member of the Board of Assessors to continue until a successor is duly appointed and qualified, but requires vacancies to be filled immediately; and

WHEREAS, House Bill 1502 also provides that any member of the Board of Assessors shall be eligible for reappointment after review of his or her service by the Commission, that the review shall include education and certification information furnished by the Revenue Commissioner, and that any member of the Board of Assessors who fails to maintain the certification and qualifications specified pursuant to Code Section 48-5-291 shall not be eligible for reappointment until all requirements have been met; and

WHEREAS, on June 23, 2000, the Commission adopted a resolution setting the terms of the members of the Board of Assessors at four years effective with all new appointments and reappointments after June 28, 2000; and

WHEREAS, the members of the current Board of Assessors are serving four year staggered terms as shown in the following chart of the expiration dates of the terms of the current Board of Assessors:

Name	Term Expires
Brunette Mitchell-Dixon	6/27/07
Robert J. Bartolotta	6/27/07
Larry Lower	6/27/08
Terry Tolbert	6/27/09
James Gunter	6/27/09

NOW THEREFORE, BE IT ORDAINED, that the Board of Commissioners of Chatham County, Georgia, as the governing

authority of Chatham County, does hereby does hereby establish four years as the term of office for members of the Board of Assessors, effective with all new appointments and reappointments after the date of adoption of this resolution.

Adopted this ____ day of June, 2006.

BY: _____
Pete Liakakis, Chairman
Board of Commissioners

ATTEST: _____
Sybil E. Tillman, Clerk
SEAL

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- 4. REQUEST FROM HGBD, ENGINEER FOR KONTER DEVELOPMENT, TO RECORD THE SUBDIVISION PLAT FOR SALT CREEK LANDING, PHASE 2, ACCEPT THE SUBDIVISION AGREEMENT AND FINANCIAL GUARANTEE AND COMBINE THIS PHASE WITH THE EXISTING SALT CREEK LANDING STREETLIGHT ASSESSMENT DISTRICT. [DISTRICT 7.]**

ACTION OF THE BOARD:

Commissioner Thomas moved to approve the request from HGBD, Engineer for Konter Development, to record the subdivision plat for Salt Creek Land, Phase 2, accept the subdivision agreement and financial guarantee and combine this phase with the existing Salt Creek Landing streetlight assessment district. Commissioner Farrell seconded the motion and it carried unanimously. [NOTE: Commissioner Gellatly was not present when this vote was taken.]

AGENDA ITEM: X-4
AGENDA DATE: June 23, 2006

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

ISSUE: To record the subdivision plat for Salt Creek Landing, Phase 2, accept the subdivision agreement and financial guarantee and combine this phase with the existing Salt Creek Landing streetlight assessment district.

BACKGROUND: Konter Development, through their engineer, HGBD, requests that the County approve the final plat for recording, accept the subdivision agreement and financial guarantee and combine this phase with the existing streetlight assessment district.

FACTS AND FINDINGS:

1. Salt Creek Landing is located on Cottonvale Road. This phase consists of 66 lots on 17.88 acres. Water and sanitary sewer will be maintained by Consolidated Utilities. Paving and drainage will be maintained by Chatham County.
2. Staff approved construction plans and issued a permit. Construction of the improvements is underway.
3. The developer has submitted a letter of credit issued by The Savannah Bank in the amount of \$1,088,274.85 to guarantee the construction.
4. This phase will provide 16 additional streetlights. The estimated annual cost for the additional lighting is \$1806. The current annual streetlight assessment for the Salt Creek assessment district is \$33 per lot.
5. An Environmental Site Assessment was conducted on the subdivision in accordance with the Subdivision Ordinance. No environmentally unsafe conditions were found on the site.

ALTERNATIVES:

1. To approve the recording of the subdivision plat for Salt Creek Landing, Phase 2, accept the subdivision agreement and financial guarantee, and combine this phase with the existing Salt Creek Landing streetlight assessment district.
2. Do not approve this request.

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

RECOMMENDATION: That the Commissioners adopt Alternative No.

1.

District 7

PREPARED BY: Suzanne Cooler

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- 5. REQUEST FROM ROBERT D. AND JANE P. ALLEN FOR THE COUNTY TO DECLARE THE UN-OPENED PORTION OF SOUTH BOULEVARD RIGHT-OF-WAY (ROW) BETWEEN LOTS 55, 56, 57 AND THE EASTERN HALF OF 54 AND LOTS 55A, 56A, 57A AND THE EASTERN HALF OF 54A ON WILMINGTON ISLAND, PIN:1-0100 -01-005, AS SURPLUS AND TO QUITCLAIM THE ROW.
[DISTRICT 4.]**

ACTION OF THE BOARD:

Commissioner Thomas moved to approve the request from Robert D. and Jane P. Allen for the County to declare the unopened portion of South Boulevard right-of-way (ROW) between Lots 55, 56, 57 and the eastern half of 54 and Lots 55A, 56A, 57A and the eastern half of 54A on Wilmington Island, PIN 1-0100-01-005, as surplus, and to quitclaim the ROW TO Robert D. and Jane P. Allen. Commissioner Farrell seconded the motion and it carried unanimously. [NOTE: Commissioner Gellatly was not present when this vote was taken.]

AGENDA ITEM: X-5
AGENDA DATE: June 23, 2006

TO: Board of Commissioners

THRU: R. E. Abolt, County Manager

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

ISSUE: To present to the Board a request from Robert D. and Jane P. Allen for the County to declare the un-opened portion of South Boulevard right-of-way (ROW) between Lots 55, 56, 57 and the eastern half of 54 and Lots 55A, 56A, 57A and the eastern half of 54A on Wilmington Island, PIN: 1-0100-01-005, as surplus and to quitclaim the ROW.

BACKGROUND: The petitioners own the properties on either side of the subject ROW. This section of South Boulevard runs parallel to Wilmington Island Road on the southern tip of Wilmington Island. See the attached map for more information.

