

MINUTES OF THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF CHATHAM COUNTY, GEORGIA, HELD ON FRIDAY, NOVEMBER 3, 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, November 3, 2006.

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II. INVOCATION

Commissioner Patrick Shay gave the Invocation.

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III. PLEDGE OF ALLEGIANCE

Major General Rick Lynch, Commanding General of Third Infantry Division, led everyone in the Pledge of Allegiance to the Flag of the United States of America.

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IV. ROLL CALL

The Clerk called the roll.

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

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

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YOUTH COMMISSIONERS

Chairman Liakakis welcomed the following Youth Commissioners who were in attendance: Stephanie Chu, a Junior at Savannah Country Day, and Colburn Clark, a Junior at Benedictine Military Academy.

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V. PROCLAMATIONS AND SPECIAL PRESENTATIONS**1. GREETINGS FROM MAJOR GENERAL RICK LYNCH, COMMANDING GENERAL OF THIRD INFANTRY DIVISION.**

Chairman Liakakis said, this morning we're going to hear from an outstanding military individual. That individual is Major General Rick Lynch, who has a long and distinguished military career and he's a graduate of the U. S. Military Academy and also the Army War College, and he has commanded many posts and he's had many assignments not only in this country, but around the world, and one of his assignments has been the Joint Task Force of the NATO Responsive Force and has a tremendous responsibility, as he does now, and we are glad to have it. And, as I mentioned before, he is now the Commander of the Third Infantry Division and has done an outstanding job and he's had tours overseas and in Iraq before, and I'd like to call General Rick Lynch to the microphone.

General Rick Lynch said, thank you, Mr. Chairman. When you said there was an outstanding military individual in the room I was looking around to see who was here. I thought maybe somebody joined me, but I appreciate that introduction, sir and Commissioners, thank you for the time. There's really three things that I'd like to do if you'd bear with me just for a couple of moments. One is I'd like to tell you all thanks. I've been Commander of the Great Marne Division now for five months. The United States Army in its intensive wisdom selected me to command a division in which I'd never served at a place at which I'd never been. They sent me to Fort Stewart, Georgia, and this beautiful area, and in the last five months, Sarah and I have been so amazed with the compassion, the focus on the families from the people in Coastal Georgia, and we couldn't be more impressed. And our soldiers and their families appreciate that so I never fail to take the time to tell you all thank you. I have in my 29 years of experience been in places where the military wasn't embraced. That's not true here. It's an amazingly warm environment and for that we are most appreciative.

General Lynch said, I'd like to inform you about upcoming activities through the Third Division and our military community because I believe it's important. We talk all the time inside the division that constant communication is critical, and I try my very best to share pending activities so that the community knows. One that you know and, two, that you can help us with our families after we deploy. This magnificent division has deployed to Iraq twice already and will soon deploy to Iraq again. It's already been announced that the First Brigade Combat Team, 4700 magnificent soldiers will deploy to Iraq in the January time frame, and as we look at future plans there's a great probability that the entire division will be in Iraq by next Summer. So we're gone again. The folks at Stewart and the folks at Hunter gone again. We take great peace knowing that we're going to be trained and ready. We're going into an environment in which we are prepared, and we take great peace knowing that our families will be well taken care of by the people we leave behind and this magnificent community. So I ask you just to keep in mind as you see a soldier — and I get told all the time and asked what can we do for the soldiers on Fort Stewart and Hunter and Fort Benning — really the primary thing is to tell them thank you, and I know that you do that. I know when you see soldiers in restaurants and in the malls and on the streets in Savannah, I know you stop them and tell them thank you. I'd ask that you just continue that because that's what they want. You know, people say well the families are at a breaking point, there's too many deployments, the soldier is away too much, and that's not true. It's because of people like you that are helping us with our families when we are deployed. So just do — please just continue to tell them thank you if you get a chance to see them.

General Lynch said, I'd like to invite you all, the members of this wonderful community, to a celebration that's going to happen at Fort Stewart on 20, 21 and 22 of November. We call it Marne Week. Marne Week is our 89th Birthday. Marne Week is a celebration of 89 years of service to the nation. It starts on Monday morning with a magnificent division-wide run. There's athletic competitions all week. There's a major concert on Monday night. There's a parade on Tuesday. The Army Parachute Club is jumping on the parade field and will parade on Tuesday. We have a Birthday Ball here in Savannah on Tuesday night and a golf tournament on Wednesday, and I'd like to open that up to the members of the community. It's not just about us. It's about all of us and the relationship that we have with you all is just so important to us. I'd ask that if you can mark your calendars and join us for that magnificent event.

General Lynch said, and the last thing that I would just like to inform you about is I am in the process, as not only the Division Commander but the Installation Commander on Fort Stewart and on Hunter Army Air Field, make determinations on allocations and resources in the out years. We're having a session on Hilton Head 15 and 16 November where my staffs will come together with me and make recommendations on how to proceed, and I'd really like to welcome members of the community to participate in that event so I get an opportunity to hear your views on what you think we should do both at Hunter and at Fort Stewart. So really those three things: the upcoming deployment, Marne Week and offsite when we're going to have on Hilton Head on the 15th and 16th of November. And just know how honored I am to be in your presence, how honored I am to be the Commander of 26,000 amazing soldiers and their wonderful, wonderful families, and I appreciate the warmth of this community. Thank you for your time, sir.

Chairman Liakakis said, Major General Rick Lynch, as I said, you had that distinguished career and all, and I didn't mention all the awards and service ribbons that you had received for your great service to this country, but, you know, we are honored also to have you here, this Commission is, because we have over the years supported the military, we have a number of members in our community that have lobbied in Washington so that — for not only the BRAC Committee but also resources. And we've got a great Congressman here who has done that also and numbers of U.S. Senators that have joined us in that lobbying effort because it's important. And we're honored too to have so many military, the Army, the people from the Coast Guard and from the Marine Station close by, and the Air National Guard Units, and we really do appreciate, because we hear people all the time talking about our freedom and if we didn't have

you and the other military people together to protect our freedom and to fight for it because we have seen in the last several years that we have had no more terrorist attacks in this country. It could unfortunately happen tomorrow or the next day, prayerfully not, but because of what the military has done to protect our citizens, we owe a deep gratitude to the military to keep our country safe and to continue so that we can have the freedom that we enjoy in this country, and that's because of the military, and sometimes people, you know, go day to day and they don't realize that, but we can hear these Commissioners and others in the community who really love our military and we really care and we do appreciate what you and your other people are doing now, sir. General Lynch said, well, thank you for that, sir. Chairman Liakakis said, and what I would like to also — I have a little, just a small memento from our Chatham County — it's a nice marble type of paperweight that you might remember us. It has Chatham County, Georgia, on here and we'd like for you to, you know, remember us, General. General Lynch said, God bless and thank you very much. Thank you all.

Chairman Liakakis recognized Commissioner Kicklighter.

Commissioner Kicklighter said, General, I would love to have your autograph before you leave. There's no doubt in my mind that — I see why you were picked to come to a place that you didn't know. Your fatigues that you're wearing, you look like you could dig the sands and jump in there with your guys, the folks under you, and there's no doubt in my mind that you're the leader leading the best division of the best Army in the world, and I think when y'all get over there — I know I personally took great pride every time y'all lead the charge and go in there and kick — General Lynch said, yes sir. Thank you. Commissioner Kicklighter said, do what you did and I'd love to have your autograph because no doubt in my mind you'll be the man, you'll be the leader that finishes this war with a victory for the United States. So if I could before you leave, sir, I'd love to have your autograph. General Lynch said, I appreciate that. Thank you very much, but I've got to tell you, I always give all glory to God, all thanks to my family and all appreciation to the magnificent soldiers that do the hard work day to day, but if you really want me to sign something, I'll be happy to do that. Commissioner Kicklighter said, it's apparent how much you care for the people. I've never seen anyone come up and do what you've done today. I appreciate it.

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2. PROCLAMATION PROCLAIMING NOVEMBER 5, 2006, AS CHATHAM RETIRED EDUCATORS DAY. CAROLUS DANIEL, PRESIDENT OF THE CHATHAM RETIRED EDUCATORS ASSOCIATION, WILL BE ACCEPTING.

Chairman Liakakis said, I'd like to call on Commissioner Thomas right now. This is a proclamation proclaiming November 5, 2006, as Chatham Retired Educators Day. Carolus Daniel, President of the Chatham Retired Educators Association, will be accepting this, and if you have anybody else with your group, you can come forward please.

Commissioner Thomas said, thank you, Mr. Chairman. This is a wonderful opportunity for me because everyone who's standing here this morning I have had the pleasure of working with them and am very proud of them. It gives me great pleasure to present this proclamation this morning and it reads as follows:

PROCLAMATION

WHEREAS, the Governor of the State of Georgia has proclaimed the day of Sunday, November 5, 2006, as Retired Educators Day in Georgia; and

WHEREAS, there are more than 60,000 retired educators in Georgia, 15,000 of whom are members of the Georgia Retired Educators Association; and

WHEREAS, it is appropriate that a day be designated for citizens to express their appreciation for the contributions that retired educators have made and continue to make for the betterment of human lives and for society; and

WHEREAS, local churches will recognize those lasting contributions made by retired educators in this community.

NOW, THEREFORE, I, Pete Liakakis, Chairman, on behalf of the Chatham County Board of Commissioners, do hereby proclaim, Sunday, November 5, 2006 as:

RETIRED EDUCATORS DAY

in Chatham County and call upon all citizens to observe that day in an appropriate manner honoring retired educators.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of Chatham County, Georgia to be affixed this the 3rd day of November, 2006.

Pete Liakakis, Chairman
Chatham County Commission

ATTEST:

Frances Q. Rasmussen
Deputy Clerk

Mr. Carolus Daniel said, thank you, Commissioner Thomas, and as also one of our members, we're proud to have you as one of our members. It's a great honor to be here before you, Mr. Chairman, this morning, and the Commission. It's also a great honor to follow General Lynch here this morning here to. We're proud of him. We're very proud of our organization. We represent a lot of retired educators throughout our City and County and also throughout our State and so as President of the Chatham Retired Educators Association and it's members, the membership of the Georgia Retired Educators Association, I would like to express our appreciation for presenting us this proclamation this morning. We're very proud of it and we're very honored to have it proclaimed in honor of the many retired educators who have served so dedicatedly to their profession throughout the years. We are still involved in the community, as this plaque says. We want to continue to be active participants in the development of our City and County, and so we do appreciate all that you are doing for us. And I'd like to just at this time introduce those who have joined me this morning. Here is our Area Director, Ms. Dorothy Wilson of the GREA, Georgia Retired Educators Association, Tom Edwards, Alberta Scandrick, Ms. Annie Welch and Mr. Glenn Lee. Again, thank you for allowing us to be here in front of the Commission today.

Chairman Liakakis said, Mr. Daniel, thank you very much on behalf of this County Commission and also the people of our County and around the country because there are so many — there are untold contributions that the teachers have made to this country to our area and, you know, we cannot say enough thanks because of that because the knowledge that has been given to the students and all, it has made a difference in our country and our area. We thank all of you and may God bless you and your continued retired time. Mr. Daniel said, thank you, sir. Chairman Liakakis said, you're welcome.

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3. PHYLLIS GREEN TO PRESENT UNITED STATES TENNIS ASSOCIATION AWARD TO PUBLIC WORKS AND PARKS SERVICES.

Chairman Liakakis said, if our people would come forth for that and we would have Phyllis [Green] to make that presentation now.

Ms. Phyllis Green said, thank you. I'm Phyllis Green. I'm the Tennis Coordinator and this is Dennis Mallis, who is Executive — on the Executive Committee of Georgia Southern, and George Green is over here. He's our District 8 representative, and Brenda and Becky and Al [Lipsey]. Savannah Area Tennis Association decided we wanted to thank all of these fine people for what they've — for the help that they've given us and within the tennis program out at Lake Mayer and we decided we wanted to submit Lake Mayer and Chatham County Parks and Rec as the Parks and Rec of the Year for Georgia. So we started to write that recommendation and were amazed at exactly how much we have to thank them for. We weren't amazed, of course, that they received that award from USTA, Georgia Southern, for all the State of Georgia. Some of the things that they've allowed us to have on the courts at Lake Mayer, of course, their County Summer Camp Program, about 30 or 40 children are a part of that every year and they've allowed the tennis opponents to be a part of that program. They have provided practice courts for Savannah College of Arts and Design in the past when they were in need of a place to bring their team. They've allowed practice courts for Special Olympics for more than four years and for Wheelchair Tennis. They've allowed our U. S. Developmental Programs to use those courts at no charge and we have filled those courts with quite a few children. On weekends and after school, we have our rally-ball programs, home school tennis focus classes during the day, after school programs, adult beginner programs, cardio-tennis programs for adults on weekends, we have the middle school tennis leagues and Grand Prix Programs, and this coming up Spring we'll have USTA Juniors Team Tennis [inaudible]. About 1,500 children have come through our program and many of them at Lake Mayer, so we appreciate their support. We appreciate also the fact that Scott Stell is now available to us and that there'll soon be more work done out there. We're starting programs out there. We're really excited about Scott Stell, and I understand there's two new courts at Triplett that we're going to try to introduce the community around those courts to that park and I believe it's November 18th is their opening day, so we're excited about that. And just all that you do. So we do thank you and we have this little award here, a tennis ball sitting on a little stand, and that's your thanks from USTA, Southern Georgia, and Savannah Area Tennis Association. Thank you so much.

Mr. Al Lipsey said, Phyllis [Green], I would like to say on behalf of Public Works and Parks Service, we are grateful for you and your organization for nominating us for this award. We are very appreciative of that and also to let you know our commitment is still there to help you in any way that we can.

Chairman Liakakis recognized Commissioner Stone.

Commissioner Stone said, thank you, Mr. Chairman. I would also like to thank Phyllis [Green] for all of her hard work and for all the members that are here today. My daughter participated in this program and I saw first hand how hard these individuals work. If there weren't enough people there for a team, they would make it work. If somebody didn't have a tennis racket, they would make it work. These people have dedicated their lives to tennis for the youngsters in this community and we are so blessed to have someone like you, Phyllis [Green] and George [Green], running around out there trying to help all these children learn and appreciate the game of tennis, and I thoroughly — I was just amazed by everything that you all were able to accomplish with all these young people, and I'm very grateful that you continue to do it.

Chairman Liakakis recognized Commissioner Holmes.

Commissioner Holmes said, I just wanted to ask Ms. Green, is, of course, Jenkins still working with your Tennis Association? Ms. Green said, he is. Commissioner Holmes asked, he is? Ms. Green said, yes, he is. His wife is one of our instructors and Louis [phonetic] has his team. He is very active and it's a wonderful family. Commissioner Holmes said, okay. The last time I spoke with him he was trying to come into the Inner City to pick up something. Was he successful in doing that? Ms. Green said, he represented the [inaudible] Association and he has continued to work and support us in that. We are working with the 21st Century Program within our schools and he supports us in all of those programs.

Chairman Liakakis said, thank y'all very much. We appreciate that.

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4. PRESENTATION OF GIFT (COMMISSIONER FARRELL).

Chairman Liakakis said, we have one more presentation we'd like to add to these items today. We have Commissioner Patrick Farrell, who would like to do a presentation.

Commissioner Farrell said, Mr. Chairman and Commissioners, I appreciate the opportunity to add this presentation to today's agenda. So as not to tip it off too much in advance, we kind of kept it off the agenda. At this time, I'd like for the esteemed County Manager to please join me at the podium. I recently was in contact with Mr. Al Townsend at Skidaway Island, and as we were conversing — he's a former active Marine and we were talking — we, of course, had to boast about our own Marine presence in the County Commission, so I informed Mr. Townsend about Mr. Abolt's upcoming trip to for the grand opening of the Marine Corps Museum this upcoming week, and on behalf of Al Townsend, the Chairman, and the 85 Marines on Skidaway Island, they wanted me to present this bottle of wine for Diane and Russ [Abolt] for their coming celebration.

County Manager Abolt said, it's call Jarhead Red and it's a really good wine. You heard the loudest laugh was from Mr. Thompson. I want to thank Mr. Townsend, but I'm going to watch this very closely. I appreciate this. This is a wonderful event. The lives of all the soldiers in the Marine Corps, this next Friday, a week from today, is the 231st Birthday of the Marine Corps in Quantico, Virginia, where my wife and I were married 40 years ago. They are going to open this museum, and we have tickets. We were fortunate my wife got us tickets, and I expect I will see the President of the United States and it's a wonderful event, and just not too far away from the museum is Marine Corps Chapel, where Diane and I were married. We were married by the Chaplain at that time, John O'Conner, who actually became Cardinal O'Conner of New York City. Our routes are deep. Your love for us is wonderful. I also want to remember, as you did in your prayer, all those United States Marines who have given their lives. I particularly [inaudible] the class at Quantico that was decimated. I remember them today as I remembered them then. There are a great part of our lives and Diane's life. We go back with a mission. Thank you for sending us off with Jarhead Red.

Chairman Liakakis said, Mr. Manager, we want to thank you too, not only being a great County Manager, but also your service in the Marine Corps because you served a duty over in Vietnam when we had the Vietnam War going on, and we want to let all of the audience know today that that boot he's wearing is not from Star Wars and he wasn't injured in Vietnam with his foot area, but he had an operation on his heel, so we wish him a speedy recovery on that and thank you again for all you do for the citizens of Chatham County. County Manager said, I appreciate it.

Commissioner Farrell said, the one thing I learned last week that I didn't know before was this Jarhead Red was a former Marine who developed this wine for other Marines. So I just thought it was quite appropriate for this week that we make this presentation. Thank you for your help.

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VI. CHAIRMAN'S ITEMS

None.

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VII. COMMISSIONERS' ITEMS

1. **FUNDING TURNER'S CREEK BOAT RAMP IMPROVEMENT (COMMISSIONER FARRELL.)**

Chairman Liakakis said, we have the funding Turner's Creek Boat Ramp improvement and Commissioner Farrell would like to make some — give us some information on that.

Commissioner Farrell said, thank you. In the spirit of moving forward on the improvements to all the many County facilities, we are currently on the heels of a huge improvement at our largest and most well used boat landing facility at Skidaway Narrows, and as that project is coming to a close I just want to bring up for consideration to the Commissioners and others in the staff that the Turner's Creek Boat Ramp is in need of some — of a facelift itself and to have it paved and to add some lighting for security reasons, and for the ease of people that use the facility before the sun rises and after the sun sets. So at this time I'd, you know, like to ask that we look into what it's going to take to make those improvements.

County Manager Abolt said, Mr. Chairman, what staff would do, with concurrence of the balance of the Board, we'd come back with the specific budget item for your to approve. This is in the general category of major capital improvement that's long been needed. Commissioner Farrell has taken the leadership on it. It's an area that's just not the particular district Commissioner Farrell represents, but much of all of the Islands area, including Commissioner Stone's district. We will come back with a recommendation. As you know, in discussion about CIP at the last meeting, because of your fiscal leadership and the way in which you've handled taxpayer resources, you're going to be able to allow about \$6,000,000 next — as soon as you wish, but now scheduled for January and February. This particular project would be advanced on those dollars, if you wish to allow them, could go so that this vital project could get underway right away.

Chairman Liakakis said, thank you. Chairman Liakakis recognized Commissioner Stone.