FACTS & FINDINGS:

1. The location of the requested right-of-way (ROW) is shown on the attached map. The ROW for South Boulevard was created on the "Wilmington Island Pleasure and Improvement Company Subdivision" in 1939. The County has never maintained South Boulevard in this location.
2. Notice of the quitclaim petition was sent to the two adjacent property owners, Mr. Donald R. Farabaugh and Mr. and Mrs. Rody Holland, whose properties were identified as being potentially affected by the quitclaim. They were notified of the quitclaim request on June 7th and advised as to the date and time of this meeting.
3. Staff has received no response from either of the two owners. Neither of the property owners utilize this portion of South Boulevard.
4. Staff has checked for possible County use for this ROW. There has been no need identified to retain the ROW for future road or drainage construction.
5. If approved, the petitioners must pay the County the fair market value for the ROW to be determined by a professional appraisal, and provide the necessary appraisal, deed, and plat at their expense. The appraiser is selected by the petitioners and must be certified as a professional appraiser by the State of Georgia.
6. Staff reviews the submitted appraisals, deeds and plats for completeness and reasonableness before the deed is sent to the County Clerk for processing and the fair market value payment check is sent to Finance for deposit.

FUNDING: N/A

ALTERNATIVES:

1. Declare the portion of South Boulevard ROW between Lots 55, 56, 57 and the eastern half of 54 and Lots 55A, 56A, 57A and the eastern half of 54A on Wilmington Island, PIN: 1-0100-01-

005, as surplus and quitclaim it to Robert D. and Jane P. Allen. The petitioners must pay the County the fair market value for the ROW to be determined by a professional appraiser, and provide the necessary appraisal, deed, and plat at their expense.

- 2. Do not approve the request.

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

RECOMMENDATION: That the Board adopt Alternative No. 1

District 4

Prepared by: Nathaniel Panther
Civil Engineer

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6. REQUEST FROM SOUTHEAST ENGINEERING AND ENVIRONMENTAL, ENGINEER FOR THE DEVELOPER, REGAL BUILDERS, FOR THE COUNTY TO RECORD THE PLAT FOR GEORGETOWN PLACE TOWNHOMES, LOTS 3 AND 4. [DISTRICT 7.]

ACTION OF THE BOARD:

Commissioner Thomas moved to approve the request from Southeast Engineering and Environmental, engineer for the developer, Regal Builders, for the County to record the plat for Georgetown Place Townhomes, Lots 3 and 4. Commissioner Farrell seconded the motion and it carried unanimously. [NOTE: Commissioner Gellatly was not present when this vote was taken.]

AGENDA ITEM: X-6
AGENDA DATE: June 23, 2006

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

ISSUE: To record the plat for Georgetown Place Townhomes, Lots 3 & 4.

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

FACTS AND FINDINGS:

1. Georgetown Place Townhomes is a private townhome development on the east side of King George Boulevard, North of State Route 204. The paving and drainage will be privately maintained by the homeowners association. The water and sewer improvements will be maintained by the City of Savannah. This phase consists of 11 lots on 0.44 acres.
2. A performance guarantee for all required improvements was previously accepted by the Board.
3. An Environmental Site Assessment was completed on the subdivision in accordance with the Subdivision Ordinance. No environmentally unsafe conditions were found on the site.

ALTERNATIVES:

1. Approve the recording of the subdivision plat for Georgetown Place Townhomes, Lots 3 & 4.
2. Do not approve the request.

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

RECOMMENDATION: That the Commissioners adopt Alternative No. 1.

District 7

Prepared by: Nathaniel Panther
Civil Engineer

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7. **REQUEST BOARD DECLARE AS SURPLUS A VACANT LOT ON BAKER STREET IN SAVANNAH AND AUTHORIZE CONVEYING THE COUNTY'S INTEREST HELD BY TAX DEED IN THE PROPERTY TO THE CITY OF SAVANNAH.
[DISTRICT 8.]**

ACTION OF THE BOARD:

Commissioner Thomas moved to approve the request to declare as surplus a vacant lot on Baker Street in Savannah and authorize conveying the County's interest held by tax deed in the property to the City of Savannah. Commissioner Farrell seconded the motion and it carried unanimously. [NOTE: Commissioner Gellatly was not present when this vote was taken.]

AGENDA ITEM: X-7**AGENDA DATE: June 23, 2006**

TO: Board of Commissioners

THRU: R. E. Abolt, County Manager

FROM: Patrick Monahan, Asst. County Manager

ISSUE:

To declare as surplus a vacant lot on Baker Street in Savannah and authorize conveying the county's interest held by tax deed in the property to the City of Savannah.

BACKGROUND:

The City of Savannah has requested Chatham County's interest in 0 Baker Street for development of a park to serve the West Savannah neighborhood.

FACTS & FINDINGS:

1. The property of interest is 0 Baker Street, PIN 2-00265-07-007 with a legal description as "Lot 64, Clay Ward."
2. The property is a vacant lot estimated at 30 feet by 100 feet.
3. Chatham County holds interest in the properties through a tax deed. While not marketable title, a tax deed can be used as an entry to acquire ownership warranty. The City of Savannah will ensure the interested property owner knows about the added steps that will be necessary before the properties can be prepared cleared of title defects and prepared for redevelopment (i.e. marketable title).

FUNDING:

Not applicable.

ALTERNATIVES:

1. That the Board authorize conveying the property described above to the City of Savannah.
2. That the Board not convey the property as described above to the City of Savannah and request that the Tax Commissioner’s Office initiate an in rem foreclosure process.
3. That the Board not take any action on the property described above.

POLICY ANALYSIS:

Under Georgia law (O.C.G.A. 36-9-3 et. al), Chatham County must follow certain procedures in the disposition of any public interest held in property. However, the Georgia Constitution authorizes that conveyances between two governments can be handled without the usual requirements of a public sale or notice.

RECOMMENDATION:

That the Board adopt Alternative 1.

District 8

=====

8. REQUEST BOARD DECLARE AS SURPLUS TWENTY-SIX (26) VACANT LOTS IN THE CITY OF SAVANNAH AND AUCTION THE COUNTY’S INTEREST IN THIS PROPERTY HELD BY TAX DEED. [DISTRICTS 2, 3, 5 AND 8.]

ACTION OF THE BOARD:

Commissioner Thomas moved to approve the request to declare as surplus twenty-six (26) vacant lots in the City of Savannah and auction the County’s interest in this property held by tax deed. Commissioner Farrell seconded the motion and it carried unanimously. [NOTE: Commissioner Gellatly was not present when this vote was taken.]

AGENDA ITEM: X-8
AGENDA DATE: June 23, 2006

TO: Board of Commissioners

THRU: R. E. Abolt, County Manager

FROM: Patrick Monahan, Asst. County Manager

ISSUE:

To declare as surplus 26 vacant lots in the City of Savannah and auction the county's interest in this property held by tax deed.

BACKGROUND:

Chatham County has legal interest by tax deed (unpaid taxes) in 26 properties situated throughout the City of Savannah. While some legal question remains about the extent of Chatham County's interest in such properties, the Board has followed the following procedure:

1. Properly advertise the properties for sale in accordance with Georgia law, O.C.G.A. 36-9-3 (public bid after 15 day legal notice that describes properties).
2. Make the successful bidder responsible for paying all outstanding taxes, penalties and interest, which represents Chatham County's interest in the property.
3. Make the successful bidder responsible for obtaining marketable title.

FACTS & FINDINGS:

1. The properties of interest are:
 - 1a. 407 W. Duffy Street, Property Identification Number 2-0052-25-004, with a legal description as "East 31 Feet of Lot 10, Wylly Ward."
 - 1b. 0 Carroll Street (1500 Block), Property Identification Number 2-0593-10-005, with a legal description as "Lots 11 & 13, Block H Southover, Whatley Subdivision S Ward."
 - 1c. 0 Fernwood Court (2200 Block), Property Identification Number 2-0118-01-024, with a legal description as "East 62 feet of East 72 Feet of Lot 33 Fernwood Annex Subdivision, Rauers Ward."
 - 1d. 0 Fernwood Court (2200 Block), Property Identification Number 2-0118-01-026 with a legal description as "East Part Lot 20 Fernwood Annex Subdivision, Rauers Ward."
 - 1e. 0 Meding Street (4900 Block), Property Identification Number 2-0110-04-010, with a legal description as "Lot 11 Block B, Ticklegizzard Dewitt Ward."
 - 1f. 0 Ford Avenue (2000 Block), Property Identification Number 2-0636-12-004, with a legal description as "Lot 158 Tremont Park."
 - 1g. 744 East 33rd Street, Property Identification Number 2-0064-01-004, with a legal description as "W. PT Lots 33, 34, 35, Schwarz Ward."

- 1h. 756 Grove Court, Property Identification Number 2-0054-11-003, with a legal description as "South Part Lot 3, Schwarz Ward."
- 1i. 0 Grove Street (1500 Block), Property Identification Number 2-0054-21-003, with a legal description as "133 Block 7, Schwarz Ward."
- 1j. 0 Ryals Avenue (2800 Block), Property Identification Number 2-0596-03-015, with a legal description as Lot 34, Block D, Ogeecheeton."
- 1k. 0 Ryals Avenue (2800 Block), Property Identification Number 2-0596-03-016, with a legal description as "Lot 33, Block D, Ogeecheeton."
- 1l. 0 Ryals Avenue (2800 Block), Property Identification Number 2-0596-03-018, with a legal description as "30 Block D, Ogeecheeton."
- 1m. 0 Hagood Street (2100 Block), Property Identification Number 2-0022-06-004, with a legal description as "Western Half Lot 5, Block K, Jasperville Subdivision, Brantley Ward."
- 1n. 767 Bolton Street, Property Identification Number 2-0042-06-037, with a legal description as "South Part 143 144 Haywood Ward."
- 1o. 754 Grant Street, Property Identification Number 2-0043-05-020, with a legal description as "67 68 & 69 Atlantic Ward."
- 1p. 1411 Grove Street, Property Identification Number 2-0054-12-004, with a legal description as "South 79 Feet Lot 5 Block 7 Schwarz Ward."
- 1q. 0 E. 31st Street (1700 Block), Property Identification Number 2-0054-15-008, with a legal description as "Western Half of Lot 12 Schwarz Ward."
- 1r. 1618 Duffy Street, Property Identification Number 2-0056-01-009, with a legal description as "Lot 102 and West 15 Feet of Lot 103 Ellyod Heights Hardwick Ward."
- 1s. 1614 Duffy Street, Property Identification Number 2-0056-01-010, with a legal description as "Lot 101 Part 100 Eloyd Heights Hardwick Ward."
- 1t. 1615 Duffy Street, Property Identification Number 2-0056-04-010, with a legal description as "Lot 96 & W. ½ 95 Eloyd Heights Hardwick Ward."
- 1u. 0 32nd Street, Property Identification Number 2-0057-20-008, with a legal description as "Lot 36 Fairview Subdivision, Cabell Ward."
- 1v. 1708 LeGrand Street, Property Identification Number 2-0064-05-002, with a legal description as "Lot 122 Schwarz Ward."

- 1w. 0 Dancy Street (4900 Block), Property Identification Number 2-0110-04-006, with a legal description as "Lot 2, Block B, Tickelgizzard Dewitt Ward."
- 1x. 0 Dixon Street (5100 Block), Property Identification Number 2-0111-01-012, with a legal description as "Lot 10 Block Y Henry Wayne Tract Dewitt Ward."
- 1y. 0 Dixon Street (5100 Block), Property Identification Number 2-0111-01-014, with a legal description as "Lot 14 Block Y Henry Wayne Tract DeWitt Ward."
- 1z. 0 Dixon Street (5100 Block), Property Identification Number 2-0111-01-015, with a legal description as "Lot 13, Block Z, DeWitt Ward."

2. Chatham County owns tax interest (Sheriff's Deed) in this property because of the default of the property owner of record to pay taxes or pursue any form of redemption. Chatham County's interest remains as a tax lien and not any established marketable title; thus, any auction attempts only to convey Chatham County's interest in the property (the property previously went to sale on the Courthouse steps, but because no one bid on it, state law provides it becomes titled in the name of the County to ensure no transfer of the property until the tax liability becomes settled).

3. Because tax deed properties involve interest acquired through default of taxes, staff explains to any prospective buyers the problems that can arise with marketable title. The owner assumes all liability to clear title, which includes paying off all outstanding tax liability.

FUNDING:

Funding is not applicable.

ALTERNATIVES:

1. Authorize staff to proceed with the disposition of the property as provided by Georgia law, including issuance of a quit claim.
2. Do not authorize staff to proceed with disposition of the property.