Commissioner Stone said, I would just like to concur with the comments that Commissioner Farrell made. I've also been out there and I think that this is much needed and so I'll look forward to your presentation on what it will take to bring that up to some standards that we can be proud of.

Chairman Liakakis said, thank you. Chairman Liakakis recognized Commissioner Odell.

Commissioner Odell said, Russ [Abolt], when you come back to us, you will come back to us what will be an itemized cost to do this? County Manager Abolt said, that's correct. Commissioner Odell said, and you will also have the fund in source. County Manager Abolt said, yes sir. Commissioner Odell said, but we're about two or three months ahead of schedule for this. County Manager Abolt said, yes sir. You're maintaining really the momentum you started with your first goals session. You set recreation as one of your top priorities for two years running. Commissioner Odell said, oh, I know. We've let recreation facilities decline to the point that there were almost hazardous. I agree that this needs to be done. I just want to make certain that we have some things also that when we look at priorities that we'll —. County Manager Abolt said, when you receive your revised CIP, it will reflect everything we know as a priority to y'all. It will segregate the projects already funded by the new SPLOST and then come, like I said, your goals — in your planning session for the first part of next year, you'll be able to go through that list and give us some more direction. Commissioner Odell said, I'd also like to commend Pat Farrell for taking the leadership of this. Pat actually will get out there, roll up those pants legs and slosh around and see what's needed in his district, and I think the people of his district should be very pleased with his proactive activities and performance.

Chairman Liakakis recognized Commissioner Kicklighter.

Commissioner Kicklighter said, yeah, I'd like to ask while talking recreation, has any dialogue started with the City of Pooler, what Harris [Odell] and I were talking about before? County Manager Abolt said, what we were going to do, and you remember a few days ago I sent you a copy of a summary of what we heard you tell Mr. Drewry, and so once the Board concurs in that we'll proceed as directed.

County Attorney Hart said, I also had a conversation this week with the City Administrator about mechanisms to handle some of the issues that were raised and everybody seemed to be encouraged about it as best I could tell.

Commissioner Odell asked, do we have a time table on that Pooler —? County Manager Abolt said, well, I — again, my understanding is that you want us to look at, you know, recreation services on the Westside. Staff made a presentation a while back and Commissioner Kicklighter was very definitely in what we needed to do to help that out. Mr. Drewry and Mr. [inaudible] did meet recently. I have a summary of the remarks from Commissioner Kicklighter. I didn't want to be inappropriate in sending them until I know that Dean — Commissioner Kicklighter was confirmed with that, and we'll send it to the entire Board. It will require, if you all agree with this, it will require the full involvement of the Recreation Authority and it will look at allocations of resources with possible intergovernmental agreements. It's very ambitious, but it's something again you've talked about. You might have brought this up, I think, at your first goal session and it's certainly in step with what you — the importance here is to understand the commitment this entire Board would commit. This is very innovative, which is something you do almost every meeting. You're a very innovative Board, but I would not want to do it without all nine members of you saying let's do it. So as a courtesy to Commissioner Kicklighter, I've sent him a copy. I'll give him another one today and maybe if he has time we'll sit down

and go over it. If this is what he wishes to do, Mr. Drewry will be instructed to incorporate that in the overall plan to revitalize recreation on the Westside.

Commissioner Odell said, let's go ahead and get that done.

ACTION OF THE BOARD:

County Manager Abolt said staff will come back to the Commissioners with a recommendation of a specific budget item for funding for the Turner's Creek Boat Ramp improvement.

AGENDA ITEM: VII-1
AGENDA DATE: November 3, 2006

DATE: September 20, 2006
TO: Commissioner Patrick K. Farrell
FROM: R. E. Abolt, County Manager

SUBJECT: Turner's Creek Landing Boat Ramp and Road Improvements

Pat, the attached from Robert Drewry is a reply to our recent conversation on this subject. If you wish to advocate the approximate \$228,000 plus lighting, may I suggest you put this on a future Board agenda. It could be considered when you choose future CIP funding.

REA:dbh

Attachment

cc: Linda B. Cramer, Finance Director
A. G. Bungard, P.E., County Engineer
Robert W. Drewry, Director, Public Works and Park Services

DATE: September 19, 2006
TO: R. E. Abolt, County Manager
FROM: Robert W. Drewry, Director, Public Works and Park Services

SUBJECT: Improvements to Road Off of Johnny Mercer to Turner's Creek Landing
(Your memo dated 9/5/06 Revised 9/7/06)

Russ, in a previous memo dated 6/6/06 in response to the above, the Engineering Department estimated the cost of paving from the entrance off Johnny Mercer to the boat ramp would cost approximately \$228,000. Staff will ask them to revise their estimate to paving under the bridge only. In addition, staff will contact Savannah Electric to provide a lighting plan and a cost to implement that plan.

Also, Work Order RM-06-3417 was entered into the system to grade from the entrance to include the area under the bridge.

RWD:all

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INTRODUCTION OF CHIEF OF POLICE

Chairman Liakakis introduced the new Chief of Police Michael Berkow.

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CHATHAM AREA TRANSIT AUTHORITY

Upon motion made by Commissioner Farrell, seconded by Commissioner Stone and unanimously approved, the Board recessed at 10:15 A.M., as the County Commission and convened as the Chatham Area Transit Authority.

Following adjournment of the Chatham Area Transit Authority, the Board reconvened as the County Commission at 12:28 P.M.

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VIII. TABLED/RECONSIDERED ITEMS

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

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. **TO REQUEST APPROVAL OF THE FOLLOWING: (1) AN AMENDMENT TO THE GENERAL FUND M&O BUDGET TO: (A) INCREASE REIMBURSABLE REVENUES AND EXPENDITURES BY \$219,500, (B) DECREASE THE BALANCE IN TRANSFER OUT TO CIP FUND BY \$330,077, (C) INCREASE THE BALANCE IN CONTINGENCY BY \$330,077, (D) TRANSFER \$4,300 FROM CONTINGENCY TO PENSION FUND PAYMENTS—OLD PLAN, AND (E) TRANSFER \$3,185 WITHIN THE BOARD OF ASSESSOR'S BUDGET FOR A SALARY ADJUSTMENT, (2) AN AMENDMENT TO THE SPECIAL SERVICE DISTRICT FUND TO INCREASE REIMBURSABLE REVENUES AND EXPENDITURES BY \$700,000, (3) AN AMENDMENT TO THE CAPITAL IMPROVEMENT PROGRAM (CIP) FUND TO: (A) APPROPRIATE \$110,000 FY2006 INTEREST REVENUE FOR PURCHASE OF A STORAGE AREA NETWORK, (B) APPROPRIATE \$93,000 FY2007 INTEREST REVENUE FOR THE LAKE MAYER PAVILION ROOF PROJECT, (C) TRANSFER \$32,640 FROM THE PAVE SALT CREEK PARKING LOT PROJECT AND \$4,360 FROM THE STELL PARK BASKETBALL EQUIPMENT PROJECT TO THE LAKE MAYER PAVILION ROOF PROJECT, (D) DECREASE REVENUE SHOWN AS TRANSFER IN FROM GENERAL FUND M&O BY \$330,077, AND (E) DECREASE CIP CONTINGENCY BALANCE BY \$330,077 TO FUND THE ACS PROJECT.**

Chairman Liakakis asked, do we have any items on this particular one that you would like to hold off approval at this point? Chairman Liakakis recognized Commissioner Stone.

Commissioner Stone said, Mr. Chairman, Number 1(E) the transfer of \$3,185 within the Board of Assessors' budget for salary adjustment. Chairman Liakakis said, okay. We have Item E under 1 amendment. Any other items that anybody would like to discuss?

Commissioner Thomas said, I just have a question. On the Item [3]C, which is \$4,360 for the Stell Park Basketball Equipment project to the Lake Mayer pavilion roof project, at some point in time will you get back to the L. Scott Stell project? County Manager Abolt said, no. If I may, Mr. Chairman? Chairman Liakakis said, yes. County Manager Abolt said, Dr. Thomas, what happened was Mr. Drewry — I asked the same question. He told me that they were able to put the basketball goals up out of their operating funds —. Commissioner Thomas said, okay. County Manager Abolt said, — so, I mean, the goals are up. Commissioner Thomas asked, so they're not suffering? County Manager Abolt said, no, this is redundant. Before we transfer any monies from any line item we go through and we scrub CIP to make sure which occurs occasions, you have some projects either completed or have residual money left in it. That's all Ms. Cramer and her staff report. Commissioner Thomas said, okay. Thank you.

Chairman Liakakis said, and there's a clarification here, too. Each department in their budget process, when we appropriate money for the budgets for a particular department, in there they have different categories. One of the categories is Salary and then other categories. In the Salary category, once you use those funds up, you cannot transfer money from your other budget process into the Salary area. That has to come through the County Commission for approval, and that's a protection factor that was set up a number of years ago. Now, we've heard all of the request for approval of the following items, and Item [1]E was requested by Commissioner Stone to withhold that one. We'll have discussion on that one after we vote on the other items. Do we have a motion on the floor to approve the other items?

Commissioner Gellatly said, motion to approve. Commissioner Thomas said, second, Mr. Chairman. Chairman Liakakis said, all right. We have a motion on the floor to approve these other items. All in favor, go on the board. The motion carried unanimously. [NOTE: Commissioners Shay, Odell and Kicklighter were not present when this vote was taken.] Chairman Liakakis said, the motion passes.

Chairman Liakakis said, Item E, Commissioner Stone.

Commissioner Stone said, Mr. Chairman, I just had some concerns about why this money would have to be transferred if this is something that should be handled within the Board of Assessors and why it's coming out of the General Fund at this point in time.

Chairman Liakakis said, okay. Would you like to address that?

Mr. Larry Lower said, yes sir. My name's Larry Lower and I'm Chairman of the Board of Assessors. If I understand your question, one of them was why it's coming out of the General Fund. My understanding is that it's not. It's coming out of our own budget. You know, we were informed yesterday after you and I had talked that it's coming out of another section of our budget, not under Salary and Wages. But it is coming from within our budget. It's not a request for no additional funds. It's a request to use funds that we have.

Commissioner Stone said, then is it standard procedure for us to be approving this if it's already something within your —. County Manager Abolt said, yes ma'am. County Attorney Hart said, yes ma'am. Bear with me for a second. We did a memo on this, which can bore you to death, and it deals with some governmental accounting issues, but it requires that the Commission set what they call as the legal level of control for transfer of funds, and it occurs under the Budget Act, y'all have very broad discretion under the Budget Act, how to handle your budget, how to amend your budget, but once you set the legal level of control, there's certain transfer of funds that cannot occur if it is at the level of control set by the Commission when they approve their budget. And one of the things that the Commission has always done in it's budget is it has said interdepartmental transfers or additional money going from one line item for salaries into another line item have to be approved by this Board, and it's always been the position of the Board insofar as the adjustments to salaries or adding raises, that that has to be approved by this Board, and it's more of a funding control source through your budget situation than anything else. So anybody that wants to move their salary issues around within their budget is going to have to come before the Board.

Chairman Liakakis recognized Commissioner Gellatly.

Commissioner Gellatly said, I have a question. Is this a merit raise or a COLA or what is the purpose of that? Mr. Lower said, it is what we would call a merit raise. It was attached to her evaluation and we evaluate —. Commissioner Gellatly said, okay. In other words, she's already got here COLA? Mr. Lower said, yes. Yes sir. This is in addition.

Commissioner Farrell asked, who is this for? Mr. Lower said, the Chief Appraiser.

Chairman Liakakis said, in other words you're giving a merit raise to the Chief Appraiser? Mr. Lower said, yes sir. Chairman Liakakis said, well, there's been some, you know, some comments from people on this Commission that what's happened is that the Chief Appraiser approved payments to NovaLIS that went into bankruptcy, their work was not completed, and what occurred at that time when the work — even though there was a contract. It's stated in that contract dates for payments to be paid — that the work was not done, and then the Chief Appraiser approved that to be paid even though the work wasn't done, and it was stated to me that the Finance Department said that the Appraiser, Chief Appraiser had to approve that. Well, if the work hadn't been done, the Finance Department does not have the authority to tell somebody to pay that. All the Chief Appraiser had to do at that particular point is tell, "Hey, we don't have this work," because \$223,000 or \$225,000 dollars of taxpayers money was wasted in this. And people work hard in our community — you and the rest of the community — pay these taxes, and then it's a loss of that kind of money to the citizens of Chatham County because the Chief Appraiser approved something for work that was not done. That's a concern that has been brought up to me about Commissioners on this Board, Larry [Lower], and they have justifiable concerns about this. And why should she get a merit raise when she cost that kind of money. I don't want to go into other things other there. I don't, you know, when we have things about employees and things like that, we should discuss that between the County Manager and department people and all of that, you know, but this is a situation that's a concern? Did you want —, Helen [Stone]?

Commissioner Stone said, I just want to say for clarification then with this NovaLIS contract, she would have been the one that would have been authorizing this contract. Is that correct? Mr. Lower said, she authorized payment, and she did and, you know, we went through this contract basis before. Again, we feel that 85% of our system was complete. It was staggered but it was complete. So the payments, even though they were high and out of line somewhat, again they were based on the fact that 85% of what we expected done was done. Now we can rehash this whole contract

over all again. Yes, there were mistakes made in the contract. Overall by the County there was mistakes made in the contract, but that's done. And the other part of it is though, you say, you say why — you're taking that single issue. There's more than that single issue. We didn't want that to happen, but the fact of it is that she's given you a double digit index for two years. The other thing of it is that she's obtained goals that we have set — the board has set out for her to achieve. We asked her to go to Management School. She went to Management School. We asked her to improve communications within the County. The County completely ignored the Board of Assessors and the Chief Appraiser's office until we told her we needed to get her involved, start attend the County Manager's meetings. He never asked her to come over here. We sent her over here and she came over here. She developed in-service training programs for our people when the County wouldn't furnish them for us. And all you want to do is sit here and say she lost \$250,000. Yes, we did. It wasn't intentional. But she's done other things for this County. She's the only County employee that is not covered by Civil Service. She could leave tomorrow. We could fire her. Five members of our board could fire her and she has no recourse. The only member of the County that's that way. But yet you want to sit here and say she doesn't deserve a merit increase.

Chairman Liakakis recognized Commissioner Gellatly.

Commissioner Gellatly said, my feelings on this is, number one, she got a COLA, she got some increase. I don't think — I'm not very comfortable with giving any employee a public thrashing. I would like us, if it's up to us to vote on it, why don't we just go ahead and vote on it. I mean, we all know — we have our opinions, so why do we have to keep on going on this? I mean, unless we're going to get some new information we didn't have before.

Commissioner Farrell said, call the question.

Chairman Liakakis said, the question has been called for the motion to approve the Item E of the transfer of the \$3,185. Commissioner Gellatly asked, we've already done that, haven't we? Chairman Liakakis said, okay — no, we didn't make the motion. Do we have a motion on the floor.

County Attorney Hart asked, we have a motion but we don't have a second, do we? The County Clerk said, we don't have a motion.

Chairman Liakakis asked, do we have a second? The County Clerk said, I don't think we have a motion, do we? Chairman Liakakis asked, did you second? Do we have a second?

Commissioner Stone said, I made a motion to pull it off of the vote with the rest of the items on here for discussion.

Chairman Liakakis said, but no motion has been made that's why I asked for a motion on the floor to approve this item. Commissioner Farrell said, well, then we can't call the question if there's no motion. County Attorney Hart said, that's correct. Chairman Liakakis asked, do we have a motion? We don't have a motion on the floor.

County Attorney Hart said, correct. What you need now is a motion either to approve or not approve and then vote on it. If you wish to call the question after the motion has been made, that's permissible also.

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

Commissioner Stone asked, is this separate from what — Chairman Liakakis said, yes, this is separate altogether. Commissioner Stone said, so just this — Chairman Liakakis said, yes, this is separate altogether. Just this item. We have already approved the other items. Do you make that motion?

Commissioner Stone said, I just wanted to make sure that this was — we were only talking about 1(e) — Chairman Liakakis said, that's all we're talking about. The motion is to approve or disapprove Item E. Do you make that motion?

Commissioner Stone said, I make a motion that we disapprove Item 1(e). Chairman Liakakis said, okay. Do we have a second? Commissioner Gellatly said, I'll second it. Let's go on the board.

Commissioner Gellatly said, wait a minute. What are we —? Commissioner Thomas asked, what are we voting for? Chairman Liakakis said, we're voting to disapprove this item. That's what her motion was.

The motion carried unanimously. [NOTE: Commissioners Shay, Odell and Kicklighter were not present when this vote was taken.]

Mr. Lower said, I'm sorry you feel that way. I really am.

ACTION OF THE BOARD:

Commissioner Gellatly moved to approve the following: (1) An amendment to the General Fund M&O budget to: (a) increase reimbursable revenues and expenditures by \$219,500, (b) decrease the balance in Transfer Out to CIP Fund by \$330,077, (c) increase the balance in Contingency by \$330,077, (d) transfer \$4,300 from Contingency to Pension Fund Payments—Old Plan,(2) an amendment to the Special Service District Fund to increase reimbursable revenues

and expenditures by \$700,000, (3) an amendment to the Capital Improvement Program (CIP) Fund to: (a) appropriate \$110,000 FY2006 interest revenue for purchase of a Storage Area Network, (b) appropriate \$93,000 FY2007 interest revenue for the Lake Mayer pavilion roof project, (c) transfer \$32,640 from the Pave Salt Creek Parking Lot project and \$4,360 from the Stell Park Basketball Equipment project to the Lake Mayer pavilion roof project, (d) decrease revenue shown as Transfer In From General Fund M&O by \$330,077, and (e) decrease CIP Contingency balance by \$330,077 to fund the ACS project. Commissioner Thomas seconded the motion and it carried unanimously.

Commissioner Stone moved to disapprove the request of the Board of Assessors for a salary transfer \$3,185 within the Board of Assessor's budget for a salary adjustment, as outlined in IX-1(e) of the staff report, Commissioner Gellatly seconded the motion and it carried unanimously. [NOTE: Commissioners Shay, Odell and Kicklighter were not present when this vote was taken.]

AGENDA ITEM: IX-1**AGENDA DATE: November 3, 2006**

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

ISSUE: To request approval of the following: (1) an amendment to the General Fund M&O budget to: (a) increase reimbursable revenues and expenditures by \$219,500, (b) decrease the balance in Transfer Out to CIP Fund by \$330,077, (c) increase the balance in Contingency by \$330,077, (d) transfer \$4,300 from Contingency to Pension Fund Payments - Old Plan, and (e) transfer \$3,185 within the Board of Assessor's budget for a salary adjustment, (2) an amendment to the Special Service District Fund to increase reimbursable revenues and expenditures by \$700,000, (3) an amendment to the Capital Improvement Program (CIP) Fund to: (a) appropriate \$110,000 FY2006 interest revenue for purchase of a Storage Area Network, (b) appropriate \$93,000 FY2007 interest revenue for the Lake Mayer pavilion roof project, (c) transfer \$32,640 from the Pave Salt Creek Parking Lot project and \$4,360 from the Stell Park Basketball Equipment project to the Lake Mayer pavilion roof project, (d) decrease revenue shown as Transfer In From General Fund M&O by \$330,077, and (e) decrease CIP Contingency balance by \$330,077 to fund the ACS project.

BACKGROUND:

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

FACTS AND FINDINGS:

- 1) Chatham County incurs expenses that are fully reimbursed by other governments and agencies. For billing and reporting purposes, these are consolidated into one department number in the General Fund M&O and Special Service District Fund. An analysis of the first quarter records shows that the revenues and expenses for 2007 will exceed the adopted budget. Budget amendments to increase revenues and appropriations are in order. The General Fund M&O will be amended by \$219,500. The Special Service District Fund will be amended by \$700,000. Resolutions are attached.
- 2) The Board of Commissioners approved a transfer of funds from the General Fund M&O contingency to complete the ACS project at their meeting held on October 6, 2006. The contingency funds in CIP are an option to fund the project. Budget amendments to the General Fund M&O and CIP fund to change the funding source are incorporated in the attached resolutions. The amount is \$330,077.
- 3) Chatham County makes pension contributions for employees covered by an agreement with the City of Savannah. Invoices for last year and the current year were received and paid in September. A contingency transfer of \$4,300 is requested.
- 4) The Board of Assessors have requested a transfer of funds within the departmental budget for a salary adjustment. The amount is \$3,185. Correspondence is attached.
- 5) The ICS Director has requested purchase of a Storage Area Network (SAN). Correspondence discussing the need is attached. Funding will come from FY2006 interest revenue in the CIP fund that exceeded budget. These funds are available for appropriation in the current year through a budget amendment. A resolution to amend the CIP budget by \$110,000 is attached.
- 6) The roof of the Lake Mayer pavilion needs to be replaced. Funding will come from a budget amendment and transfers from other CIP projects. Interest revenue for FY2007 has exceeded budget. There are funds available from other recreation projects in the CIP. A resolution to amend the budget for \$93,000 is attached. Transfers of \$32,640 from the Pave Salt Creek Parking Lot project and \$4,360 from the Stell Park Basketball Equipment project to the Lake Mayer pavilion roof project will provide funds to bring the total to \$130,000.

FUNDING: Funds are available in the General Fund M&O Contingency and within the Board of Assessors budget for the transfers. The budget amendments will create funding in the General Fund M&O, the Special Service District Fund, and the Capital Improvement Program Fund.

ALTERNATIVES:

(1) That the Board approve the following:

GENERAL FUND M&O

- a) an amendment to increase reimbursable revenues and expenditures by \$219,500.
- b) an amendment to decrease the balance in Transfer Out to CIP Fund by \$330,077.
- c) an amendment to increase the balance in Contingency by \$330,077.
- d) a contingency transfer of \$4,300 to Pension Fund Payments - Old Plan.
- e) a transfer of \$3,185 within the Board of Assessor's budget for a salary adjustment.

SPECIAL SERVICE DISTRICT FUND

- a) an amendment to increase reimbursable revenues and expenditures by \$700,000.

CAPITAL IMPROVEMENT PROGRAM FUND

- a) an amendment to appropriate \$110,000 fund balance from FY2006 interest earnings for purchase of a Storage Area Network (SAN).
- b) an amendment to increase revenue by \$93,000 from FY2007 interest earnings and appropriate \$93,000 for replacement of the Lake Mayer pavilion roof.
- c) a fund balance appropriation of \$37,000 for transfers of \$32,640 from the Pave Salt Creek Parking Lot project and \$4,360 from the Stell Park Basketball Equipment project to the Lake Mayer pavilion roof project.
- d) an amendment to decrease revenue from Transfer In From General Fund M&O by \$330,077.
- e) an amendment to transfer of \$330,077 from contingencies to the ACS project.

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: Read DeHaven

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2. TO PRESENT THE FIRST QUARTER 2007 FINANCIAL REPORT TO THE BOARD FOR INFORMATION.

County Manager Abolt said, Mr. Chairman, as we've done in the past this is the time now for the Finance Director to give you a summary of our financial status as of the first quarter of the new fiscal year. As I suggest again, you're well aware of having not received our first major influx of tax dollars, this is always depended upon and making certain assumptions as far as revenue, but by and large we're in an extremely good financial health based on what this Board has done and continues to do, and we're also in extremely good financial health because we have an outstanding Finance Director, who this past 2nd of September completed her third anniversary with Chatham County, and for those three years and many, many more, I say thank you.

Ms. Linda Cramer said, thank you. This is the first quarter financial report for the current fiscal year, and I want to thank my staff first of all for helping us put this together pretty quick. We closed our books on the 20th of the month so we were rushing to get this out to you. But really this is business as usual at the end of the first quarter. As Russ [Abolt] mentioned, we really start receiving our tax revenue in November and December for the year. The other revenue sources look good on the whole for the main operating fund. We're really not seeing any big surprises here. The Mixed Drink Excise Tax began collections in September, so that is not shown here, but what we have seen so far in October is that we got about \$10,000 in revenue from that tax. And there are a few institutions that we're following up with who did not present returns. So we're responding on that and we'll keep you posted on how that comes out. Every — all the cash positions of all the funds were good except for the grant funds, which are usually in arrears on cash because they get their money after they spend the dollars. We have a couple of other funds who have some cash deficits, but those were mainly on the smaller fund size: the Land Bank and the [inaudible] Safety fund. So other than that, we're looking fairly positive for the year. And I'll be glad to answer any questions that you have.

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

Commissioner Stone said, Ms. Cramer, can you explain to me it looks like the Special Service District is a little bit fragile at this point. Do we have any indication that that's going to turn around? Ms. Cramer said, again, we were a little bit aggressive in our revenue budgeting on the Special Service District this year, so I know that the insurance premiums tax that we received in October was a little bit under the numbers that we have budgeted for the year. The property tax revenue will turn around obviously. That will be starting to come in soon, and I'm optimistic that our investment income will be over budget and [inaudible]. Now as far as Recorders Court revenue, we looked at it for the first three months and it's really too early to tell yet how that is going to track for the year. It was a little bit under — obviously under the budget that we have here. As far as our coming back to you and make a downward adjustment in that revenue budget, we thought we might wait until we come out with our second quarter report.

County Manager Abolt said, we also have a commitment from Chief Love, as you'll recall, that it was shown in our audit that revenues go down in part because of manpower — person power, disposition and out of the unincorporated area, and Chief Lovett made an immediate commitment to correct that. So I'm optimistic the Chief will be able to do what he told us he was going to do, and I'm not saying that officers have a quota, but certainly the presence of officers out in those areas may very well generate an upswing in the revenue.

Ms. Cramer said, right. Going back to Recorders Court, we were at about 22% of the annual budget there. So it's clearly kind of on the border line and weren't ready to take any action.

Chairman Liakakis asked, any questions — other questions? Okay. Thank you very much for that report.

ACTION OF THE BOARD:

Ms. Linda Cramer gave the Commissioners a financial report on the First Quarter of 2007.

AGENDA ITEM: IX-2

AGENDA DATE: November 3, 2006

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

ISSUE: To present the Fiscal Year 2007 First Quarter Report dated September 30, 2006 to the Board for information.

BACKGROUND: Financial reporting conveys information concerning the position and activities of the County to its citizens and other interested parties. Interim financial reports generally are prepared for use by professional government managers and board members. Such reports monitor levels of year-to-date operations and determine compliance with budgetary limitations.

FACTS AND FINDINGS:

- 1) The First Quarter Report covers various county funds and presents budget-to-actual comparisons. Adopted and amended fund budgets are presented as well as variance data. Prior year numbers are presented for comparison on the General Fund and Special Service District Summary reports.
- 2) The First Quarter Report reviews year-to-date financial activities for the funds and activities listed on the attached table of contents.
- 3) The amended budgets shown herein do not reflect the roll-forward of fiscal 2006 encumbrances or fund balances, which will be presented at a later date to the Board for formal approval. Expenditures and project balances do not include open encumbrances.
- 4) Items noted during the review include the following:
 - General Fund M&O
 - The General Fund received revenues of \$12.3 million during the first quarter of 2007 or 9.6% of budgeted revenues. Since property tax collections are billed in November, the spread between revenues and expenditures is characteristic for this time of year.
 - General property taxes of \$6 million were received in the first quarter. General property taxes are the fund's main revenue source constituting 76% of the budget;

however, this revenue is not received steadily throughout the year. Within the category, no unusual fluctuations were noted for the quarter as a whole.

- Expenditures are paid more evenly throughout the year, and over \$33 million in expenditures were incurred in the first quarter, approximately 26% of budget. Budgeted interfund transfers occurred during the first quarter; therefore, the Other Financing Uses category shows a high year-to-date percentage realized of almost 70%.
- Local option sales and use tax collections were approximately 30% of budget, reflecting continued strength in the local economy.
- Investment income was at almost 75% of the amount budgeted, reflective of the higher cash levels in the fund.
- Housing prisoner billings were below budget; however, there is a timing lag in the billing of these revenues which stabilizes as the year proceeds.

Special Service District (SSD)

- The SSD is also impacted by the timing difference between the receipt of general property tax revenues. In the first quarter the SSD overall showed revenues of \$2.1 million and expenditures of \$7.2 million. Investment earnings of \$116,949 were realized at 58% of the amount budgeted. Interfund transfers were paid in full.
- Recorders Court revenues was 22.6% of budget. This revenue category experienced a drop during fiscal 2006 and will be monitored for possible action on the second quarter report.

Street Lighting Fund

- Revenues of this fund are also dependent on the timing of general property tax billings and collections. Street Lighting charges are billed on the November installment billing.

Multiple Grant Fund

- Quarterly grant drawdowns should eventually offset the difference between fund revenues and expenditures.

Hotel/Motel Tax Fund

- Hotels and motels have until the 20th of each month to remit their tax returns and checks to the County. This report only reflects two months of activity since July's cash receipts (June returns) were accrued back to fiscal 2006.

Land Bank Fund

- Continued fund operations are dependent on property sales. Additional property sales will be needed in fiscal 2007 to support anticipated expenditures.

Henderson Golf Club Fund

- The operating lease for Henderson contemplated in fiscal 2006 has not yet materialized. Part of the lease structure was the purchase of leased equipment and repayment of an operating loan authorized by the Board in prior years. The amount now owed by the Henderson Golf Fund to the General M&O Fund totals almost \$270,000 as illustrated on page 58.

Building Safety & Regulatory Services Fund

- Fund revenues were \$274,017 for the first quarter compared to \$253,988 in the prior year, indicating a relatively level market in the unincorporated area. However, revenues fell short of expenses for the quarter. This continues a two year trend of operating losses that may require either rate adjustments or operating transfers to ensure the fund's solvency as the year progresses.

Capital Project Funds

- Project accounting schedules are shown herein for all of the County's capital project funds, including the SPLOST funds.

Health Insurance Fund

- Medical costs are currently running close to budget.

FUNDING:

N/A

POLICY ANALYSIS: Interim financial reports provide revenue and budgetary oversight by comparing actual receipts or expenditures against budgeted amounts.

ALTERNATIVES:

N/A

RECOMMENDATION:

For information only.

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3. VERBAL BRIEFING BY MR. JOE STEFFEN REGARDING COMMERCIAL SPONSORSHIP OF RECREATION FACILITIES, A.K.A. NAMING RIGHTS.

Chairman Liakakis recognized Mr. Joe Steffen.

Mr. Joe Steffen said, thank you, Mr. Chairman. I want to thank the entire County Commission for the opportunity you've given us to serve the County in this capacity on behalf of myself and my partners with Carl Scheer and Associates. The theory of this in a few sentences is that we are attempting to leverage the County recreation facilities in the presence of those facilities and the use of those facilities with people who want to have their brand attached to them, whether it's naming of the facilities or whether it's using products within those facilities and to take that revenue and apply it towards the County's recreation needs. You on the Chatham County Commission are taking a step that some of the most progressive communities in the United States are doing, so we congratulate you for doing it and we appreciate your cooperation. The County Chairman, the County Manager, the County Attorney, Robert Drewry and his new assistant, Misty Bethune, have been very helpful to us in providing information that we need. To specifically update you on where we are today, we're approximately stage two in a five stage process. We have first of all identified the inventory that can be branded. In other words, the things that are available all the way from things like life guard stands to actual signage within the recreation facilities. We also contacted Joyce Julius and Associates, which is a firm that's an expert in determining the value of these rights. They presented a report to us which we passed on to the County and basically told the County what the value of these services could be and the appropriate amount that we should be asking for. I wanted to note in mentioning Joyce Julius and Associates, they are one of three independent contractors that we've done business with so far. They are all either female or minority owned companies or both. And I also wanted to let y'all know that at this point we've identified 27 separate businesses that we can potentially market to. We haven't begun that process yet, but we have identified 27. Two-thirds of those have headquarters here in Savannah, the others in some fashion or form do business in Savannah. They're national corporations.

Mr. Steffen said, this week we've received photos from the County that will allow us to put our online PowerPoint presentation together. We're in the process right now of working with our contractor who is doing that, who again is a local minority female owned business, in putting together that PowerPoint presentation. We're probably going to have to supplement a few of those photos with additional ones, but that project — that part of the project ought to be completed within the next two weeks. At that point we will have completed our third stage and we will be in the process then of sitting down with County representatives and putting together a presentation for the County to review and make sure we're presenting the County in the best light possible.

Mr. Steffen said, so essentially that's where we're at right now. We're exactly where we wanted to be at this time. The interest level seems to be good and hopefully this will be going forward as we come into the first year and we'll be able to actually start selling these rights and eventually providing revenue back to the County.

Chairman Liakakis asked, any questions for Joe [Steffen]?

Commissioner Kicklighter asked, Joe [Steffen]? Mr. Steffen said, yes sir, Dean [Kicklighter]. Commissioner Kicklighter asked, have you talked with the other cities around about this idea also? Mr. Steffen said, yes, we have. In fact, Charlotte about four years ago began this process with their parks and one of the partners I have actually began that project there and it's fairly new as far as going into County recreation facilities. We've been naming public facilities like marinas for about 20 years now, but these smaller facilities are actually, you know, y'all have on your next item somebody coming to you and wanting to put their product on County facilities. I guess I want to mention I talked to Mr. Hart before the meeting today. Any of that that goes on at the County rec facilities we want to put under our agreement and we'll be glad to, you know, to administer that for you so you don't have to get back into the RFP process and deal with that separately. Commissioner Kicklighter said, the reason I even bring it up is like in Pooler — well, right now we're in the process of working with Pooler to build — basically it's a \$12,000,000 recreational facility out there, and a recreational facility off of the Pooler Parkway. Gulfstream's right down the street. They may want to jump in there and throw a few million, a couple of million or something and have it named, you know, something like that. And then you have Garden City with a nice stadium out there also that's, you know, I think it would be good Countywide that we could utilize. Mr. Steffen said, I'll be calling the Pooler City Manager as soon as I leave here. Commissioner Kicklighter said, yeah, and coordinate it whatever with Russ [Abolt] because we are in the process with — Robert [Drewry] is involved definitely, and I'm trying to work something with them and maybe we can all get some good money for that. Mr. Steffen said, I think the real advantage to this is instead of asking taxpayers to pay for some of these facilities, we're allowing businesses that want to have their products displayed in a professional way to pay some of that, and that's good for the taxpayers, it's good for what y'all want to do. Commissioner Kicklighter said, if you would do this please, contact the Manager through Robert [Drewry] as far as in Pooler because this is just one little step of us showing how we're going to bring things to make this work. Mr. Steffen said, I'd be happy to do it. Commissioner Kicklighter said, thank you.

Commissioner Thomas said, I just wanted to say thank you so much for helping us to move forward in this direction because as I travel across the country and visit various facilities I did see this type of thing being displayed at other, you know, places and I think this is one step that we can be very proud of if we can really get it off and running. Mr. Steffen said, Commissioner Thomas, we'll be the first in this region to do it and there is no shortage of companies that want to have their name associated with Chatham County and the greater Savannah area. So, you know, it will be our job to sell that to the right folks that want to compliment the County as well. Commissioner Thomas said, right. Mr. Steffen said, but I think we're off to a good start and the main thing I want to tell y'all today is that your staff has been very helpful to us in getting this together. Commissioner Thomas said, great staff.

Chairman Liakakis said, all right. Thank you very much, Joe [Steffen]. We appreciate that. Mr. Steffen said, thank you. Thank you, folks.

ACTION OF THE BOARD:

Mr. Joe Steffen gave a report on the status of Commercial sponsorship of recreation facilities, a/k/a naming rights.

AGENDA ITEM: IX-3
AGENDA DATE: November 3, 2006

DATE: October 5, 2006
TO: Robert W. Drewry, Director, Department of Public Works & Parks Services
FROM: Pat Monahan, Asst. County Manager
SUBJECT: Chatham County Naming Rights

I read the Phrase II report from Scheer Sports (Joe Steffen) about the advertising value of county parks and recreational facilities. Given the report provides estimates of advertising value, an update to the Board would be appreciated. Please schedule for the Board's October 20 meeting.

cc: R.E. Abolt, County Manager

~~**AGENDA ITEM: IX-1**~~
~~**AGENDA DATE: October 20, 2006**~~

TO: Board of Commissioners
THRU: R.E. Abolt, County Manager
FROM: Robert W. Drewry, Director of Public Works and Park Services

Issue:
Provide Board status of the contract with Carl Sheer and Associates for the Naming Rights of the County's park facilities and present Board with the Impression Analysis Report.

Background:
The Board entered into a contract with Sheer Game Sports Development to develop a marketing plan and Naming Rights sponsorship program for the County's park facilities.

- Facts and Findings:
1. Sheer Game has completed Phase I of the project deliverables which included researching the total advertising impressions value of the park's marketing assets in order to project the maximum Naming Rights sponsorship potential for Chatham County. The attached report identifies a projected number of media impressions and an estimated exposure value a corporation could receive as naming rights sponsor on an annual basis.
 2. The next phase of project deliverables is referred to as the Prospecting Phase which will include identifying all potential corporate prospects for overall Naming Rights entitlements as well as for other individual marketing assets then create a presentation kit and marketing materials.

Recommendation:
For Board Information Only

All Districts

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4. BOARD CONSIDERATION OF WHETHER TO ALLOW AUTOMOBILE DEALERS TO DISPLAY THEIR VEHICLES ON COUNTY PROPERTY.

County Manager Abolt said, Mr. Chairman, staff — Mr. Hart and I have talked along with Mr. Drewry. This is an issue that I guess is part and parcel of what Mr. Steffen just talked to you about. We've been approached by an automobile dealership that sees value in displaying I guess some of their current models of vehicles near the Aquatic Center and for that they would compensate the County. Without, you know, certainly having some sort of notification and solicitation of interest from others, we could not do that. Also, on balance you've got an issue that's plagued the County for on and off some time, particularly in this very district where the Aquatic Center is where we've had to send inspectors and police out at unusual times of the week, weekends and all of that because folks just pull up there, "Vehicle for Sale" and park it there. So you want to balance it, but again talking to Mr. Hart and with Robert — Mr. Drewry, this is something rather than just having staff in and of itself and by itself respond, you might want to refer this to Mr. Steffen and his group to find out whether or not the use of public lands, not for naming rights as such, but for display of vehicles or merchandise for sale by the private sector in return for some compensation is workable. I have a little bit of reservation for it because I don't know how you're going to draw the line. But I don't want to dismiss it. I think with the creativity of Mr. Steffen and his folks that you might want to be able to take Number 4 and say, "Mr. Steffen, what do you think?" And give him some time to look it over.