POLICY ANALYSIS:

Under Georgia law (O.C.G.A. 36-9-3), Chatham County must follow certain procedures in the disposition of public property. While recent amendments to this code section make this task easier, the law requires certain procedures to maintain the public's interest in property it owns. Returning these properties to private ownership achieves the county's goals of returning property to tax generating status and responsible maintenance.

RECOMMENDATION:

That the Board adopt Alternative 1.

Districts 2, 3, 5, 8

=====

**9. REQUEST BOARD APPROVE A SPECIAL EVENT PERMIT FOR ALBERT STREET, PLANTERS COMMON.
[DISTRICT 3.]**

ACTION OF THE BOARD:

Commissioner Thomas moved to approve a special event permit for Albert Street, Planters Common, to hold a neighborhood block party on June 24, 2006. Commissioner Farrell seconded the motion and it carried unanimously. [NOTE: Commissioner Gellatly was not present when this vote was taken.]

AGENDA ITEM: X-9
AGENDA DATE: June 23, 2006

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

ISSUE:
To approve the waiver of a special events permit fee for Planters Common.

BACKGROUND:
Planters Common is planning a neighborhood block party on June 24. The neighborhood has completed a petition for the event, which will also require the closing of Albert Street. The residents along Albert Street concur by signing of the petition.

FACTS & FINDINGS:
1. Staff is interpreting this type of event as a "Special Event" and not as an event under the "Parade and Public Assembly Ordinance," since Albert Street will be closed (pending approval of the Director of Public Works and Parks Services).

- 2. A Special Event permit requires payment of a \$100 fee, and only the Board can waive the necessary fee.

FUNDING:

Not applicable (would be Special Service District revenue, if collected).

ALTERNATIVES:

- 1. That the Board approve the waiver of the fee.
- 2. That the Board require the payment of the fee.

POLICY ANALYSIS:

As a neighborhood social event, this type of public assembly does not especially fit either the strict definition of a “Parade and Public Assembly” nor a “Special Event,” which are regulated by County Code. Rather than become too bureaucratic in the interpretation, staff opted to categorize the event as a Special Event but with a waiver of the permit fee.

RECOMMENDATION:

That the Board adopt Alternative 1.

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**10. REQUEST BOARD APPROVAL OF DEVELOPMENT AGREEMENT WITH GREEN WAY DEVELOPERS, INC., FOR COTTONVALE PLANTATION, PHASE III.
[DISTRICT 7.]**

ACTION OF THE BOARD:

Commissioner Thomas moved to approve the Development Agreement with Green Way Developers, Inc., for Cottonvale Plantation, Phase III. Commissioner Farrell seconded the motion and it carried unanimously. [NOTE: Commissioner Gellatly was not present when this vote was taken.]

AGENDA ITEM: X-10**AGENDA DATE: June 23, 2006**

TO: Board of Commissioners

THRU: R. E. Abolt, County Manager

FROM: R. Jonathan Hart, County Attorney
Vincent J. Grevemberg, Senior Engineer

ISSUE

Approval of development agreement with Green Way Developers, Inc. for Cottonvale Plantation, Phase III.

BACKGROUND

Green Way Developers, Inc. ("Developer") is in the process of developing Cottonvale Plantation, Phase III ("Subdivision"). The Developer obtains its sewer and water services for the Subdivision from Consolidated Utilities, Inc. ("Consolidated") Consolidated is in the process of making repairs to its sewage treatment facilities which will delay service to the Subdivision for three to six months.

The Developer has requested that the County issue a development permit so that it can proceed with the development of the Subdivision during the time that Consolidated is making repairs to its sewage treatment facilities.

FINDINGS OF FACT

1. The Developer for Cottonvale Plantation, Phase III obtains its sewer and water services for the Subdivision from Consolidated is in the process of making repairs to its sewage treatment facilities which will delay service to the Subdivision for three to six months.

2. The Developer has requested that the County issue a development permit so that it can proceed with the development of the Subdivision during the time that Consolidated is making repairs to its sewage treatment facilities.

3. The development agreement protects the County by not allowing the Developer to submit the Subdivision for final approval and recording, not applying for a building permit and not conveying any portion of the Subdivision, until Consolidated has completed its repairs and received all applicable approvals for providing water and sewer services. The development agreement also holds the County harmless.

FUNDING

Not applicable

ALTERNATIVES

1. Approve development agreement with Green Way Developers, Inc. for Cottonvale Plantation, Phase III.

2. Do not approve development agreement with Green Way Developers, Inc. for Cottonvale Plantation, Phase III.

POLICY ANALYSIS

The approval of the development agreement will allow the Developer to continue with developing the Subdivision and protects the County.

RECOMMENDATION

Alternative 1.

RJH/dc

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11. REQUEST BOARD APPROVE REMOVAL OF VALUES FROM 2005 DIGEST FOR EIGHT (8) ACCOUNTS: SAVANNAH AIR SERVICE, INC.; SELDAC, INC.; SAVANNAH AIRCRAFT GROUP, INC.; TIMBER RESOURCES, INC.; GARY L. SCOTT; GEORGE WISNIEWSKI; RALLAND E. ROBBINS; AND NEGRO AIRMEN INTERNATIONAL, INC.

ACTION OF THE BOARD:

Commissioner Thomas moved to approve removal of values from 2005 digest for eight (8) accounts: Savannah Air Service, Inc.; Seldac, Inc.; Savannah Aircraft Group, Inc.; Timber Resources, Inc.; Gary L. Scott; George Wisniewski; Ralland E. Robbins; and Negro Airmen International, Inc. Commissioner Farrell seconded the motion and it carried unanimously. [NOTE: Commissioner Gellatly was not present when this vote was taken.]

AGENDA ITEM: X-11
AGENDA DATE: June 23, 2005

TO: Board of Commissioners
THRU: R.E. Abolt, County Manager
FROM: Jonathan Hart, County Attorney

ISSUE:

To approve removal of values from 2005 digest for accounts of Savannah Air Service, Inc., Seldac, Inc., Savannah Aircraft Group, Inc., Timber Resources, Inc., Gary L. Scott, George Wisniewski, Ralland E. Robbins and Negro Airmen International, Inc.

BACKGROUND:

The Tax Commissioner and Chief Appraiser have requested that the Board approve the removal of values of eight accounts from the 2005 digest, as shown in the attached applications for refund, credit, abatement or correction or errors concerning ad valorem taxes.