Chairman Liakakis recognized Mr. Joe Steffen.

Mr. Steffen said, Mr. Chairman, there are two issues that arise with that. One is that some of the people that we're going to be looking at for example to do a naming agreement or sponsorship agreement at the Aquatic Center are going to be very jealous of everything that goes on there. They're going to pay a large amount of money, much larger than these dealerships you're talking about, to actually be the big player there. Now that doesn't necessarily exclude an auto dealership for someone else, but in the agreement it may. So, you know, our preference would be that that be wrapped into it and that we can ask our folks to specifically tell us what the value of having a car on a particular piece of property is and then we can make a recommendation to you as to whether it's good for the County to include that in this package or whether it's best to pass on that because if we — if we try to take each facility and bring in all huge number of advertisers that may conflict with one another, we're going to get less dollars than we would if we had one major sponsor for a particular site, and that's just true in this business.

Chairman Liakakis recognized Commissioner Farrell.

Commissioner Farrell said, just an observation that, you know, there's revenue to be made to offset taxpayer revenues in that general area that we have a pretty generous median — right-of-way, if you will — between Sallie Mood and the Public Works building which is across the street. It may not be in conflict with the Aquatic Center, but may give the car dealers the exposure they are looking for in that general vicinity. I just wanted to point that out for consideration.

County Manager Abolt said, staff will do nothing. I think it's better to give it to the experts.

Chairman Liakakis recognized Commissioner Stone.

Commissioner Stone said, Mr. Chairman, if a motion is in order to get more research on this and bring this back to the Board and go through Mr. Steffen, then I will make that motion so that we can move forward with it because I know there would be issues of liability and a lot of issues that we're probably not ready to address at this point. So I would make the motion that we continue this and get more information and have Mr. Steffen include it in his process and then bring it back to us. Commissioner Kicklighter said, second. Commissioner Thomas said, second.

Chairman Liakakis said, okay. We have a motion on the floor and a second. Let's go on the board. The motion carried unanimously. [NOTE: Commissioners Shay, Odell and Gellatly were not present when this vote was taken.] Chairman Liakakis said, okay. Mr. County Manager, you have that? County Manager Abolt said, yes sir. Chairman Liakakis said, thank you.

ACTION OF THE BOARD:

Commissioner Stone moved to assign to Mr. Joe Steffen (Scheer and Associates) the request of automobile dealers to display their vehicles on County property and bring back a recommendation to the Board. Commissioners Kicklighter and Thomas seconded the motion and it carried unanimously. [NOTE: Commissioners Shay, Odell and Gellatly were not present when this vote was taken.]

AGENDA ITEM: IX-4
AGENDA DATE: November 3, 2006

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

ISSUE:

To consider whether Commission wishes to allow automobile dealers to display their vehicles on County property.

BACKGROUND:

Saturn of Savannah made a request to the Aquatic Center to place a vehicle on the Aquatic Center property and pay the County \$500 per month. According to Misty Bethune of the Aquatic Center, Saturn wishes to do this for a one year period. Saturn feels that the property provides good visibility and wishes to place a car near the Aquatic Center entrance.

Over the years, the County Attorney's Office has provided legal opinions on similar requests to use County property. A legal opinion was provided in 1998 on the display of banners of various companies at the Lake Mayer skating facility. The companies provided funding to help complete the facility. The opinion stated that the display of banners was appropriate since the banners were removable and no company had requested exclusive use of its banner.

In 1995, the County Attorney provided a legal opinion stating that it "would be improper and likely illegal for County signs to allow private enterprise to advertise. Advertisements have no place on the type signs that we intend to place on the waterways for safety purposes."

In Board of Commissioners v. Chatham Advertisers, 258 Ga. 498 (1988), Chatham County entered into a contract with Chatham Advertisers for Chatham Advertisers to place benches at various transit stops at no expense to the County. In return, the benches would have advertising signs on them. The Court held that the County's grant of the contract for placing benches on public property, even with advertising on them, was a use for a necessary governmental purpose. Id. at 499. The County did not have to comply with the zoning ordinance because a county may use property it owns for a necessary governmental purpose, even though such use violates a zoning ordinance. Id.

There is no statute which specifically authorizes or prohibits the transaction at issue. Counties have a wide latitude in the exercise of control over public property. Woodard v. Smith, 254 Ga. 39, 40 (1985).

The County now handles cell tower space at existing facilities (e.g. Courthouse roof) as a non-exclusive agreement--come one, come all--which the Board approves at a set rate. For cell towers that want to use County land, the County advertises a Request for Interest (with a follow-up mailing to all of the known cell phone companies).

For the Aquatic Center or other County property, the County would need to advertise a "Request for Interest" and allow other automobile dealers to submit a proposal based on fee. This procedure provides public notice and allows for competition. Otherwise, it would not be legal or proper for the County to contract or give exclusive permission for one group to use publicly-owned property without some formal notice and competition.

FACTS AND FINDINGS:

1. Saturn of Savannah made a request to the Aquatic Center to place a vehicle on the Aquatic Center property and pay the County \$500 per month.

2. There is no statute which specifically authorizes or prohibits the transaction at issue. Counties have a wide latitude in the exercise of control over public property. Woodard v. Smith, 254 Ga. 39, 40 (1985).

3. The County now handles cell tower space at existing facilities (e.g. Courthouse roof) as a non-exclusive agreement--come one, come all--which the Board approves at a set rate. For cell towers that want to use County land, the County advertises a Request for Interest (with a follow-up mailing to all of the known cell phone companies).

4. It would not be legal or proper for the County to contract or give exclusive permission for one group to use publicly-owned property without some formal notice and competition. There must be a benefit to the County in return for such use.

FUNDING:

Revenue Producing.

POLICY ANALYSIS:

If the County decides to allow automobile dealers to display their vehicles on County property, the County would need to advertise a "Request for Interest" and allow other automobile dealers to submit a proposal based on fee. The automobile dealer would need to hold the County harmless.

ALTERNATIVES:

1. Allow automobile dealers to display their vehicles on County property and direct staff to establish a fair procedure to avoid an exclusive arrangement with one dealer.
2. Do not allow automobile dealers to display their vehicles on County property.

RECOMMENDATION:

For Board consideration.

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5. TO APPROVE REQUEST OF TELFAIR MUSEUM OF ART TO REFUND TAXES FOR 2002 AND 2003 IN THE AMOUNT OF \$21,040 FOR THE JEPSON CENTER PROPERTY.

Chairman Liakakis said, as you remember, we had some information on this before that they should not have been charged for that because they were tax exempt. So we need a motion on the floor to approve this.

Commissioner Stone said, so moved. Commissioner Kicklighter said, second.

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

ACTION OF THE BOARD:

Commissioner Stone moved to approve the request of Telfair Museum of Art to refund taxes for 2002 and 2003 in the amount of \$21,040 for the Jepson Center property. Commissioner Kicklighter seconded the motion and it carried unanimously. [NOTE: Commissioners Shay, Odell and Gellatly were not present when this vote was taken.]

AGENDA ITEM: IX-5
AGENDA DATE: November 3, 2006

TO: Board of Commissioners

THRU: R.E. Abolt, County Manager

FROM: R. Jonathan Hart, County Attorney

ISSUE:

To approve request of Telfair Museum of Art to refund taxes for 2002 and 2003 in the amount of \$21,040 for the Jepson Center property.

BACKGROUND:

This is a request by the Telfair Museum of Art ("Telfair") for a refund of taxes paid for tax years 2002 and 2003 in the amount of \$21,040. In 2005, Telfair and the Board of Assessors resolved a tax appeal with a consent order which made a finding that the Jepson Center property is exempt from ad valorem taxation. The property is identified as PIN's 2-0016-37-001, 2-0016-37-002, 2-0016-37-010 and 2-0016-37-010A. Pursuant to the consent order, an account correction was done for tax year 2004 and a refund was given for that year. The Board of Commissioners is being requested to authorize a refund for 2002 and 2003.

FACTS & FINDINGS:

1. Telfair seeks a refund of taxes paid for tax years 2002 and 2003 in the amount of \$21,040.

2. In 2005, Telfair and the Board of Assessors entered into a consent order approved by the Court stating that Telfair is a 501 (c)(3) tax exempt organization that operates as a museum and is exempt from ad valorem taxes.
3. Pursuant to the consent order, an account correction was done for tax year 2004 and a refund was provided.
4. O.C.G.A. § 48-5-380 (a) authorizes a refund to taxpayers of taxes which are determined to have been erroneously or illegally assessed or which have been voluntarily or involuntarily overpaid. A refund may be requested three years after the date of the payment of the tax to the County. O.C.G.A. § 48-5-380 (b).
5. Telfair made its refund request in 2005. There was a delay in responding to the request due to confusion regarding the PIN numbers of the property.

FUNDING:

Delinquent collections of the Tax Commissioner's office.

POLICY ANALYSIS:

Telfair is exempt from ad valorem property taxes. The 2002 and 2003 taxes that have been paid should be refunded.

ALTERNATIVES:

1. The Commission should authorize the refund of \$21,040.
2. The Commission should not authorize the refund of \$21,040.

RECOMMENDATION:

Alternative 1.

RJH/jr

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6. **REQUEST BOARD CONSIDER AUTHORIZING THE CHAIRMAN TO APPROVE AN INTERGOVERNMENTAL AGREEMENT BETWEEN STATE OF GEORGIA AND CHATHAM COUNTY FOR PRODUCT SUPPORT ROAD AT STATE ROUTE 307, AND TO APPROVE SUPPLEMENTAL AGREEMENT #3 BETWEEN DEPARTMENT OF TRANSPORTATION AND CHATHAM COUNTY FOR HARRY S. TRUMAN/PHASE 5 FROM ABERCORN STREET TO WHITFIELD AVENUE; AND TO AUTHORIZE THE CHAIRMAN, COUNTY CLERK, COUNTY ENGINEER AND COUNTY ATTORNEY TO SIGN ALL THE DOCUMENTS (GDOT FORM 532, UTILITY AGREEMENT, THE RIGHT-OF-WAY CERTIFICATION, AND A COUNTY CONTRACT) TO CONSTRUCT A NEW ROAD FROM DEAN FOREST ROAD FOR THE NEW GULFSTREAM PRODUCT SERVICE FACILITY AND FOR SAVANNAH AIRPORT USE.**

Chairman Liakakis asked, do we have a motion on the floor? County Manager Abolt said, Mr. Chairman. Chairman Liakakis said, yes. County Manager Abolt said, this is one where — I think we might would like a staff presentation to perfect the record, so whatever your action is the legislative intent is fully understood. So whenever it's appropriate, I would like to begin that presentation. Chairman Liakakis said, okay. Let's have a motion on the floor for it and then do the presentation.

Commissioner Thomas said, I move for approval, Mr. Chairman. Chairman Liakakis said, we have a motion on the floor —. Commissioner Kicklighter said, second. County Manager Abolt said, just one caution, Mr. Chairman, this is Board consideration. You have different options. At one point you're going to have to clarify what you're moving, but that can come later.

Commissioner Stone said, yeah, I want real solid clarification about the three different scenarios so that we pick the best scenario.

County Manager Abolt said, again, the background on this, this comes about because of the leadership certainly of the Chairman in response to calls from both Gulfstream and the Governor's office. Shortly after — prior to and then

after Gulfstream announced a major expansion out of the airport, which was a true good news for the entire southeast portion of Georgia, part of the arrangement made between the Governor and the Gulfstream representatives, of which the County was not a part, had to do with providing certain improvements for roads around their plant. We might add too from the standpoint of clarification a special note. This also supports and provides assistance to the airport but in that discussion roads identified were supposed to get completely segregated as being the responsibility of the Georgia Department of Transportation. Never did County staff or this Board ever agree to take local money to in effect make the deal complete. It was always the understanding that the road improvements as required, as set forth by Gulfstream, as what they need to move would be covered wholly by the State of Georgia. As the negotiations were completed, and certainly an announcement was made, staff was of the opinion, I understood, that GDOT was handling it. They would have to come to us from the standpoint of pass-through dollars to make all the dollars flow correctly where they should. The County then would be the agency recognized from Atlanta as being that pass-through agency. That sounds simple to explain. It gets difficult now from the standpoint of how that money might come and, more importantly, a little bit confusing from the standpoint of understanding when you must realize that since the announcement of the expansion of Gulfstream that we have been told that Gulfstream would like another road, which was not a part of the initial discussion with GDOT officials, and that road lies wholly with inside the City of Savannah. Having a road improvement in this case through a, let's say a contract, or whatever, in another municipality or another government is not usual. But to make this happen and certainly we want to do everything we can to help both GDOT and certainly respond to the direction of the Governor's office, we presented alternatives and those alternatives will allow money to in effect be switched around. Now we're not spending any funds from the County's SPLOST or otherwise that are not giving us some discretion in moving it from one project to another. The one source of dollars that Mr. Bungard and his staff have identified is the right-of-way acquisition and the support to building the fifth phase of Truman Parkway. The dollars categorized there would make it possible for the State of Georgia Department of Transportation to up it's allocation by several million dollars to the County, thus replacing local effort by money coming from the State and allowing the County then to shift that money for the Gulfstream project. It's not new money. It's the same money. The risk we take, and as again Mr. Bungard explained that you'll see in the memorandum from Jon Hart is — our Attorney Hart, our understanding with GDOT has to be that they cannot be slow-pay. If they're slow-pay in reimbursing us, that project, the Truman Parkway Phase 5 stops. With that I'd like to turn it over to Mr. Bungard.

County Engineer Bungard said, as the County Manager mentioned, when this started there were three roads involved. There was Gulfstream Road, R. B. Miller Road, only the northern part where their other entrance is, and at that time they talked about Wings Road. The issue today is the Produce Support Road, which is the new road they want from Dean Forest Road into the product service facility. The original estimate or amount that GDOT thought they would have to commit was around \$5,000,000. Once GDOT started to scope all the improvements for all three, it was much more and, again, because it was in the City of Savannah and because 307 is a State Route, we didn't have a dog in the fight. Never did, but GDOT wants us to manage the project. I've agreed to do it subject to certain conditions and three things have to happen for that to work. They started with a letter, like a letter of commitment, and I said that's not good enough; there must be an intergovernmental agreement whereby the County Commission agrees to certain things we will do and then the GDOT has to agree to what they're going to do. I helped them — they didn't — weren't quite sure how to draft that agreement, so I wrote one and have given it to them. That agreement basically says they'll design it, we will manage the contract, they will reimburse us for what we spend dollar for dollar fully reimbursed, including our overhead costs and interest, if any, that we lose by taking money out of the bank that we have sitting there for Truman Parkway Phase 5. That's what the agreement means in terms of fully reimburse. It says that it was going to be separate [from Gulfstream and R. B. Miller Roads]. Commissioner Linnenkohl proposed that they don't have the money right now, that we would front the money out of a Federal-aid project for which we already have an agreement. The only project where we have enough money and there's an agreement in place for right-of-way reimbursement is in fact Phase 5. For instance, on Bay Street we have an agreement but it does not include right-of-way reimbursement yet. We've asked for it, but they've denied it. So there's not enough money there. Then the mechanism to pay the money would be out of the Phase 5 and then we have a supplement agreement to the Truman Parkway Local Government Agreement where we already had set up to get reimbursed \$14,000,000 and that has been increased to \$17,000,000. Thirdly, the mechanism for us to get reimbursed for the construction cost is what we call the County Contract. A County Contract can be used to manage a project anywhere in the County and people talk about the reimbursements in terms of 60, 40, 20, 80, whatever. That's based on their unit priced items. I don't know how that's going to break out though in our discussions with State Engineer, the Chief Engineer was that, okay, you know, you'll get the first part of whatever the cost is — let's say it's \$3,000,000, 60% would come back by way of the County Contract and I think that's going to have to come from their State-aid funds, and then the balance of the 40% would be what we'd get reimbursed under Federal-aid. My issue is, of course, the timing, but the original agreement read that we could only get reimbursed for the \$14,000,000 along that — which was along the State Route 204. The agreement I have now for the Chairman to sign is to take off that restriction of only along 204 and it's just a total amount of \$17,000,000. Where that helps me is we already have spent the money by early acquisition elsewhere in the project and I'm going to ask for some of that reimbursement now. So as soon as it's signed I'm going to be asking for at least 40-50% of that money or as much as I can get. So it's — we don't have to deal with interest this year. Yes sir. Head starting hurting? It made my head hurt for a while when I sorted all this out.

Chairman Liakakis recognized Commissioner Kicklighter.

Commissioner Kicklighter said, Al [Bungard], in your opinion are they actually planning the future of that particular area because we're looking at — they being the State — because we're looking at possibly 1,600 new jobs entering this new road and we already have the main entrance to the Georgia Ports Authority right down the street. We have a four lane highway with railroad tracks that backs up. We really need in my opinion for the future of Dean Forest Road or 307 needs to be six-laned, eight-laned, the State needs to come in, there needs to be an overpass over Highway 80

and there needs to be actually something going up and over taking this new — taking the new Gulfstream area into the new Gulfstream road to keep traffic running smoothly, and it actually should run another one over 21 because this is the — which you know — and when the mega-site, whatever it may be, is on the same road, once something hits there, we're not even going to know problems of traffic until what's about to go on. County Engineer Bungard said, that's what the Chatham Urban Transportation Study Transportation Improvement Program is all about. That is all being handled through the Metropolitan Planning Commission. The State itself, to my knowledge, is not doing any master planning anywhere in the County for us, okay, nor should they be. But they are doing —. Commissioner Kicklighter said, well, the Ports [inaudible] be more concerned. County Engineer Bungard said, well, they're concerned, but that's part of the CUTS process to determine what our transportation needs and priorities are. That's what Tom Thomson does in the MPC. I do know the State's doing the Interstate Transportation Study of 16, 95, 516, I know there's an Intermodal Study that's going on, and that all comes together in that plan. It does show a 21-Connector Road, I know the GPA announced a while back, connecting Jimmy DeLoach Parkway to 307. They've got the Brampton Road Connector. They've got the overpass. All that is being — that's the big picture. GDOT is designing the 307 widening from R. B. Miller Road up to 21. My point when all this started was — all this stuff that's happening for Gulfstream needs to be looked at in the context of all the other projects — the widening of 21 from around Smith Avenue up to Port Wentworth. I'm just the executor here so I put in my two cents worth once in a while to remind them that they need to keep a holistic look on all that. Even the other improvements on R. B. Miller Road we thought for a long time that was County. It turns out that it's City of Savannah property, too — but Gulfstream Road is ours.

Chairman Liakakis recognized Commissioner Gellatly.

Commissioner Gellatly said, you know, you're right. Everything you're putting out is very complicated certainly to me. What is our option that would — you know, I'm all for the improvements as stated, but I'm all against anything that could jeopardize the Truman Parkway in any way, shape or form because I'm sorry we've all waited for this for too long. And I want to make really sure from a legal standpoint and from an engineering standpoint that we don't jump into something and then find out for some reason or other Truman Parkway is not going to be built because our money is tied up somewhere else. Based on the —. I mean, make it really simple for us.

County Attorney Hart said, Bungard — Al Bungard's memo is very detailed and it has to be because this is a complicated transaction and we were the last one to get there after the deal's been struck. To that I've added my memo on the flow of funds and the cash analysis under SPLOST and under the Federal Reimbursement that has issues that cause concern. We can structure a method of doing this and it's laid out within Mr. Bungard's memo and my scenario, number one. Scenario number three is a non-starter, and the only reason that's in there is to warn people that we've got to be careful about that, and scenario number two causes me some concern also. There's some conditional —.

Commissioner Gellatly asked, what does number one do for us? County Attorney Hart said, number one allows us to borrow SPLOST funds for Truman Parkway Phase 5 on a reimbursement basis as a loan to GDOT, and that they will have to make a dollar for dollar reimbursement back to us plus they'll have to pay all our interest carry and all the opportunity costs we'd lose out of those funds. It also requires that the money be put back in the SPLOST, it also requires the intergovernmental agreement, and it also requires that it actually go back into the same SPLOST that it came from. So we put as many safeguards as we know how to put on that portion of the agreement. When you do everything that Mr. Bungard suggests and you do everything in accordance with the limitations I've placed on it from a legal standpoint, it works but we cannot with 100% accuracy deal with the timing issue and the timing issue —. Commissioner Gellatly said, and that gets to my next question. County Attorney Hart said, — the timing issue is we spend our money to complete this project and for whatever reason the reimbursement from the study does not come back at the speed with which we would need to continue movement on Phase 5 of the Truman Parkway so there's a risk factor —. Commissioner Gellatly said, so that could effectively end the Truman Parkway when we're having all the other stuff —. County Attorney Hart said, well, we'll get the money eventually. I'm just saying —. Commissioner Gellatly said, well, I mean it's not like they haven't waited a few weeks for the Truman Parkway already and I don't want to be responsible for doing anything, even though it's for the best of causes that's going to delay that Truman Parkway one day. County Attorney Hart said, we can do the deal, we just can't guarantee the State's timing. That's the bottom line. There's a timing issue here that this Commission has got to make a decision on. Is that a fair statement for right now? County Engineer Bungard said, yes.

Chairman Liakakis recognized Commissioner Stone.

Commissioner Stone said, yeah, I think the scary word in scenario number one it says, "Later, GDOT would fully reimburse the County for use of SPLOST funds...." Later — I mean, define later. Later could be tomorrow or later could be 10 years from now, so I know you can't — you don't have any guarantees, and that's the scary part when you see the word later. County Engineer Bungard said, and that's been my concern from the start, but with this most recent delay we structured the intergovernmental agreement — they haven't even to my knowledge seen — I've given the District Engineer the one that says you will fully reimburse us. The one that says by the way you're going to do the inspection work, that's going to come out of their pockets because we don't have the staff to do it. You're going to design it, we'll let it, you get to do the day to day inspection work for the contract too. But I'm comfortable that the risk right now the way it's structured with alternative one and Jon's is minimally risk and at this point for the next two years we'll have no impact on the project.

County Attorney Hart said, they will have two years in which to do the reimbursement and obviously —. Commissioner Gellatly said, I mean complete reimbursement. County Attorney Hart said, — correct, and obviously you know your

flow of funds is going to go from a federally-eligible project back into a federally-eligible project. County Engineer Bungard said, it could be a year and a half. I mean, we're starting — we're doing the appraisals now. It's going to take me one more year at least to finish buying the right-of-way and we've put the sale — and the sales tax —, Truman Parkway Phase 5 is the only project that appears in all five sales taxes to make sure we can cover all the requirements. We may have money left over totally for right-of-way acquisition. Then it's completely a non-issue. My biggest concern about cost is the 204 Corridor because that's where the real estate costs are going up the fastest.

Chairman Liakakis said, Jon [Hart], as Dean [Kicklighter] was saying, Helen [Stone], and everybody, basically you can put in there that two-year that it will be paid, can you add that in that? County Attorney Hart said, well, it's easy to write it down and put it in there, the problem is GDOT's funding sources are — they're relying on getting somebody else's money and we're relying on getting their money. So, you know, to some extent there you've got to accept them at their word if you're willing to do this. Now we've done this before — not with SPLOST funds and this type situation, but where we have helped them on a project and then later they've reimbursed us. On occasion there has been a slight shortfall. I'm talking \$50,000 or something like that. But that has happened. I just don't want — I want this Commission to realize that this is a very good project. This is something that on a community standpoint these roads for the airport and roads to Gulfstream, I don't think there's anybody in the world that thinks that that doesn't need to happen, but we're helping out the State.

Commissioner Kicklighter said, it's going to cover themselves in case they —. County Attorney Hart said, correct. We've got to be aware that there is some risk there.

County Manager said, Mr. Chairman, the important thing to remember, everything must be in a written agreement. In the past I know, because of the need to move quickly and particularly on the space point of view, there is just general comments, well, Mr. Linnenkohl says it's okay or not just Mr. Linnenkohl but previous other Commissioners, that is not only dangerous, that is fatal. Where we're so insistent, and I would hope I would think there would be no criticism coming forward from anybody in Atlanta, but in case you do receive it, it's because we have to be specific to protect all of this. Also, one thing I want to mention to y'all publicly, which you already know, this County Commission is the only government locally that can make this happen. That shows the importance of the action, but also the way in which you're looked at from Atlanta. The City of Savannah cannot do this; the Airport Authority cannot do this. Because of our record in dealing with SPLOST and dealing with GDOT, they know it can happen if they go to the County. They cannot have that same assurance if they go to someone else. So you've got a major industry with some outstanding jobs that have looked to us and certainly they've talked to the Chairman repeatedly. You're stepping up, you're talking action that is a courageous act, but you must also protect yourself but we can do that through the agreement. Chairman Liakakis said, okay.

Commissioner Kicklighter said, I would ask that the wording go in there about the two years, and also I would like the message to get to the State somehow that's my area, and this is great. I was at the ribbon cutting. I'm all for the jobs for the economy, but what the State of Georgia has to do is start supporting the infrastructure in the area where all this is going on. And the ports, they're a wonderful economic vehicle, but they're just now stepping up and starting to realize that their growth has an impact on a lot of people. So I would love for somebody to figure out how we can ask for them to look at the big picture with us.

County Manager Abolt said, if I may, Mr. Chairman and Commissioners, about his question. Commissioner, Lee Hughes has responded. He's planning that conversation. He had a conversation with the Chairman, but some time after the first of December when you have your legislative luncheon then I believe that an invitation will go to the representative of the Transportation Board. I mean, those citizens that serve on that board who have an appreciation for Chatham County. They had their regional meeting, you remember, here not too long ago and at that time, you know, in the proper setting you all will be asking those type of questions.

Commissioner Kicklighter said, Russ [Abolt], is right. Now is the time on that because Dean Forest Road right now pretty much is undeveloped in a certain area where the airport owns property and we own the other property. That could be a limited access roadway, which is basically an expressway tying in from 16 directly in with the dirt road it passes and it could be a great thing. County Manager Abolt said, I agree and we're also hopefully months away from seeing something on the mega site. We talk and we dream, but when reality hits us we're still far from being prepared. Commissioner Kicklighter said, right.

Chairman Liakakis said, okay, so we need a motion on the floor. Commissioner Stone asked, do we need to pick a scenario? County Attorney Hart said, yeah, our recommendation would be to —. County Engineer Bungard said, Alternative 1. County Attorney Hart said, — do Alternative 1 plus the funding to flow as scenario one in my memo. You know, we're going to pay close attention to this.

Commissioner Kicklighter said, so you already made a motion and I did the second. Commissioner Stone said, for scenario one. Commissioner Kicklighter asked, do you want to amend to add the two-year time limit? Commissioner Stone said, yes. Commissioner Thomas said, I thought I made the motion. Commissioner Kicklighter said, well, you amend your second. Commissioner Thomas said, it doesn't matter. Commissioner Kicklighter said, if you'll amend your second, I will too.

Chairman Liakakis said, okay, we have a motion on the floor and a second. Commissioner Stone was with the wording of this. Chairman Liakakis said, with the wording adding the two-year time limit on it.

Commissioner Gellatly asked, may I ask a question. If we go with scenario number one, there's still a possibility — there's a possibility that the Truman Parkway will not be built because the funds won't be available for it. County Attorney Hart said, it will be delayed. It will eventually —. Commissioner Gellatly said, delayed could be —.

Chairman Liakakis asked, Al [Bungard], what's your comment. County Engineer Bungard said, my recommendation is that y'all approve Alternative 1, not Scenario 1. Scenario 1 in the attorney's legal opinion only deals with the cash issue. Alternative 1 in my staff report recommends approval of three items: the intergovernmental agreement for us to manage the project, secondly the supplemental agreement to the Truman Parkway Phase 5 agreement to increase the dollar limit from \$14,000,000 to \$17,000,000, and thirdly the routine sort of action whereby the County Attorney, the Chairman and I sign various documents to implement the County Contract.

Commissioner Gellatly said, let me ask my question again, and I know you've already answered it. If we vote on the affirmative on any of these, there is a chance that the Truman Parkway could be delayed. That delay could be anything from a year to five years to six years. Is that a yes or a no? County Attorney Hart said, it's a yes insofar as yes it will be delayed, now whether it's four years, five years or six years, there's no way of knowing that. Commissioner Gellatly said, I mean, it's more likely to be that than two weeks or 30 days. Right? County Attorney Hart said, sure. Commissioner Gellatly said, okay, thank you.

Chairman Liakakis said, okay. We have a motion on the floor and a second for Alternative 1. Commissioner Stone said, make sure that everybody knows it's Alternate 1. Commissioner Kicklighter said, I think he meant Option 1. County Attorney Hart said, Alternative 1. Chairman Liakakis said, okay, let's go on the board. Chairman Liakakis and Commissioners Stone, Holmes, Farrell, Kicklighter and Thomas voted in favor of the motion. Commissioner Gellatly voted in opposition. The motion carried by a vote of six to one. [NOTE: Commissioners Shay and Odell was not present when this vote was taken.] Chairman Liakakis said, the motion passes.

County Manager Abolt said, Mr. Chairman, as we transmit it to Mr. Linnenkohl, I would ask that something exceptional be done, and that we might ask Ms. Tillman to give us, which she does anyway, that we transmit the exact copy, the verbatim transcripts of your discussion prior to and as you made this motion. Chairman Liakakis said, okay.

ACTION OF THE BOARD:

Commissioner Thomas moved to approve Alternative #1 of the staff report that the Board authorize the Chairman to approve an Intergovernmental Agreement between the State of Georgia and Chatham County for product support road at State Route 307, and to approve Supplemental Agreement #3 between Department of Transportation and Chatham County for Harry S. Truman/Phase 5 from Abercorn Street to Whitfield Avenue; and to authorize the Chairman, County Clerk, County Engineer and County Attorney to sign all the documents (GDOT Form 532, Utility Agreement, the Right-of-Way Certification, and a County Contract) to construct a new road from Dean Forest Road for the new Gulfstream product service facility and for Savannah Airport use, and that the Agreement with the Department of Transportation specify that the SPLOST funds be reimbursed to Chatham County within two year. Commissioner Kicklighter seconded the motion. Chairman Liakakis and Commissioners Stone, Holmes, Farrell, Kicklighter and Thomas voted in favor of the motion. Commissioner Gellatly voted in opposition. The motion carried by a vote of six to one. [NOTE: Commissioners Shay and Odell was not present when this vote was taken.]

AGENDA ITEM: IX-6

AGENDA DATE: November 3, 2006

TO: Board of Commissioners

THRU: R.E. Abolt, County Manager

FROM: A. G. Bungard, P.E., County Engineer
Linda Cramer, Finance Director
R. Jonathan Hart, County Attorney

ISSUE: That the Board consider authorizing the Chairman to approve an Intergovernmental Agreement Between State of Georgia and Chatham County for Product Support Road at State Route 307, and to approve Supplemental Agreement #3 Between Department of Transportation and Chatham County for Harry S. Truman/Phase 5 from Abercorn Street to Whitfield Avenue; and to authorize the Chairman, County Clerk, County Engineer and County Attorney to sign all the documents (GDOT Form 532, Utility Agreement, the Right-of-Way Certification, and a County Contract) to construct a new road from Dean Forest Road for the new Gulfstream product service facility and for Savannah Airport use.

BACKGROUND: In March 2006, the Governor made an arrangement with Gulfstream as an incentive to bring an expansion of their business to the Savannah Airport. It included paying for roadway improvements to Gulfstream Road and R.B. Miller Road. It also covered constructing a new traffic signal on Dean Forest Road at Wings Road, widening the existing Wings Road, and extending Wings Road approximately one mile into the new Gulfstream product service facility. Subsequently, Gulfstream and the Airport required a

new road exclusively for their use to the new service facility and other Airport facilities. The GDOT has designed a new road along a different alignment Gulfstream wants named "Product Support Road." Gulfstream wants the road built and the signal installed by September 2007.

FACTS AND FINDINGS:

1. The State made the commitment to Gulfstream. The County was not involved. In the eleventh hour before the deal was made, the GDOT asked for the County's assistance in managing the improvements to Gulfstream Road and R.B. Miller Road. The correspondence dated March 3, 2006, between the County Manager and GDOT Commissioner Harold Linnenkohl specifically excluded Wings Road and the new traffic signal on Dean Forest Road because they were in the City of Savannah.
2. "Product Support Road" [along a new alignment] and the new signal are still within the City of Savannah. The road will be on Savannah Airport property. Dean Forest Road is a State Route. The County has no standing or jurisdiction in the project other than that which the GDOT proposes.
3. The City of Savannah will have to sign separate certifications or agreements to maintain the road and the traffic signal, and pay for the energy costs for the new signal.
4. With the GDOT design for Product Support Road, staff has been advised that no right of way acquisition is required. If the County is to manage the project, the County will be required to certify the right of way. The County does not yet have a copy of the construction plans to be bid or a cost estimate, but it is expected to be as much as \$3 million.
5. None of the roadway projects are a part of any of the County's SPLOST referenda. By way of historical background, the referendum for Sales Tax I did not list any specific road projects (either from the Chatham Urban Transportation Study (CUTS), but an account was established for "Various County Roads." Sales Tax 2 had a specific list of CUTS roads and funds allocated for roads in "Unincorporated Chatham County." Sales Tax 3 specifically excludes roads other than CUTS. Sales Tax 4 has CUTS roads and "Unincorporated Roads." Bottom line is that, except for CUTS roads, every municipality must provide funds for road projects within their jurisdiction.
6. The GDOT does not have the State funds, so they want the County to pay for the project ... for now. Based on a telephone conversation between the Chairman, County Manager, County Engineer and the GDOT Chief Engineer (Mr. David Studstill) on October 18, 2006, the GDOT proposes to make the County whole [fully reimburse] for all costs using Federal aid money on another project where the County has an existing agreement with the GDOT to be reimbursed for right of way acquisition costs. All costs would include, but not be limited to staff costs and lost interest revenue on the funds the County would have to withdraw from the bank. (See attached County Attorney memo dated October 20, 2006.)
7. Truman Parkway, Phase 5, is the only project where there is an existing Local Government Project Agreement (LGPA) for the County to be reimbursed for right of way costs [presumably using federal funds) AND there are currently sufficient funds (in Sales Tax 1) for the "Product Support Road" project. Supplemental Agreement #3 increases the reimbursements to the County from \$14 million to \$17 million. The issue will be timeliness of reimbursements. The County is in the process of acquiring the right of way for Phase 5. If reimbursements are not timely, the cash flow will bring the acquisitions to a halt soon.
8. There will be an indirect impact on the CUTS Transportation Improvement Program (TIP). In accordance with State law, the TIP must be balanced among the Congressional districts. The reimbursements for the Gulfstream projects will reduce the funds available for other projects in this district.
9. To maintain proper accountability for the SPLOST funds [GASB, statutes governing SPLOST, etc], the local funds spent and the reimbursements must be made to balance within the same SPLOST. The Board will have to approve amending the Sales Tax 1 budget to create a new project for "Expenditures" and create a new revenue source for "Revenue." The two will have to balance dollar for dollar.

ALTERNATIVES:

1. That the Board authorize the Chairman to approve an Intergovernmental Agreement Between State of Georgia and Chatham County for Product Support Road at State Route 307, and to approve Supplemental Agreement #3 Between Department of Transportation and Chatham County for Harry S. Truman/Phase 5 from Abercorn Street to Whitfield Avenue; and to authorize the Chairman, County Clerk, County Engineer and County Attorney to sign all the documents (GDOT Form 532, Utility Agreement, the Right-of-Way Certification, and a County Contract) to construct a new road from Dean Forest Road for the new Gulfstream product service facility and for Savannah Airport use.
2. That the Board not approve involvement with the project.

FUNDING: Funds (\$3 million) are available in the 1985-1993 SPLOST Fund but would require transfer from the Truman Parkway Phase 5 Project (Fund/Department 320-4210/Account Code 52.12003/Project 32050472) to the Various County Roads, Product Support Road.

POLICY ANALYSIS: The use of SPLOST proceeds is governed by O.C.G.A §§ 48-8-110 through 48-8-121, and all the referenda, resolutions and intergovernmental agreements approved in accordance with State law.

RECOMMENDATION: For Board consideration.

District 7

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7. DISCUSSION OF WORKLOAD FOR BOARDS OF EQUALIZATION.

County Manager Abolt said, I think you can pass on this because of the leadership of Mr. Nagy and Mr. Lower, I think the matter for the time being has been dealt with. In the future and future budget sessions it may come up as to the frequency in which individuals on the Boards of Equalization panels might be required to meet, as well as meeting space. I think because the two gentlemen just mentioned have solved the problem for this year.

ACTION OF THE BOARD:

No action was taken on this matter.

AGENDA ITEM: IX-7
AGENDA DATE: November 3, 2006

DATE: October 24, 2006
TO: Chairman Liakakis and Board of Commissioners
FROM: R. Jonathan Hart, County Attorney
SUBJECT: Board of Assessors Concerns Regarding Board of Equalization Appeal Process

I am forwarding this memo to bring to the Board of Commissioner's attention that there may be some issues that may need to be addressed regarding the Board of Equalization ("BOE"). I have been informed by the attorney for the Board of Assessors that there are in excess of 1000 matters that are still not scheduled for a hearing determination. As you are aware, O.C.G.A. § 48-5-311 (e)(6)(A) requires that the BOE set a date for a hearing within 15 days of the receipt of the notice of appeal and shall so notify the taxpayer and the county board of tax assessors in writing. Additionally, O.C.G.A. § 48-5-311 (e)(6)(B) requires that within 30 days of the date of notification to the taxpayer of the hearing required in this paragraph but not earlier than 20 days from the date of such notification to the taxpayer, the county board of equalization shall hold such hearing to determine the questions presented. Should the BOE fail to meet these requirements, a delay in the submission of the digest will occur, resulting in possible penalties and a delay in the collection of taxes.

While there may not be any help for 2006, an evaluation as to the number of members of the BOE board which the County would use needs further consideration. O.C.G.A. § 48-5-311 (a)(1) states that the governing authority on or before November 1

of each year may select one additional board of equalization for each 10,000 parcels of real estate.

Given the growth in the number of parcels in Chatham County (last year 5,000; this year probably an additional 5,700), the Commission needs to give serious consideration to expanding the number of BOE boards to hear appeals.

From a policy standpoint, the Commission needs to ensure 1. that there are sufficient number of boards for citizens to have their appeals timely heard; 2. the County should not lose revenue from assessments due to lack of action of the BOE; and, 3. The County needs to ensure there will be no delays in submitting the digest to the State since this will affect revenue.