FACTS & FINDINGS:

1. The Board of Assessors ("BOA") acquired aircraft information from FAA listings regarding Savannah Air Service, Inc., Seldac, Inc., Savannah Aircraft Group, Inc., Timber Resources, Inc., Gary L. Scott, and George Wisniewski. The BOA could not locate the taxpayer in question and deleted the account in 2005.
2. The BOA also acquired aircraft information from FAA listings regarding Ralland E. Robbins and Negro Airmen International, Inc. The BOA received a letter stating the aircraft of Ralland E. Rollins was located in Candler County as of January 1, 2005. The BOA

received a letter regarding Negro Airmen International, Inc. stating that the aircraft is located in Florida.

3. The accounts were erroneously placed on the 2005 digest.
4. O.C.G.A. 48-5-154 provides the County governing authority shall have jurisdiction and the power to correct all errors in the digest to order abatement or cancellation of taxes erroneously assessed and to make other adjustments in the digest of a similar nature and to reflect the same in the account as stated.

FUNDING:

Delinquent collections of the Tax Commissioner's office.

POLICY ANALYSIS:

The 2005 digest should be corrected to provide accurate information.

ALTERNATIVES:

1. The Commission should authorize the removal of values from 2005 digest for accounts of Savannah Air Service, Inc., Seldac, Inc., Savannah Aircraft Group, Inc., Timber Resources, Inc., Gary L. Scott, George Wisniewski, Ralland E. Robbins and Negro Airmen International, Inc.
2. The Commission should not authorize the removal of values from 2005 digest for accounts of Savannah Air Service, Inc., Seldac, Inc., Savannah Aircraft Group, Inc., Timber Resources, Inc., Gary L. Scott, George Wisniewski, Ralland E. Robbins and Negro Airmen International, Inc.

RECOMMENDATION:

Alternative 1.

state and federal approvals and permits to provide sewer and water services to the Subdivision, including all EPD approvals required for the extension of consolidating the existing system. Developer shall not:

- (a) submit its subdivision map for final approval and recording;
- (b) apply for or permit any lot purchaser to apply for a building permit; and
- (c) convey any portion of the Subdivision to another.

3. Developer hereby releases and holds harmless the County for any and all damages or claims for damages against the County in consequence of the issuance of a development permit prior to the receipt by Consolidated of all of the required approvals and permits for sewer and water service to the Subdivision.

IN WITNESS WHEREOF, the undersigned have set their hands and seals as of the day and year first above written.

DEVELOPER:

GREEN WAY DEVELOPERS, INC.

By: _____
Louis C. Young, Jr.
Its: Vice President

WITNESSED:

Witness

Notary Public

THE COUNTY:

CHATHAM COUNTY

By: _____

Its: _____

WITNESSED:

Witness

Notary Public

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- 12. REQUEST FROM THE TAX COMMISSIONER’S OFFICE TO WRITE OFF UNCOLLECTIBLE PERSONAL PROPERTY TAXES FOR THE PERIOD 1999 THROUGH 2006 AND REQUEST THE BOARD INSTRUCT THE ASSESSOR’S OFFICE NOT TO CREATE A 2006 ASSESSMENT AND/OR ANY SUBSEQUENT ASSESSMENT OF THE SAME PROPERTIES.**

ACTION OF THE BOARD:

Commissioner Thomas moved to approve the request from the Tax Commissioner’s office to write off uncollectible personal property taxes for the period 1999 through 2006 and approve the request to instruct the Assessor’s office not to create a 2006 assessment and/or any subsequent assessment of the same properties. Commissioner Farrell seconded the motion and it carried unanimously. [NOTE: Commissioner Gellatly was not present when this vote was taken.]

AGENDA ITEM: X-12

AGENDA DATE: June 23, 2006

TO: Board of County Commissioners

THROUGH: Russell Abolt, County Manager

THROUGH: Daniel T. Powers, Tax Commissioner

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

ISSUE:

To present a request to the Board for the Tax Commissioner's office to write off uncollectible Personal Property taxes for the period 1999 through 2006. With an additional request for them to instruct the Assessor's Office not to create a 2006 assessment and/or any subsequent assessment of the same properties.

BACKGROUND:

During the period of 1999 through 2006 numerous personal property tax accounts on the County's Tax Digest remained uncollected. These accounts are uncollectible for many reasons such as the owner(s) cannot be located; the owner(s) have moved; the owner(s) are deceased; the business is no longer in operation or has no assets or a bankruptcy judgement has paid less than 100 cents on the dollar. Therefore, the balance outstanding in these accounts cannot be collected.

The amount of uncollectible personal property taxes determined thus far for the period of 1999 through 2006 total \$82,663.11, that consist of 178 accounts and 398 bills as summarized below:

<u>Tax Year</u>	<u>Total Tax Due</u>	<u>County Portion</u>
1999	\$ 7,021.82	\$ 2,586.47
2000	\$11,405.30	\$ 4,169.68
2001	\$14,010.36	\$ 4,939.68
2002	\$11,715.31	\$ 4,207.01
2003	\$ 9,585.95	\$ 3,479.68
2004	\$10,606.09	\$ 4,138.96
2005	\$18,252.97	\$ 7,193.77
<u>2006</u>	\$ 65.32	\$ 24.33
TOTAL	\$82,663.11	\$30,739.58

FACTS AND FINDINGS;

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

ALTERNATIVES:

- (1) Approve the Tax Commissioner's request to write off these uncollectible accounts.

(2) Do not approve the Tax Commissioner’s request.

POLICY ANALYSIS:

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

RECOMMENDATIONS:

That the Board approve Alternative 1.