Based on the current number of boards as well as the exponential increase in parcels, it would appear that the County is asking the individuals who volunteer for the BOE to donate a substantial amount of time. The possible increase in number of boards would limit the amount of time spent by volunteers and at the same time ensure timely review of appeals.

Obviously, the Commission needs appropriate input from the BOE prior to giving staff direction concerning how to proceed.

RJH/dc

cc: R.E. Abolt, County Manager
Lou Nagy, Chairman of the BOE
Ab Quillian, Esq., Counsel for the BOA

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8. BOARD CONSIDERATION TO ENTER INTO AN AGREEMENT WITH THE GEORGIA CHAPTER OF THE EIGHTH AIR FORCE FOR A COMMUNITY EDUCATIONAL PROGRAM COINCIDING WITH THE 65TH ANNIVERSARY OF THE FOUNDING OF THE MIGHTY EIGHTH.

County Manager Abolt said, this is for your consideration, Mr. Chairman and ladies and gentlemen. The Georgia Chapter — not the museum but the Georgia Chapter — has been — over the last several years has been one of the leaders has been one of the leaders in the celebrations of birthdays for the 8th Air Force. This group of veterans recognize in January they'll be coming on their last major celebration for their group of patriots, the 65th Celebration of when the 8th Air Force was founded on Bull Street here in Chatham County. They're asking to be able to work with the Youth Commission and then make available for the entire community, young and old, an opportunity, possibly for the last time, to meet again these veterans to learn of their experience, to have interactive history of both oral and the experience of the young and old in meeting these individuals, realizing they'll probably not be a 70th Anniversary celebrating in the fashion described. With your permission, they will begin meeting with Mr. Johnson and the Youth Commission. Mr. Johnson did tell me already he's talked to Mr. Hughey and that plans are afoot. They're also asking. They're also asking to have the effort underwritten by \$5,000. I will tell you this, in the past they've been able to raise the money, and Dr. Thomas will remember, I think it was on the 60th Anniversary, they gave some money back to the Youth Commission. And, again, without being anything other than kind, with the advancing years it gets very difficult for these veterans to commit to raising a substantive amount of money. So it seems to be very appropriate with the understanding the Youth Commission will be fully involved and this community will fully participate in the celebration of this 65th Birthday.

Chairman Liakakis asked, do we have a motion on the floor for an agreement for this program? Commissioner Farrell said, so moved. Commissioner Holmes said, second.

Commissioner Thomas said, discussion. Just to elaborate a little further I'd just like to say that this is an excellent thing and — for the involvement of the Youth Commission. As some of you may well know that several years ago, when the Mighty Eighth first was established, we started taking some tours and et cetera in there and there was really nothing set up in terms of educational programs, particularly for children and the community at large, and I'm so happy that they, you know, came on board and they have now set up several educational packages and I'm happy that the Youth Commission will be involved in this, and I just want to say for the record also that I will be totally involved with Mr. Johnson and Mr. Hughey in this as well.

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

ACTION OF THE BOARD:

Commissioner Farrell moved to enter into a contract with the 8th Air Force Historical Society to work with the Chatham County Youth Commission in planning the 65th Birthday Celebration of the Mighty 8th Air Force and allocate \$5,000 to offset necessary costs of the celebration. Commissioner Holmes seconded the motion and it carried unanimously. [NOTE: Commissioners Shay, Odell and Kicklighter were not present when this vote was taken.]

AGENDA ITEM: IV-8**AGENDA DATE: November 3, 2006****DATE:** October 24, 2006**TO:** Chairman Pete Liakakis**FROM:** R. E. Abolt, County Manager**SUBJECT:** Sixty-Fifth Anniversary of Founding of Eighth Air Force

Mr. Chairman, please see the attached request from Mr. Henry Hughey, Chairman of the Georgia Chapter of the Eighth Air Force Historical Society. The event described envisions working with the Youth Commission to make the birthday memorable for more than just the veterans.

If you choose, I will place this on the Board agenda for the 3rd of November with a funding recommendation. In the interim and by copy of this I am asking Van Johnson to contact Henry and set a time for his visit to Savannah and work with the Youth Commission in essential planning.

REA:fqr

Attachment

cc: Members of the Board
Van R. Johnson, II, Employee Services and Training Manager (via fax)
Linda B. Cramer, Finance Director
W. Henry Hughey, Chairman, Board of Directors, Eighth Air Force Historical Society (via fax 678-206-0254)

Georgia Chapter
The Eighth Air Force Historical Society
P. O. Box 73 – Tucker, GA 30085-0073

October 23, 2006

Chairman Pete Liakakis
Chatham County Commission
124 Bull Street
Savannah, Georgia 31401

Dear Mr. Chairman:

The number of Eight Air Force World War II veterans grows smaller each day. The median age is eighty-seven.

We celebrated our 50th and 60th year anniversaries in Chatham County and plan a similar event for our 65th year. The event is planned for February 1, 2 and 3, 2007, at the Marriott Riverfront Hotel.

There is a once-in-a-lifetime chance to work the Chatham County Youth Commission in what will definitely be the last major celebration for the remaining veterans of the Eighth Air Force having served in World War II. With your approval, it is our plan to work with the Youth Commission later this fall to plan out the specifics of the birthday event, insuring that their generation will have every opportunity to get to know what it was like.

In addition to your approval to work with the Youth Commission, the Georgia Chapter of the Eighth Air Force Historical Society plans to involve Chatham County citizens in an event that will be memorable for all. We would be willing to enter into a contract for

services with the County, calling for specific deliverables by way of community involvement and education in the hopes that \$5,000 could be allocated by the County Commission to offset necessary costs.

Here's a chance for veterans to offer a living history and testimonial to the next generation of leaders. Please let me know your thoughts on the matter.

Sincerely,

/s/ W. Henry Hughey

W. Henry Hughey, Chairman
Board of Directors
Georgia Chapter 8th A.F.H.S.

cc: Russell E. Abolt, County Manager

"The Mighty Eighth"

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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, we have Items 1 through 12 and under 12 Items A through J. Are there any specific items you would like to pull off? Do we have a motion on the floor to approve all of the items 1 through 12 and Items A through J under Item 12.

Commissioner Gellatly said, motion to approve. Commissioner Thomas said, second.

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

ACTION OF THE BOARD:

Commissioner Gellatly moved to approve Items 1 through 12-J, both inclusive. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioners Shay, Odell and Kicklighter were 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 OCTOBER 20, 2006, AS MAILED.

ACTION OF THE BOARD:

Commissioner Gellatly moved to approve the minutes of the regular meeting of October 20, 2006. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioners Shay, Odell and Kicklighter were not present when this vote was taken.]

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2. CLAIMS VS. CHATHAM COUNTY FOR THE PERIOD OCTOBER 12 THROUGH OCTOBER 25, 2006.

ACTION OF THE BOARD:

Commissioner Gellatly moved to authorize the Finance Director to pay the claims against the County for the period October 12, 2006, through October 25, 2006, in the amount of \$8,228,731. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioners Shay, Odell and Kicklighter were not present when this vote was taken.]

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3. TO ADOPT A RESOLUTION REQUESTING THAT THE LOCAL DELEGATION INTRODUCE LEGISLATION TO AMEND THE LOCAL ACTS WHICH PROVIDE FOR THE MINIMUM REQUIRED SALARIES TO BE PAID TO JUDGES IN CHATHAM COUNTY.

ACTION OF THE BOARD:

Commissioner Gellatly moved to adopt a resolution requesting that the Local Delegation introduce legislation to amend the Local Acts which provide for the minimum required salaries to be paid to Judges in Chatham County. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioners Shay, Odell and Kicklighter were not present when this vote was taken.]

AGENDA ITEM: X-3

AGENDA DATE: November 3, 2006

TO: Board of Commissioners
THRU: R. E. Abolt, County Manager
FROM: R. Jonathan Hart, County Attorney
 Michael Kaigler, Director Human Resources and Services

ISSUE:

To adopt a resolution requesting that the Local Delegation introduce legislation to amend the local acts which provide for the minimum required salaries to be paid to judges in Chatham County.

BACKGROUND:

The Commission has expressed its desire to amend the local acts for judges' salaries in order to bring about uniformity as to the manner in which judges' salaries may be determined so as to avoid inequity as a result of piecemeal legislation passed over the years. The attached proposed local legislation will achieve this uniformity. The proposed legislation has been reviewed by the County Attorney's Office, Human Resources and by all affected judges. The substance of the legislation has remained the same as has been previously discussed and the judges have made very helpful comments for clarity.

Attached is a resolution which requests that the Local Delegation introduce legislation to amend the local acts which provide for the minimum required salaries to be paid to judges in Chatham County and requests that the amended acts become effective immediately upon approval by the Governor or upon the acts becoming law without his approval. We have been advised that in matters of local legislation, a resolution is not required but is helpful in demonstrating local government support for the local legislation.

Upon approval of the resolution, the County Attorney's Office will submit the resolution and proposed legislation to the Local Delegation for their assistance in introducing the legislation for passage by the Legislature.

FACTS AND FINDINGS:

1. The Commission has expressed its desire to amend the local acts for judges' salaries in order to bring about uniformity as to the manner in which judges' salaries may be determined so as to avoid inequity as a result of piecemeal legislation passed over the years.

- 2. The attached proposed legislation has been reviewed by the County Attorney's Office, Human Resources and by all affected judges.
- 3. Although a resolution is not required, passing a resolution is helpful in demonstrating local government support for the local legislation.

FUNDING:

No additional funding is required. Funding for the increases were included in the FY 2006/2007 budget.

POLICY ANALYSIS:

The attached proposed local legislation will achieve uniformity as to the manner in which judges' salaries may be determined. Passing the attached resolution will demonstrate the support of the Chatham County Board of Commissioners for the local legislation.

ALTERNATIVES:

- 1. Adopt a resolution requesting that the Local Delegation introduce legislation to amend the local acts which provide for the minimum required salaries to be paid to judges in Chatham County.
- 2. Do not adopt a resolution requesting that the Local Delegation introduce legislation to amend the local acts which provide for the minimum required salaries to be paid to judges in Chatham County.

RECOMMENDATION:

Alternative 1

RESOLUTION

WHEREAS, Chatham County provides compensation to judges in Chatham County pursuant to local acts which provide for the minimum required salaries to be paid to the judges; and

WHEREAS, the provisions of the local acts which provide for the minimum required salaries to be paid to the judges are contained in acts which were approved March 26, 1986 (Ga. L. 1986, p. 4797), as amended in Ga. L. 1997, p. 3851, Ga. L. 1997, p. 3854, and Ga. L. 1997, p. 4446, and acts which were approved April 6, 1981 (Ga. L. 1981, p. 548), as amended by an Act approved April 5, 1993 (Ga. L. 1993, p. 4566), as amended by an Act approved April 14, 1997 (Ga. L. 1997, p. 4108); and

WHEREAS, Chatham County desires that the above described local acts providing for compensation of Chatham County judges be amended; and

WHEREAS, Chatham County also desires that the amendments to the above described local acts become effective immediately upon approval by the Governor or upon the amended acts becoming law without his approval.

NOW, THEREFORE, the Board of Commissioners of Chatham County, hereby requests that the Local Delegation from Chatham County introduce legislation to amend the local acts which provide for the minimum required salaries to be paid to judges in Chatham County as described herein and that the amended acts become effective immediately upon approval by the Governor or upon the acts becoming law without his approval.

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

CHATHAM COUNTY, GEORGIA

By: _____
Pete Liakakis, Chairman
Chatham County Commission

Attest: _____
Sybil Tillman, Clerk
Chatham County Commission

[SEAL]

To amend an Act authorizing the governing authority of Chatham County to provide an additional supplement to the salaries of each of the judges of the superior courts of the Eastern Judicial Circuit, approved April 6, 1981 (Ga. L. 1981, p. 548), as amended by an Act approved April 5, 1993 (Ga. L. 1993, p. 4566), as amended by an Act approved April 14, 1997 (Ga. L. 1997, p. 4108), so as to provide an additional supplement to the salary of the chief judge of the Eastern Judicial Circuit; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

An Act authorizing the governing authority of Chatham County to provide an additional supplement to the salaries of each of the judges of the superior courts of the Eastern Judicial Circuit, approved April 6, 1981 (Ga. L. 1981, p. 548), as amended by an Act approved April 5, 1993 (Ga. L. 1993, p. 4566), as amended by an Act approved April 14, 1997 (Ga. L. 1997, p. 4108), is amended by striking in its entirety subsection (e) of Section 1 and inserting in lieu thereof the following:

"(e) In addition to the salary supplements provided for in subsections (a) through (d) of this section, the governing authority of Chatham County shall pay to the chief judge of the Eastern Judicial Circuit an additional salary supplement of not less than \$5,400 per annum as additional compensation for performing the duties incumbent upon a chief judge which shall not be reduced during the term of his or her service as chief judge and shall not be considered as salary of a superior court judge for the purpose of computing any other compensation."

SECTION 2

This Act shall become effective immediately upon approval by the Governor or upon this Act becoming law without his approval.

SECTION 3

All laws and parts of laws in conflict with this Act are repealed.

To amend an Act providing for the compensation of certain officials in Chatham County, approved March 26, 1986 (Ga. L. 1986, p. 4797), as amended in Ga. L. 1997, p. 3851, Ga. L. 1997, p. 3854, and Ga. L. 1997, p. 4446, so as to change the compensation of the judges of the recorder's court, judge of the probate court, judges of the juvenile court, judges of the state court, and judges of the magistrate court; to remove cost-of-living increases; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

An Act providing for the compensation of certain officials in Chatham County, approved March 26, 1986 (Ga. L. 1986, p. 4797), as amended in Ga. L. 1997, p. 3851, Ga. L. 1997, p. 3854, and Ga. L. 1997, p. 4446, is amended by striking Sections 1, 2 and 3 in their entirety and substituting in lieu thereof a new Section 1, a new Section 2 and a new Section 3 to read as follows:

"SECTION 1.

(a) Except as provided in subsection (c) of this section, each officer and official of Chatham County listed in this subsection shall receive a salary fixed by the governing authority of such county, provided that said salary for each officer shall not be less than the salary set forth as follows:

Tax commissioner	\$53,000 per annum
Sheriff	\$54,000 per annum
Clerk of superior court	\$56,000 per annum

Clerk of the state court	\$45,000 per annum, provided that if the clerk of the state court also serves as court administrator, such officer shall receive an annual base salary to be fixed by the governing authority of the county at not less than \$60,000.00, payable in equal monthly installments from the funds of the county
Coroner	\$12,000 per annum

(b) Each officer and official of Chatham County listed in this subsection shall receive a salary fixed by the governing authority of such county, provided that said salary for each officer shall not be less than the salary set forth as follows:

Chief judge of the recorder's court	An annual salary shall be a fixed amount equal to the sum of 85% of the annual salary of a judge of superior court as paid by the state plus 85% of the annual amount of any supplement paid by the governing authority of Chatham County to a judge of the superior court, excluding any longevity pay to a judge of the superior court pursuant to Ga. L. 1997, p. 4108. In addition, the governing authority of Chatham County shall pay to the chief judge of the recorder's court an additional salary supplement as additional compensation for performing the duties incumbent upon a chief judge of not less than 85% of the salary supplement paid to the chief judge of the Eastern Judicial Circuit pursuant to Ga. L. 1997, p. 4108, Section 1 (e).
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Judge of the recorder's court	An annual salary shall be a fixed amount equal to the sum of 85% of the annual salary of a judge of superior court as paid by the state plus 85% of the annual amount of any supplement paid by the governing authority of Chatham County to a judge of the superior court, excluding any longevity pay to a judge of the superior court pursuant to Ga. L. 1997, p. 4108.
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Judge of the probate court	An annual salary shall be a fixed amount equal to the sum of 80% of the annual salary of a judge of superior court as paid by the state plus 80% of the annual amount of any supplement paid by the governing authority of Chatham County to a judge of the superior court, excluding any longevity pay to a judge of the superior court pursuant to Ga. L. 1997, p. 4108.
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Presiding judge of the juvenile court

An annual salary shall be a fixed amount equal to the sum of 90% of the annual salary of a judge of superior court as paid by the state plus 90% of the annual amount of any supplement paid by the governing authority of Chatham County to a judge of the superior court, excluding any longevity pay to a judge of the superior court pursuant to Ga. L. 1997, p. 4108. In addition, the governing authority of Chatham County shall pay to the presiding judge of the juvenile court an additional salary supplement as additional compensation for performing the duties incumbent upon a presiding judge of not less than 90% of the salary supplement paid to the chief judge of the Eastern Judicial Circuit pursuant to Ga. L. 1997, p. 4108, Section 1 (e).

Judge of the juvenile court

An annual salary shall be a fixed amount equal to the sum of 90% of the annual salary of a judge of superior court as paid by the state plus 90% of the annual amount of any supplement paid by the governing authority of Chatham County to a judge of the superior court, excluding any longevity pay to a judge of the superior court pursuant to Ga. L. 1997, p. 4108.

Chief judge of the state court

An annual salary shall be a fixed amount equal to the sum of 95% of the annual salary of a judge of superior court as paid by the state plus 95% of the annual amount of any supplement paid by the governing authority of Chatham County to a judge of the superior court, excluding any longevity pay to a judge of the superior court pursuant to Ga. L. 1997, p. 4108. In addition, the governing authority of Chatham County shall pay to the chief judge of the state court an additional salary supplement as additional compensation for performing the duties incumbent upon a chief judge of not less than 95% of the salary supplement paid to the chief judge of the Eastern Judicial Circuit pursuant to Ga. L. 1997, p. 4108, Section 1 (e).

Judge of the state court

An annual salary shall be a fixed amount equal to the sum of 95% of the annual salary of a judge of superior court as paid by the state plus 95% of the annual amount of any supplement paid by the governing authority of Chatham County to a judge of the superior court, excluding any longevity pay to a judge of the superior court pursuant to Ga. L. 1997, p. 4108.

Chief magistrate of the magistrate court

An annual salary shall be a fixed amount equal to the sum of 80% of the annual salary of a judge of superior court as paid by the state plus 80% of the annual amount of any supplement paid by the governing authority of Chatham County to a judge of the superior court, excluding any longevity pay to a judge of the superior court pursuant to Ga. L. 1997, p. 4108. In addition, the governing authority of Chatham County shall pay to the chief magistrate of the magistrate's court an additional salary supplement as additional compensation for performing the duties incumbent upon a chief judge of not less than 80% of the salary supplement paid to the chief judge of the Eastern Judicial Circuit pursuant to Ga. L. 1997, p. 4108, Section 1 (e).

Magistrates of the magistrate court

An annual salary shall be a fixed amount equal to the sum of 80% of the annual salary of a judge of superior court as paid by the state plus 80% of the annual amount of any supplement paid by the governing authority of Chatham County to a judge of the superior court, excluding any longevity pay to a judge of the superior court pursuant to Ga. L. 1997, p. 4108

(c) The governing authority of Chatham County shall grant each officer and official listed in subsection (a) of this section the same percentage increases in salary that it grants as cost-of-living increases to employees of Chatham County. Such increases shall be granted at the same time cost-of-living increases are granted to county employees."

SECTION 2

This Act shall become effective immediately upon approval by the Governor or upon this Act becoming law without his approval.

SECTION 3

All laws and parts of laws in conflict with this Act are repealed.

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- 4. **REQUEST BOARD ACCEPT AN AGREEMENT TO SHARE THE COST RAISING THE ELEVATION OF A PORTION OF LAROCHE AVENUE AND TO INCREASE THE CAPACITY OF THE STORM WATER CROSSING UNDER LAROCHE AVENUE TO HERB RIVER BEND SUBDIVISION AND TRANSFER \$23,160 FROM 1985-1993 SPLOST, VARIOUS COUNTY ROADS, EAST POINT DRIVE TO LAROCHE AVENUE. [DISTRICT 3.]**

ACTION OF THE BOARD:

Commissioner Gellatly moved to accept an agreement to share the cost raising the elevation of a portion of LaRoche Avenue and to increase the capacity of the stormwater crossing under LaRoche Avenue to Herb River Bend Subdivision and transfer \$23,160 from 1985-1993 SPLOST, Various County Roads, East Point Drive to LaRoche Avenue. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioners Shay, Odell and Kicklighter were not present when this vote was taken.]

AGENDA ITEM: X-4
AGENDA DATE: November 3, 2006

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

ISSUE: That the Board accept an Agreement to share the cost raising the elevation of a portion of LaRoche Avenue and to increase the capacity of the storm water crossing under LaRoche Avenue at Herb River Bend Subdivision and transfer \$23,160 from 1985-1993 SPLOST, Various County Roads, East Point Drive to LaRoche Avenue.

BACKGROUND: As part of the development of Herb River Bend Subdivision, Chatham County required the developer, Herb River Bend, LLC to raise the elevation of LaRoche Avenue and improve the storm water crossing.

FACTS AND FINDINGS:

1. During the permitting process for the subdivision, the developer was required to increase the capacity of the crossing. The developer was able to meet the requirements of the Storm Water Management Ordinance with a 3 feet by 8 feet box culvert.
2. For maintenance reasons, Staff determined that the minimum height of the box culvert should be 4 feet. The roadway must, therefore, be raised.
3. The design engineer provided a cost estimate for the increased cost to raise the road elevation and increase the box culvert from a 3 feet by 8 feet box to a 4 feet by 8 feet box culvert. The estimate for the incremental increase is \$23,160. The Agreement limits the County's costs to not exceed this amount.

ALTERNATIVES:

1. That the Board accept the Agreement and share the cost to raise the elevation of a portion of LaRoche Avenue and increase the storm water crossing and transfer \$23,160 from 1985-1993 SPLOST, Various County Roads, East Point Drive to LaRoche Avenue.
2. That the Board not accept the agreement or share the cost.

FUNDING: Funds are available in the 1985-1993 SPLOST; Various County Roads, East Point Drive (Fund/Dept. 3204220, Acct. Code 52.12003, Project 32055380).

POLICY ANALYSIS: The Board must approve capital improvement projects.

RECOMMENDATION: That the Board approve Alternative 1.

District 3

Prepared by: Suzanne Cooler

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**5. TO CONFIRM THE ACQUISITION OF PARCEL 1-1029-06-004 FROM CONTINENTAL TIMBER CORPORATION FOR AN EXPANSION OF THE CHATHAM COUNTY WETLANDS MITIGATION BANK.
[DISTRICT 6.]**

ACTION OF THE BOARD:

Commissioner Gellatly moved to confirm the acquisition of Parcel 1-1029-06-004 from Continental Timber Corporation for an expansion of the Chatham County Wetlands Mitigation Bank. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioners Shay, Odell and Kicklighter were not present when this vote was taken.]

AGENDA ITEM: X-5
AGENDA DATE: November 3, 2006

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

PURPOSE: To confirm the acquisition of Parcel 1-1029-06-004 from Continental Timber Corporation for an expansion of the Chatham County Wetlands Mitigation Bank.

BACKGROUND: The Chatham County Wetlands Mitigation Banking Instrument was approved by the U.S. Army Corps of Engineers (USACE) on April 13, 2004, authorizing operations to begin under the terms of the Instrument in order to generate 901 credits through the preservation, restoration, enhancement and creation of wetlands. The Covenants and Restrictions were approved by the Board and recorded on April 30, 2004. Two hundred and seventy credits have been released thus far for use as mitigation on County projects. The balance of the credits will be released incrementally over a five year period based on a schedule which is a part of the Banking Instrument.

FACTS & FINDINGS:

1. Across the south end of Chief O.F. Love Road is a 100.6 acre tract owned by Continental Timber Company which has potential for wetlands mitigation. The Board offered consensus in Executive Session on March 24, 2006, to proceed with the acquisition. The seller has accepted an offer of \$100,500 (Tax Assessed Value). Closing is pending confirmation by the Board.
2. The prospectus for the bank expansion [prepared by the County's mitigation banking consultant (Sligh Environmental)] was presented on June 7, 2006, to the Mitigation Bank Review Team (MBRT) which is comprised of the U.S. Army Corps of Engineers, the U.S. Department of the Interior Fish & Wildlife Service, the U.S. Environmental Protection Agency, the U.S. Department of Commerce National Marine Fisheries and the Georgia Department of Natural Resources.
3. Based on the prospectus, the expansion will yield a minimum of 95 credits for preservation. With the proposed enhancement and restoration, the tract has the potential to yield another 190 credits. Based on the current market rate for buying credits from USACE approved commercial mitigation banks, the return on investment on the value of the credits for preservation alone will be more than double the acquisition cost.

ALTERNATIVES:

1. That the Board confirm the acquisition of Parcel 1-1029-06-004 from Continental Timber Corporation for an expansion of the Chatham County Wetlands Mitigation Bank.
2. That the Board take other action, as appropriate.

FUNDING: Funds are available in the 1998 - 2003 SPLOST, Hardin Canal (Fund/Department 322-4250/ Account Code 54.11001/ Project 32280225). As credits are "bought" for other projects, the Hardin Canal account will be reimbursed.

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

RECOMMENDATION: That the Board adopt Alternative 1.

District 6

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6. **REQUEST FROM HUSSEY, GAY, BELL & DEYOUNG, ENGINEER FOR THE DEVELOPER, GREEN WAY DEVELOPERS, INC., TO RECORD THE SUBDIVISION PLAT AND ACCEPT THE SUBDIVISION CONSTRUCTION AGREEMENT AND FINANCIAL GUARANTEE FOR THE LAKES OF COTTONVALE, PHASE 3A, AS WELL AS CREATE A NEW STREETLIGHT ASSESSMENT RATE DISTRICT WITH THE RECORDING OF THE PLAT.**
[DISTRICT 7.]

ACTION OF THE BOARD:

Commissioner Gellatly moved to approve the request from Hussey, Gay, Bell & DeYoung, engineer for the developer, Green Way Developers, Inc., to record the subdivision plat, accept the subdivision construction agreement and financial guarantee for The Lakes of Cottonvale, Phase 3A, and create a new Streetlight Assessment Rate District with the recording of the plat. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioners Shay, Odell and Kicklighter were not present when this vote was taken.]

AGENDA ITEM: X-6**AGENDA DATE: November 3, 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 and accept the subdivision construction agreement and financial guarantee for The Lakes of Cottonvale, Phase 3A, as well as create a new Streetlight Assessment Rate District with the recording of the plat.

BACKGROUND: The engineer, Hussey, Gay, Bell & DeYoung, for the developer, Green Way Developers Inc., requests that the County approve the final plat for recording, accept the subdivision construction agreement and financial guarantee and create a new Streetlight Assessment Rate District.

FACTS AND FINDINGS:

1. The Lakes at Cottonvale, Phase 3A is a single family residential development. This phase of The Lakes at Cottonvale contains 62 lots on 13.795 acres.
2. The paving and drainage improvements will be maintained by Chatham County after final inspection and successful completion of the warranty period. The water and sewer improvements will be maintained by Consolidated Utilities, Inc.
3. Staff approved the construction plans and issued a permit for construction. Construction of the required site improvements is underway. A letter of credit in the amount of \$517,818.46 has been issued by First Chatham Bank, which is 100% of the cost of the constructed improvements for Phase 3A as estimated by the engineer and verified by staff.
4. Approval will create a new Streetlight Assessment Rate District. The annual streetlight assessment for this phase will be \$46 per lot. This will cover the energy and maintenance costs of 35 100 W HPS lights and 35 wooden poles.
5. An Environmental Site Assessment (ESA) was previously conducted on the overall subdivision in accordance with the Subdivision Ordinance. No environmentally unsafe conditions were indicated within the ESA.

ALTERNATIVES:

1. Approve the recording of the subdivision plat, accept the subdivision construction agreement and financial guarantee for The Lakes of Cottonvale, Phase 3A, and create a new Streetlight Assessment Rate District with the recording of the plat.
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

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7. **REQUEST FROM THOMAS & HUTTON, ENGINEER FOR THE DEVELOPER, GENESIS DESIGNER HOMES, TO RELEASE THE REMAINING BONDS FOR THE ENCLAVE SUBDIVISION, PHASES 1A AND 1B.**
[DISTRICT 7.]

ACTION OF THE BOARD:

Commissioner Gellatly moved to approve the request from Thomas & Hutton, engineer for the developer, Genesis Designer Homes, to release the remaining bonds for the Enclave Subdivision, Phases 1A and 1B. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioners Shay, Odell and Kicklighter were not present when this vote was taken.]

AGENDA ITEM: X-7
AGENDA DATE: November 3, 2006

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

ISSUE: To release the remaining bonds for Enclave Subdivision, Phases 1A and 1B.

BACKGROUND: The engineer, Thomas & Hutton, for the developer, Genesis Designer Homes, requests that the County release the remaining financial guarantee at the end of the twelve month warranty period.

FACTS AND FINDINGS:

1. The Enclave is a private single-family residential subdivision. No improvements are being dedicated for County maintenance. Paving and drainage improvements will be maintained by the Enclave Homeowners' Association. The water and sewer improvements will be maintained by Consolidated Utilities, Inc.
2. The improvements were inspected and found to be constructed in accordance with the approved plans and Chatham County Standard Specifications.
3. The requested release comes at the end of the warranty period, when the remaining financial guarantee is released in full.

ALTERNATIVES:

1. That the Board to release the financial guarantee for Enclave Subdivision, Phases 1A and 1B.
2. Do not approve the request.

POLICY ANALYSIS: The request is in accordance with the Chatham County Subdivision Regulations.

RECOMMENDATION: The Board approve Alternative #1.

District 7

Prepared by: Suzanne Cooler

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8. REQUEST FROM THOMAS & HUTTON, ENGINEER FOR THE DEVELOPER, GENESIS DESIGNER HOMES, TO RELEASE THE REMAINING BOND FOR ENCLAVE SUBDIVISION, PHASE 2. [DISTRICT 7.]

ACTION OF THE BOARD:

Commissioner Gellatly moved to approve the request from Thomas & Hutton, engineer for the developer, Genesis Designer Homes, to release the remaining bond for Enclave Subdivision, Phase 2. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioners Shay, Odell and Kicklighter were not present when this vote was taken.]

AGENDA ITEM: X-8
AGENDA DATE: November 3, 2006

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

ISSUE: To release the remaining bond for Enclave Subdivision, Phase 2.

BACKGROUND: The engineer, Thomas & Hutton, for the developer, Genesis Designer Homes, requests that the County release the remaining financial guarantee at the end of the twelve month warranty period.

FACTS AND FINDINGS:

- 1. The Enclave is a private single-family residential subdivision. No improvements are being dedicated for County maintenance. Paving and drainage improvements will be maintained by the Enclave Homeowners' Association. The water and sewer improvements will be maintained by Consolidated Utilities, Inc.
- 2. The improvements were inspected and found to be constructed in accordance with the approved plans and Chatham County Standard Specifications.
- 3. The requested release comes at the end of the warranty period, when the remaining financial guarantee is released in full.

ALTERNATIVES:

- 1. That the Board to release the financial guarantee for Enclave Subdivision, Phase 2.
- 2. Do not approve the request.

POLICY ANALYSIS: The request is in accordance with the Chatham County Subdivision Regulations.

RECOMMENDATION: The Board approve Alternative #1.

District 7

Prepared by: Suzanne Cooler

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**9. REQUEST FROM THOMAS & HUTTON, ENGINEER FOR THE DEVELOPER, SOUTHBRIDGE DEVELOPMENT COMPANY TO ACCEPT THE DEDICATED IMPROVEMENTS AND RELEASE THE REMAINING BOND FOR SOUTHBRIDGE, PHASE 17.
[DISTRICT 7.]**

ACTION OF THE BOARD:

Commissioner Gellatly moved to approve the request from Thomas & Hutton, engineer for the developer, Southbridge Development Company to accept the dedicated improvements and release the remaining bond for Southbridge, Phase 17. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioners Shay, Odell and Kicklighter were not present when this vote was taken.]

AGENDA ITEM: X-9
AGENDA DATE: November 3, 2006

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

ISSUE: To accept the dedicated improvements and release the remaining bond for Southbridge Phase 17.

BACKGROUND: The engineer, Thomas & Hutton, for the developer, Southbridge Development Company, requests that the County release the remaining financial guarantee and accept the dedicated improvements.

FACTS AND FINDINGS:

- 1. Southbridge is a single-family, residential subdivision located on Dean Forest Road. The paving and drainage improvements will be maintained by the County. The water and sewer improvements are maintained by the City of Savannah.

- 2. The improvements were inspected and found to be constructed in accordance with the approved plans and Chatham County Standard Specifications.
- 3. The requested release comes at the end of the warranty period, when the remaining financial guarantee is released in full.

ALTERNATIVES:

- 1. That the Board accept the dedicated improvements and release the financial guarantee for Southbridge Phase 17.
- 2. Do not approve the request.

POLICY ANALYSIS: The request is in accordance with the Chatham County Subdivision Regulations.

RECOMMENDATION: The Board approve Alternative #1.

District 7

Prepared by: Suzanne Cooler

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**10. REQUEST FROM THOMAS & HUTTON, ENGINEER FOR THE DEVELOPER, GENESIS DESIGNER HOMES, TO RELEASE THE REMAINING BOND FOR STONELAKE TOWNHOMES, PHASE 1.
[DISTRICT ~~8~~ 7.]**

ACTION OF THE BOARD:

Commissioner Gellatly moved to approve the request from Thomas & Hutton, engineer for the developer, Genesis Designer Homes, to release the remaining bond for Stonelake Townhomes, Phase 1. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioners Shay, Odell and Kicklighter were not present when this vote was taken.]

**AGENDA ITEM: X-10
AGENDA DATE: November 3, 2006**

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

ISSUE: To release the remaining bond for Stonelake Townhomes, Phase 1.

BACKGROUND: The engineer, Thomas & Hutton, for the developer, Genesis Designer Homes, requests that the County release the remaining financial guarantee at the end of the twelve month warranty period.

FACTS AND FINDINGS:

- 1. Stonelake is a private, townhome development located on Berwick Boulevard in Berwick Plantation. The paving and drainage will be privately maintained by the Property Owners' Association. The water and sewer improvements are maintained by Consolidated Utilities, Inc.
- 2. The improvements were inspected and found to be constructed in accordance with the approved plans and Chatham County Standard Specifications.
- 3. The requested release comes at the end of the warranty period, when the remaining financial guarantee is released in full.

ALTERNATIVES:

- 1. That the Board to release the financial guarantee for Stonelake Townhomes, Phase 1.
- 2. Do not approve the request.

POLICY ANALYSIS: The request is in accordance with the Chatham County Subdivision Regulations.

RECOMMENDATION: The Board approve Alternative #1.

District 7

Prepared by: Suzanne Cooler

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11. REQUEST BOARD APPROVE AUTHORIZING THE CHAIRMAN TO SIGN A GEORGIA DEPARTMENT OF COMMUNITY AFFAIRS GRANT THROUGH THE CITY OF SAVANNAH IN THE AMOUNT OF \$18,000 TO THE ANDERSON WEIGHTLIFTING CENTER FOR WEIGHTLIFTING EQUIPMENT.

ACTION OF THE BOARD:

Commissioner Gellatly moved to authorize the Chairman to sign a Georgia Department of Community Affairs grant through the City of Savannah in the amount of \$18,000 to the Anderson Weightlifting Center for weightlifting equipment. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioners Shay, Odell and Kicklighter were not present when this vote was taken.]

AGENDA ITEM: X-11

AGENDA DATE: November 3, 2006

TO: Board of Commissioners

THRU: R.E. Abolt, County Manager

FROM: Robert W. Drewry, Director, Public Works and Park Services

ISSUE:

Request Board approval authorizing the Chairman to execute a Georgia Department of Community Affairs Grant through the City of Savannah in the amount of \$18,000 to the Anderson Cohen Weightlifting Center for weightlifting equipment.

BACKGROUND:

Chatham County has received a grant in the amount of \$18,000 from the Georgia Department of Community Affairs and the City of Savannah to purchase weightlifting equipment for the Anderson Cohen Weightlifting Center. These funds are to be used to purchase specialized equipment for use by the Abilities Unlimited program. Abilities Unlimited is a weightlifting program for disabled residents in Chatham County.

FACTS and FINDINGS:

1. This grant is for the purpose of purchasing equipment for disabled residents in Chatham County.
2. This is a grant for the Fiscal Year 2006-2007.
3. This equipment will also be used for physical therapy transition.
4. The County Attorney has reviewed and approved.

FUNDING:

1. The funding for this grant is from the Georgia Department of Community Affairs.

ALTERNATIVES:

1. That the Board approve the Chairman to execute the Georgia Department of Community Affairs Grant with the City of Savannah for Weightlifting Center equipment.
2. Provide staff other direction.

POLICY ANALYSIS:

It is consistent with Board policy to allow the Chairman to be a signatory for grants that staff has procured.

RECOMMENDATION:

That the Board approves Alternative 1.

[District 3]

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12. 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.)

ITEM	DEPT.	SOURCE	AMOUNT	FUNDING
A. Nine (9) Dell computers	Finance	Dell Marketing (State Contract)	\$11,390	General Fund/M&O - Finance
B. Annual software maintenance agreement for the Document Imaging System	ICS	Palmetto Microfilm Systems (Sole Source)	\$22,838	General Fund/M&O - ICS
C. Parking Garage ticket dispenser	Parking Garage	Carolina Time Equipment (Sole Source)	\$12,370	Parking Garage Fund (Pending Budget amendment)
D. Change Order No. 1 to the contract for installation of fencing and gates at various SPLOST drainage improvement projects for a 12 month time extension and an increase to the term contract	SPLOST	R.W. Moore Fence Company, Inc.	\$100,000	SPLOST (1998-2003) - Various drainage projects
E. Contract to install connecting fencing at Charlie Brooks Sports Complex	SPLOST	Savannah Fence & Entry Systems	\$18,977	SPLOST (2003-2008) - Charlie Brooks Park
F. Annual software maintenance and license agreement	ICS	Software House International (MBE)	\$87,060	General Fund/M&O - ICS
G. Tub grinder	Solid Waste	Consolidated Disposal Systems, Inc.	\$451,503	Solid Waste Restricted Fund
H. Refuse trailer	Solid Waste	Freightliner of Savannah	\$56,450	Solid Waste Restricted Fund
I. Caterpillar backhoe loader	SPLOST	Yancey Brothers, Inc.	\$53,854	SPLOST (2003-2008) - Fleet Replacement/SSD
J. Contract for the re-roofing of the Pavilion at Lake Mayer	Parks and Recreation	Roofing Professionals, Inc.	\$133,840	CIP - Recreation - Lake Mayer Roof Project (Pending Budget amendment)

ACTION OF THE BOARD:

Commissioner Gellatly moved to approve Items 12-A through 12-J, both inclusive. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioners Shay, Odell and Kicklighter 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. THE PETITIONER, RICHARD GUERARD, AGENT (FOR KENNEDY RAGSDALE AND ASSOCIATES) IS REQUESTING THE REZONING OF 604 WILMINGTON ISLAND ROAD FROM AN R-1-A/EO (SINGLE FAMILY RESIDENTIAL/ENVIRONMENTAL OVERLAY 3.5 UNITS PER NET ACRE) TO A P-R-3-8/EO (RESIDENTIAL MULTI-FAMILY/ENVIRONMENTAL OVERLAY 8 UNITS PER NET ACRE).
 The MPC recommends denial of the request to re-zone the subject property from an R-1-A/EO classification to a P-R-3-8/EO classification.**

Approval of rezoning to an alternate P-R-3-4.25/EO classification.
MPC FILE NO. 060914-57351-1
[DISTRICT 4.]