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13. 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. Replacement engine air filtration system	Mosquito Control	Aerospace Filtration Systems (Sole Source)	\$18,200	General Fund/M&O - Mosquito Control
B. Confirmation emergency purchase and installation of additional security fencing	CNT	Randy’s Fence Company, Inc. (Sole Source)	\$22,445	Confiscated Funds - CNT
C. Contract for the construction of the new Islands Police Precinct Building	SPLOST	Pioneer Construction, Inc.	\$1,990,600	<ul style="list-style-type: none"> •SPLOST (2003-2008) - Police Merger (pending Board approval of Budget) •SPLOST (2003-3008) - Whitemarsh Island Bikeways/ Sidewalks

<u>ITEM</u>	<u>DEPT.</u>	<u>SOURCE</u>	<u>AMOUN</u> <u>T</u>	<u>FUNDING</u>
D. Change Order No. 1 to the contract for design services for the Ralph Mark Gilbert Civil Rights Museum addition for a time extension	SPLOST	Goode Van Slyke Architecture, Inc.	N/A	No additional funding required
E. Confirmation of the emergency purchase for re-painting of the two indoor swimming pools at the Aquatic Center	Aquatic Center	E & D Coatings, Inc.	\$76,110	CIP - Aquatic Center
F. Contract for engineering services for the HVAC chiller change-outs for the Sheriff's Complex	Sheriff	Smith & Vandenbulck Engineering	\$8,500	CIP - Sheriff's Complex
G. Renew Workers' Compensation Specific Excess Insurance	Finance	Midwest Employer's Casualty	\$46,485	Risk Management internal Service Fund
H. Purchase and installation of a security system	CNT	ADT Security Services	\$41,195	Confiscated Funds - CNT
I. Various items needed to relocate law enforcement communications network	CNT	Motorola Communications	\$13,700	Confiscated Funds - CNT
J. Annual pricing agreement for the purchase of various chemicals	Mosquito Control	<ul style="list-style-type: none"> •Adapco, Inc. •Clarke Mosquito Control Products •B & G Chemicals and Equipment Co., Inc. 	Varies by item	General Fund/M&O - Mosquito Control

<u>ITEM</u>	<u>DEPT.</u>	<u>SOURCE</u>	<u>AMOUNT</u>	<u>FUNDING</u>
K. Purchase and installation of a surveillance system with camera interface equipment to be installed at the Tag Office on Eisenhower Drive	Tax Commissioner	Remote Technology	\$35,630	•CIP - Tax Commissioner - \$18,056 •General Fund/M&O - Tax Commissioner - \$17,574
L. Deductive Change Order No. 3 to the contract to provide elevator maintenance and repair services to discontinue monthly maintenance services on the sidewalk lift located at the Judicial Courthouse	Facilities Maintenance and Operations	Otis Elevator Company of Savannah	(\$960)	General Fund/M&O - Facilities Maintenance and Operations
M. Annual contract with automatic renewals for four (4) additional one year terms to provide food service for the inmates	Detention Center	ABL Food Management, Inc.	\$.6899 per meal per inmate	General Fund/M&O - Detention Center
N. Purchase and installation of carpet	Juvenile Court	A & R Flooring	\$29,450	General Fund/M&O - Juvenile Court

ITEMS 13-A THROUGH 13-N, EXCEPT ITEMS 13-C, 13-D AND 13-M:

Commissioner Thomas moved to approve Items 13-A through 13-N except Item 13-C, 13-D and 13-M. Commissioner Farrell seconded the motion and it carried unanimously. [NOTE: Commissioner Gellatly was not present when this vote was taken.]

ITEM 13-C:

- C. CONTRACT FOR THE CONSTRUCTION OF THE NEW ISLANDS POLICE PRECINCT BUILDING; SPLOST; PIONEER CONSTRUCTION, INC.; \$1,990,600; SPLOST (2003-2008) - POLICE MERGER (PENDING APPROVAL OF BUDGET; AND SPLOST - WHITEMARSH ISLAND BIKEWAYS/SIDEWALKS.**

Chairman Liakakis said, just for information purposes [ITEM 13-C], the bid has come in and it's for \$1,990,600, and that's for the Pioneer Construction Company for that building and, of course, we know that building, that precinct will be built to withstand a Category 3 Hurricane.

ITEM 13-D:

D. CHANGE ORDER NO. 1 TO THE CONTRACT FOR DESIGN SERVICES FOR THE RALPH MARK GILBERT CIVIL RIGHTS MUSEUM ADDITION FOR A TIME EXTENSION; SPLOST; GOODE VAN SLYKE ARCHITECTURE, INC., N/A; NO ADDITIONAL FUNDING REQUIRED.

County Manager Abolt said, Mr. Chairman, ladies and gentlemen, there is no money involved with this [ITEM 13-D]. A few years ago, in concert with the Civil Rights Museum Board of Directors an architectural firm was hired, bids were taken. The bids far out exceeded the estimates from the architect so nothing has been built on the project referred to as the addition for civil rights museum. We're just keeping in place this firm to work with the civil rights addition. The Civil Rights Board of the Ralph Martin Gilbert organization and then realizing if there was a decision to proceed in including more SPLOST money for the civil rights museum, there services would continue.

ITEM 13-M:

M. ANNUAL CONTRACT WITH AUTOMATIC RENEWALS FOR FOUR (4) ADDITIONAL ONE-YEAR TERMS TO PROVIDE FOOD SERVICE FOR THE INMATES; DETENTION CENTER; ABL FOOD MANAGEMENT, INC.; \$.6899 PER MEAL PER INMATE; GENERAL FUND/M&O - DETENTION CENTER.

Chairman Liakakis said, as the Sheriff mentioned a while ago, ABL has been doing an outstanding job saving us a lot of money because it was somewhere around 77¢ - 78¢ a meal, and now the new bid that they have given us is 68¢ a meal, so we can see in the meals if you go out there those people, ABL and the Sheriff's staff and the kitchen area do an outstanding job to provide those three meals a day, which is saving the taxpayers in our community millions and millions and millions of dollars what's happened in the last several years, and you can even compare that with other cities and counties.

Sheriff St. Lawrence said, the contractor that was the low bid is the contractor we have now, ABL Services. I probably would have tried to recommend them if they have been higher because I don't have no problems out there, and with the old whole County problem, I don't need the problems, but they came in 10¢ lower than they were furnishing for this year. I don't know how they do it, but the main thing in over 3,000 calories per day situation for us, but in addition to that they have to have a dietician because if somebody's got special needs problems, medical problems, they have to fulfill those, too. So we're real happy about that. As I said earlier, most things have gone up and that's coming down. I guess based on volume.

Chairman Liakakis said, okay, I'd like a motion on the floor to approve under 13-C, D and M. Commissioner Stone said, so moved, Mr. Chairman. Commissioner Thomas said, second.

Chairman Liakakis said, we have a second. Let's go on the board. The motion carried unanimously. [NOTE: Commissioners Holmes and Gellatly were not present when this vote was taken.]

ACTION OF THE BOARD:

- a. Commissioner Thomas moved to approve Items 13-A through 13-N except Item 13-C, 13-D and 13-M. Commissioner Farrell seconded the motion and it carried unanimously. [NOTE: Commissioner Gellatly was not present when this vote was taken.]
- b. Commissioner Stone moved to approve Items 13-C, 13-D and 13-M. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioners Holmes and Gellatly were not present when this vote was taken.]

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XI. FIRST READINGS

Proposed changes to ordinances must be read or presented in written form at two meetings held not less than one week apart. A vote on the following listed matters will occur at the next regularly scheduled meeting.

On first reading, presentation by MPC staff and discussion only by Commissioners will be heard. Comments, discussion and debate from members of the public will be received only at the meeting at which a vote is to be taken on one of the following listed items.

1. ORDINANCE TO LEVY A 3% EXCISE TAX ON MIXED DRINKS.

ACTION OF THE BOARD:

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

**AMENDMENT TO THE CODE OF
CHATHAM COUNTY, GEORGIA**

An Ordinance to amend the code of Chatham County, Georgia to provide for the assessment of an excise tax on distilled spirits by the drink; and other purposes. Be it ordained by the Chatham County Commission in regular session as follows, to wit;

**CHAPTER 17
Article I
Alcoholic Beverage Code**

17-122 Alcoholic Beverage Excise Tax

Each bar or restaurant within Chatham County shall pay in addition to the regular license provided by this ordinance, an excise tax of 3% on distilled spirits sold by the drink in accordance with the following Municipalities that currently levy an excise tax on distilled spirits sold by the drink are hereby exempt from this provision.

1. Report Process, Due Date and Penalties

- (a) True and correct records of all sales of such beverages; such records shall be preserved for a period of one year and to be made available on request for inspection by any duly authorized representative of Chatham County;
- (b) Collect from each drink the amount of tax due under the ordinance and hold the same in trust for the County until such amount is remitted to the County, as provided in this section;
- (c) All taxes on distilled spirits sold by the drink are due and payable to the Chatham County Finance Department on or before the tenth day of the month;
- (d) There shall be a penalty of not less than \$5.00 or 3% whichever is greater, on all remittances not submitted by the proper due date;
- (e) All remittances of excise taxes must be accompanied by a completed report form approved by the Chatham County Finance Department. All forms must be supported by records that must be made available for inspection by County Officials upon request.

2. Sale Prohibited if Taxes Are Not Paid

It shall be unlawful for any person to sell distilled spirits by the drink that taxes provided for int his ordinance have not been paid to the County.

Effective this _____ day of _____, 2006

CHATHAM COUNTY COMMISSION

Pete Liakakis, Chairman

Clerk of Commission

Attest:

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XII. SECOND READINGS

1. AMENDMENT TO THE CHATHAM COUNTY REVENUE ORDINANCE, ARTICLE U, APPEALS, REZONING, DEVELOPMENT AND REVIEW FEES TO INCLUDE SECTION 7, HISTORIC REVIEW FILING FEES.

County Manager Abolt said, this part of your —, I'll make it very quickly for you unless you want more detail. Remember in your budget proposal from MPC not only had you implemented for the first time this historic review group, you wanted to have part of the cost be borne by the applicants. This does it. It puts in place what you already have in the budget. We have to have that first and second readings. It amends the Revenue Ordinance. There's nothing wrong with it.

Commissioner Shay said, Mr. Chairman, I'd like to make a motion in favor of the ordinance revision. Commissioner Stone said, second.

Chairman Liakakis said, we have a second. Let's go on the board. The motion carried unanimously. [NOTE: Commissioners Holmes, Gellatly and Kicklighter were not present when this vote was taken.] Chairman Liakakis said, the motion passes.

ACTION OF THE BOARD:

Commissioner Shay moved to approve the amendment to the Chatham County Revenue Ordinance, Article U, Appeals, Rezoning, Development and Review Fees to include Section 7, Historic Review Filing Fees. Commissioner Stone seconded the motion and it carried unanimously.

Section 7 Historic Review Filing Fees

a. Application for Historic Property Designation

1. Property already designated or currently under review for designation as a National Register Historic Property: One hundred dollars (\$100.00) base fee- original filing fee at the time of application.
2. Property not designated or under review for designation as a National Register Historic Property: Two hundred dollars (\$200.00) base fee- original filing fee at the time of application.

b. Application of Historic or Conservation District Designation

1. District already designated or currently under review for designation as a National Register Historic District: One hundred dollars (\$100.00) base fee plus \$1 for each property included within the proposed District- original filing fee at the time of application.
2. District not designated or under review for designation as a National Register Historic District: Two hundred dollars (\$200.00) base fee

plus \$2 for each property included within the proposed District-original filing fee at the time of application.

3. Waiver of District Designation Fee Criteria: The applicant may request in writing a waiver of the District Designation Fee if the median income level for the proposed district is below \$25,000, as verified on the most recent Census records. If the applicant believes that the Census records do not adequately reflect the current median income level of the proposed district, the applicant may self-report the income of each household located within the proposed district with the head of each household signing a statement attesting to the veracity of the self-reported income level.

c. Application for Certificate of Appropriateness

1. Staff Review: Fees for Staff Review will be determined by the cost of construction, as reported by the Owner, and as outlined below:

Cost of Construction	Fee
\$0 - \$5,000	\$25
\$5,000 - \$25,000	\$50
\$25,000 - \$50,000	\$100
\$50,000 - \$100,000	\$150
\$100,000 - \$500,000	\$200
\$500,000 - \$1,000,000	\$300
\$1,000,000 - \$5,000,000	\$500
\$5,000,000 - \$10,000,000	\$1,000
Over \$10,000,000	\$2,000

2. Board Review- Additions and New Construction: Fees for Board Review of additions over 500 square feet, and all new construction will be determined by the cost of construction, as calculated by the square footage and use (Residential Construction: square footage multiplied by \$80.00; Commercial Construction: square footage multiplied by \$100.00), and as outlined below:

Cost of Construction	Fee
\$0 - \$5,000	\$25
\$5,000 - \$25,000	\$50
\$25,000 - \$50,000	\$100
\$50,000 - \$100,000	\$150
\$100,000 - \$500,000	\$200
\$500,000 - \$1,000,000	\$300
\$1,000,000 - \$5,000,000	\$500
\$5,000,000 - \$10,000,000	\$1,000
Over \$10,000,000	\$2,000

3. Board Review- Demolition: The fee for Board Review of a Demolition of a contributing building will be set at \$500.

- d. **Appeal of Staff Decision:** The fee for an appeal of a Staff Decision to the Board will be set at \$200.
- e. **“After-the-Fact” Application:** Fees for any application for which work has already started or proceeded prior to obtaining a Certificate of Appropriateness, the fees herein specified shall be doubled, but the payment of such doubled fees shall not relieve any persons from fully complying with the requirements of this code in the exception of the work nor from any other penalties as prescribed herein.

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**2. THE PETITIONER JOEL MARTIN, AGENT (FOR FIRST COUSINS REALTY AND DEVELOPMENT LLC), IS REQUESTING THE REZONING OF A 2.37 ACRE SITE FOR R-1 (SINGLE FAMILY RESIDENTIAL – 5 UNITS PER NET ACRE) ZONING CLASSIFICATIONS TO A P-R-3-6 (PLANNED RESIDENTIAL MULTI-FAMILY (RESIDENTIAL – 6 UNITS PER NET ACRE) CLASSIFICATION. THE MPC RECOMMENDS APPROVAL.
MPC FILE NO. Z-060330-42309-1
[DISTRICT 8.]**

Chairman Liakakis asked, do we have a motion on the floor for approval.

Commissioner Thomas said, I just have a question before the motion. Is there anyone here in the audience from that district, which is my district, District 8?

Mr. Jim Hansen said, Mr. Chairman, members of the Commission, Jim Hansen on behalf of the MPC. I will be here to answer questions, if you have any.

Commissioner Odell said, I'll make the motion to —. Commissioner Thomas said, hearing none —. Go ahead. Commissioner Odell said, approve. Commissioner Thomas said, second.

Chairman Liakakis asked, any discussion then? All right, let's go on the board. The motion carried unanimously. [NOTE: Commissioners Holmes and Kicklighter were not present when this vote was taken.] Chairman Liakakis said, the motion passes.

ACTION OF THE BOARD:

Commissioner Odell moved to approve the petition of Joel Martin, Agent (for First Cousins Realty and Development LLC), requesting the rezoning of a 2.37 acre site for R-1 (Single Family Residential – 5 units Per net acre) zoning classification to a P-R-3-6 (Planned Residential Multi-Family (Residential – 6 units per net acre) classification. Commissioner Thomas seconded the

motion and it carried unanimously. [NOTE: Commissioners Holmes and Kicklighter were not present when this vote was taken].

**Petition of Joel Martin, Agent
MPC File No. Z-060330-42309-1**

The MPC recommends that the following described property be rezoned from its present R-1 (Single Family Residential 5 units per net acre) to a P-R-3-6 (Planned Residential Multi-Family Residential 6 units per net acre).

LEGAL DESCRIPTION

Beginning at a point located on the centerline of Garrard Avenue approximately 80 feet south of its intersection with the centerline of Brandlewood Road, thence proceeding in a westerly direction along a line North 72 degrees 17 minutes West a distance of approximately 1102 feet to a point on the centerline of Veteran's Parkway, thence northerly along the centerline of Veteran's Parkway a distance of approximately 245 feet to a point, thence in an easterly direction along a line South 72 degrees 02 minutes East a distance of approximately 878 feet to a point on the centerline of Garrard Avenue, thence in a southerly direction along the centerline of Garrard Avenue back to the point of beginning.

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

P.I.N. 1-0789-01-020

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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.

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

<u>ITEM</u>	<u>DEPT.</u>	<u>SOURCE</u>	<u>AMOUNT</u>	<u>FUNDING</u>
Ten (10) faucet kits	Detention Center	Hughes Supply	\$5,041	General Fund/M&O - Detention Center
Pump Station	Sheriff	Pye Barker Supply Co., Inc.	\$7,124	General Fund/M&O - Sheriff
Computers and related components for the Sheriff's Department dispatch	Sheriff	Dell Marketing (State Contract)	\$3,231	General Fund/M&O - Sheriff
One (1) used 2005 Ford Taurus	Public Defender	Fairway Lincoln-Mercury	\$9,999	General Fund/M&O - Public Defender
One (1) used 2005 Ford Taurus	Juvenile Court	Fairway Lincoln-Mercury	\$9,999	General Fund/M&O - Juvenile Court
12x24 utility building with side roll-up door	Juvenile Court	Handi-House of Savannah	\$3,838	General Fund/M&O - Juvenile Court
Relocation of contents of offices to new location	CNT	Welsh Installation, Inc.	\$3,335	Confiscated Funds - CNT
Provide as-built survey for the Aquatic Center	Aquatic Center	Helmly Land Management Services	\$3,000	2005 DSA Bonds - Aquatic Center Roof
Two (2) touch screen voting machines	Elections Board	Diebold Election Systems, Inc. (Sole Source)	\$5,539	General Fund/M&O - Elections Board
One (1) memory card duplicator with two-year extended warranty	Elections Board	International Microsystems, Inc.	\$6,600	General Fund/M&O - Elections Board
Four (4) Cisco network switches for the relocation of CEMA	CEMA	Entre Solution (MBE)	\$6,986	CIP - CEMA
Video intercom door lock system	Library	Remote Technology, Inc.	\$5,015	SPLOST (1998-2003) - Library Technical Equipment

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EXECUTIVE SESSION

Upon motion being made by Commissioner Stone and seconded by Commissioner Odell the board recessed at 11:40 a.m. to go into Executive Session for the purpose of discussing litigation, land acquisition and personnel. [NOTE: Commissioners Holmes and Kicklighter were not present when this vote was taken.]

Following adjournment of the Executive Session, the meeting of the Board of Commissioners was reconvened at 12:20 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 Stone moved to approve a motion to authorize the Chairman to execute an Affidavit that the Executive Session was held in compliance with the Open Meetings Act. Commissioner Odell seconded the motion and it carried unanimously.

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ADJOURNMENT

There being no further business, the Chairman declared the meeting adjourned at 12:21 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