ACTION OF THE BOARD:

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

MPC File No. Z-060914-57351-1

MPC recommends that the following described property be rezoned from its present R-1-A/EO (Single Family Residential Environmental Overlay 3.5 Units Per Net Acre) to a P-R-3-4.25/EO (Planned Residential Multi-Family -4.25 Units Per Net Acre) classification.

LEGAL DESCRIPTION

Beginning at a point located on the centerline of Wilmington Island Road approximately 1071 feet west of its intersection with the centerline of the entrance drive into the Wilmington Plantation golf club, thence proceeding in a northerly direction along a line North 13 degrees 25 minutes East to a point on the centerline of Turner's Creek, thence westerly along the centerline of Turner's Creek a distance of approximately 130 feet to a point, thence southerly along a line South 12 degrees 55 minutes West to a point on the centerline of Wilmington Island Road, thence easterly along the centerline of Wilmington Island Road back to the point of beginning.

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

P.I.N. 1-1019-01-009

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2. TO ADOPT A PROPOSED AMENDMENT TO THE CHATHAM COUNTY PERSONNEL ORDINANCE AND PROCEDURES MANUAL, POLITICAL ACTIVITY, ARTICLE III-106, TO PROHIBIT A COUNTY EMPLOYEE FROM HOLDING ELECTED OFFICE.

ACTION OF THE BOARD:

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

AGENDA ITEM: XI-2
AGENDA DATE: November 3, 2006

TO: Board of Commissioners
THRU: R. E. Abolt, County Manager
FROM: Michael A. Kaigler, Director
 Human Resources and Services

Issue: To adopt a proposed amendment to the Chatham County Personnel Ordinance and Procedures Manual, Political Activity, Article III-106 to prohibit a county employee from holding elective office.

Background: The County Commission has expressed its desire to amend the Chatham County Personnel Ordinance and Procedures Manual to prohibit employees from holding public office while in the employment of Chatham County. The current Personnel Ordinance and Procedure allows a County employee to be elected to a non-partisan elected office.

Facts and Findings:

1. The current Personnel Manual provides in Article III-106.2 that an employee who files for an elective partisan office shall be placed on leave without pay effective the following workday. If elected or appointed to a partisan office, the employee shall resign from employment with the County before the start of the term of office.

2. Article III-106.3 provides that in the event that placing the employee on leave without pay conflicts with federal law, such leave shall not be granted. In order to seek for a partisan office, the employee would have to effectively resign.

3. The County's present policy is silent on non partisan elections. The County Attorney's office has issued several opinions that the policy as written does not prohibit an employee from qualifying and holding a non partisan elected office while being employed by Chatham County.

4. The proposed amendment to the Personnel Ordinance and Procedures Manual prohibits County employees from holding elected office. In the event that an employee qualifies for an elected office, the employee must resign the day after the employee qualifies. Attached is a copy of the proposed change to the Chatham County Ordinance and Procedure Manual (see attachment I).

5. Currently, there are three County employees who hold elected office. The proposed amendment would allow these employees to continue to serve in their respective positions and be re-elected to that office. It precludes them from seeking a different office. If they are not re-elected and seek a different office or seek re-election to the same office in the future, they would be subject to the new provisions of Article III-106.2.

Funding: No additional funding required.

Alternatives:

1. Adopt proposed amendment to the personnel ordinance and procedures manual, Article III-106, political activity (attachment I).

2. Adopt the proposed amendment to the personnel ordinance and procedures manual, Article III-106, political activity (attachment I) with modification.

3. Provide staff with other direction.

Policy Analysis:

State and Federal law provides that among the rights of citizens of this state is the right to hold elective office unless disqualified by the Constitution and laws. The proposed amendment places reasonable restrictions on the right of County employees to seek public office. The proposed amendment seeks to balance the rights of employees to seek public office versus the Government's interest to maintain order, discipline and efficiency in the workplace.

Recommendation:

The Board adopt Alternative 1.

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XII. SECOND READINGS

None.

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XIII. INFORMATION ITEMS

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

ACTION OF THE BOARD:

A status report was attached for review.

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

ACTION OF THE BOARD:

A status report was attached for review.

AGENDA ITEM: XIII-2
DATE: November 3, 2006

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

<u>ITEM</u>	<u>DEPT.</u>	<u>SOURCE</u>	<u>AMOUNT</u>	<u>FUNDING</u>
Hydro seed at wetlands mitigation bank area to stabilize soils	SPLOST	Blankenship Landscape Company	\$8,000	SPLOST (1998-2003) - Hardin Canal
Rebuild and reinstall lift station at the Judicial Courthouse	Facilities Maintenance and Operations	Boaen Mechanical Services, Inc.	\$7,486	General Fund/M&O - Facilities Maintenance and Operations
Annual maintenance on Fleet Management Software	Fleet Operations	CCG Systems, Inc. (Sole Source)	\$4,841	General Fund/M&O - Fleet Operations
145gl herbicide	Public Works	Red River Specialties, Inc.	\$3,050	SSD - Public Works
Provide construction surveying services for the Wilmington Island Convenience Center	Solid Waste	Tucker's Construction Surveying, Inc.	\$8,500	Solid Waste
Two (2) Dell servers	ICS	Dell Marketing (State Contract)	\$5,390	General Fund/M&O - ICS

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3. ROAD AND DRAINAGE REPORTS.

ACTION OF THE BOARD:

Status reports were attached for review.

AGENDA ITEM: XIII-3 Roads
AGENDA DATE: November 3, 2006

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

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

BACKGROUND: The schedules for construction are dictated by GDOT allocations of funds among the Congressional districts and the balancing of funds in the Chatham Urban Transportation Study (CUTS) Transportation Improvement Program (TIP). The current Long Range Transportation Plan (LRTP) was approved by the CUTS Policy Committee on June 22, 2005. The new TIP was approved on June 28, 2006. Key milestone events are summarized in the attached table.

FACTS AND FINDING:

1. Truman Parkway, Phase 5. Right of way (ROW) plans were approved on June 30, 2005. The acquisition process has started and will take until April 2008 to complete (26 parcels acquired by early acquisition; 65 parcels to acquire). Design is underway.

2. US 17, Ogeechee River to SR 204: The GDOT awarded a new contract to complete the project. Work is underway. The completion date is March 2007.
3. Middleground Road/Montgomery Cross Road Widening. Construction has resumed. The GDOT approved a change order with APAC to continue work setting a completion date of May 31, 2008.
4. Stephenson Avenue. Substantially complete as of April 1, 2005. Liquidated damages totaling \$54,450 were assessed from December 1, 2004 to March 31, 2005. GDOT, County, City of Savannah and APAC performed the joint final inspection on June 14, 2005. A punch list was compiled (129 items) and given to APAC on June 21, 2005. Some punch list items remain to be corrected. A water valve manhole under the pavement at Forest Park Drive and Stephenson Avenue needs to be raised. APAC was notified by letter that the City of Savannah wanted to make a final inspection on the storm water system when their subcontractor (Dixie Excavating) said all corrective work was complete. Due to the lack of response from APAC, staff coordinated with the City of Savannah to do a final inspection on the new storm water system. The City of Savannah cleaned the storm piping of debris that would interfere with the televising of the system on August 28, 2006. The televising has now been done and reviewed. A detailed report from the City of Savannah of corrective work has been received. We are now awaiting a status report from the City of Savannah on the punch list items for the new water lines. All sanitary sewer work has been accepted by the City of Savannah. APAC is now handling project close-out through their attorneys.
5. Whitfield Avenue Widening. The FHWA approved the EA on February 13, 2004. Preliminary design was completed in June, 2004. Staff was advised in January, 2005, however, that the widening of the median for landscaping and the proposed reduction in speed limit would require amending the previously approved Concept Report and Environmental Assessment. The wider median with landscaping causes four additional residential displacements and increases GDOT's ROW acquisition costs. The revised Concept Report was submitted to GDOT on July 6, 2005. A Public Information Open House (PIOH) was held on February 28, 2006. As a result of a meeting with the GDOT Project Manager on May 2, 2006, the GDOT provided (by email) written guidance as to an acceptable minimum landscaped median width (not less than 40 feet) and a design speed (45 mph). The consultant received additional comments from GDOT on July 19, 2006, and responded on August 17, 2006. Approval of the Concept Report (and the design) is on hold pending resolution of the median width (20 feet versus 50 feet) and the tree planting opportunities.
6. Diamond Causeway Widening. Because of issues regarding the impact of changed design criteria (width of median and design speed of high span bridge) on approval of the EA, the GDOT has taken over design and management of the project. In the meantime, the County offered to do the improvements on Skidaway Island by permit. The design is complete, incorporating all the comments from GDOT in September. The plans and permit are pending GDOT approval.
7. Bay Street Widening from I-516 to Bay Street Viaduct. The Concept Report was approved by the GDOT on February 9, 2005. The FHWA approved the Draft EA for Advancement to Public Hearing on October 20, 2006. GDOT has been asked to schedule the public hearing which will probably be in January 2007.
8. Jimmy DeLoach Parkway, Phase 2 (I-16 to US 80). The FHWA approved the Final EA on March 3, 2006. On September 22, 2006, the Board approved a change order for the engineering services contract to continue the design.
9. White Bluff/Coffee Bluff Road. A PIOH was held on August 12, 2004. The Need and Purpose Statement was revised to essentially create a 3-lane section from Willow Road to Cedar Grove (near entrance to Country Day School) and improve the two lanes (i.e. widen pavement to 12 feet wide travel lanes) from Cedar Grove to Rose Dhu Road. It was submitted to GDOT January 19, 2006. The project will include either sidewalks on both sides or a multi-purpose trail on one side. GDOT has transferred management of the project from Atlanta to the Jesup District Office. The revised need and purpose has been approved by GDOT, and is being sent to FHWA for comments.
10. Eisenhower Widening from Abercorn to Truman Parkway. The Concept Report was approved by GDOT on June 22, 2004. Because of the high estimated ROW costs (over \$22 million – local cost), the City of Savannah, County and consultant proposed reductions in the project. The proposal was sent to GDOT October 28, 2005. This project has also been transferred to the Jesup District office to manage. City and County staff will set a meeting to further reduce scope.

11. Abercorn Widening from Largo Drive to Rio Road. The GDOT is now managing a project for Abercorn Street from Truman Parkway (Phase 5) to U.S. 17. PIOHs are scheduled for November 14 (4:00 to 7:00 PM at AASU) and November 15 (4:30 to 7:30 at the SW Middle School on U.S. 17).

12. Skidaway Widening. The Final EA was approved by the FHWA on December 30, 2004. The Board approved a new engineering services contract with the County's consultant on October 20, 2006, to resume design of the project incorporating all new GDOT requirements known to date.

13. Islands Expressway Bridge Replacement. LPA Group (consultant) is under contract with County to develop the Concept Report. A PIOH was held on May 26, 2005, presenting three alternatives to construct high span bridges. Written responses to the comments are complete. The last utility estimate was received and the consultant submitted the Concept Report on August 8, 2006.

14. Abercorn Intersection Improvements (DeRenne Avenue, Mall Boulevard, Apache Drive, Tibet Avenue). The County has certified the right-of-way to GDOT for DeRenne, Apache and Mall Boulevard. The right of way acquisition issue with the City of Savannah involving Tibet has been resolved. Appraisals are in the process of being redone.

15. Local Roads

a. Fountain Road. Board approved the construction contract on June 12, 2006. NTP was issued July 24, 2006. Completion is expected by January 30, 2007. Georgia Power poles in the middle of the newly aligned road are delaying the project. These poles were on private easement and Georgia Power is in the process of obtaining a new easement on which to relocate the poles.

b. Mobley Street, Yucca Place, Perkins Place. GDOT executed the County Contract on March 1, 2006. The Board approved award of the construction contract on April 7, 2006. Work was delayed due to the Bell South underground phone lines relocation (now completed) and a revision in the storm drain piping as a result of pleas from residents to eliminate the planned ditches. Work has resumed laying the piping. A new completion date has not been established.

c. Heather Street, Shore Road. GDOT executed the County Contract and issued NTP on August 19, 2005. The Board authorized the award of the construction contract for Heather and Shore on April 7, 2006. NTP was issued on June 21, 2006. Utility conflicts on both streets delayed the project. Georgia Power completed their relocation on September 28, 2006. Bell South and Comcast must now relocate on the new Georgia Power poles. There is also underground water and gas that will have to be relocated. The appropriate owners of these utilities have been notified to relocate. The scheduled completion date of December 28, 2006, is problematical due to these utility delays.

d. Bond Avenue, Betran Street. GDOT executed the County Contract and issued NTP on August 19, 2005. Complications in the ROW negotiations on Bond and Betran Avenues are taking much longer than originally believed.

e. Dulany Road. The request for County Contract with GDOT was approved by the Board on October 21, 2005. Several alternatives have been designed. The project is on hold because of right of way issues with one of the two property owners affected by the project.

f. Cramer Street. The consultant (McGee Partners) met with staff on February 21-23 to discuss plan development on Cramer Street. During this visit a second field trip to Cramer Street was made to listen to property owner concerns. The Department of Engineering received a petition from property owners in the neighborhood requesting that any design for paving take into consideration the historic sensitivity of the area and trees that may incur root damage as a result of construction activity.

g. Palm Drive. The consultant (McGee Partners) met with staff on February 21-23 to discuss plan development on Palm Drive. Final construction plans are near completion. ROW negotiations are underway on three parcels impacted.

h. Old Pine Barren Road. The request for County Contract with GDOT was approved by the Board on October 21, 2005. ROW negotiations are underway and final construction plans should be ready in November.

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

RECOMMENDATION: For information.

Districts: All

SUMMARY OF ROAD PROJECT STATUS
November 2006

PROJECT	ELEMENT	MILESTONE FOR COMPLETION	AGENCY RESPONSIBLE	NOTES
Truman Parkway, Phase 5	Environmental ROW Final Design Construction	Complete April 2008 Feb 2007	County County/GDOT County/GDOT GDOT	EIS approved 8/12/99 Acquisition underway. CST FY 2009
US 17: Ogeechee River to SR 204	Construction	March 2007	GDOT	
Middleground/Montgomery Cross Road Widening	Construction	May 2008	GDOT	Change order with APAC signed May 31, 2006.
Jimmy DeLoach Parkway, Phase 2	Environmental ROW Design Construction	Mar 2006	County County County GDOT	Final EA approved by FHWA. CST LR
Whitfield Avenue Widening	Environmental Design ROW Construction	Feb 2004	County County County/GDOT GDOT	EA/FONSI approved 2/13/04. On hold - median/tree issue. ROW funded FY2006/07 CST FY 2008
Diamond Causeway Widening and two bridges	Environmental Design ROW Construction	Unknown	GDOT GDOT GDOT GDOT	Draft EA signed Feb 05. ROW FY 2007 CST FY 2010
Skidaway Road Widening	Environmental Design ROW Construction	Complete	County County County GDOT	Final EA signed 12/30/04. New contract 10/20/06. CST FY 2010
Bay Street from I-516 to Viaduct	Environmental ROW Final Design Construction	Mar 2007	County County County GDOT	Draft EA approved 10/20/06. ROW (Local cost) FY 2008 CST LR
White Bluff/Coffee Bluff	Environmental	Unknown	County	CST FY 2010
Eisenhower (Abercorn to Truman Parkway)	Environmental Construction		County	Concept Report approved 6/22/04. CST FY 2010

NOTES: CST = FY in which the projects are programmed for construction in the CUTS 2007-2009 TIP.

AGENDA ITEM: XIII-3 Drainage
AGENDA DATE: November 3, 2006

TO: Board of Commissioners

THRU: R. E. Abolt, County Manager

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

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

BACKGROUND: For construction contracts that have been awarded, this report provides the latest scheduled completion dates. For projects pending environmental permits, start dates are best estimates. All project scopes include varying degrees of canal widening, bank stabilization, larger bridges and culverts.

FACTS AND FINDING:

1. Pipemakers Canal
 - a. Phase 1 (From the outfall at Savannah River to SR 21). Double channel size, replace bridges, replace tidegate, and provide maintenance access.

- i. Construction work is complete and the new sluice gates function automatically. A final pay request from the contractor and a summary change order are outstanding.
 - ii. A project to make adjustments to the equipment to improve operation was approved by the Board and will be accomplished within the next several months.
 - b. Phase 2 (From SR 21 to I-95). Double channel size and provide maintenance access. The permit application documents have been submitted to the USACE for approval. The Consultant and staff are working to address preliminary comments.
 - c. Kahn Mitigation Site. This site will provide the necessary wetland mitigation for the Pipemakers Canal Drainage Improvement project. The project is being reviewed by the USACE on a parallel track with the Phase 2 permit application.
 - d. Bridge Removal and Sheet Pile Wall Modifications. A project to remove an existing bridge that restricts drainage from Pipemakers Canal into the Savannah River. Design work has been temporarily suspended while options with the Georgia Ports Authority are discussed, including removing the Cold Storage Warehouse from the middle of the canal.
2. Hardin Canal
 - a. Phase 1 (SR307 bridges). Widen channel and replace bridge crossings. The USACE has provided review comments on the permit application. The consultants and staff are working to address these comments.
 - b. Phase 1 (Southbridge bridges). Replace bridge crossings. The owners of the Southbridge Golf Course have offered to cooperate in a project to replace two bridge crossings with wider structures. Staff is working to acquire the necessary rights of way needed for the Phase 1 project as a part of this cooperative effort.
 - c. Phase 2 (From 307 to Pine Barren Road). Widen channel and construct a detention pond. No target construction date. Staff is working to acquire canal rights of way for the future improvements on property owned by the Georgia Ports Authority.
3. Westlake/Springfield Canal
 - a. Acquisition and removal of flood-prone properties are complete. Construction of a project to improve access for maintenance of the canal is underway as a part of the Larmarville-Diggs drainage improvement project.
 - b. CSX railroad undercrossing. Final Design is complete. Staff is working to acquire access onto Hunter Army Airfield property which is required to facilitate project construction. Easements and environmental permits are complete. The project is currently delayed by due to lack of permission from HAAF to access the downstream side of the construction site which is occupied by the military base.
4. Placentia Canal Phase 2 A project to correct drainage problem along Tennessee Ave. and to improve the appearance of the canal near the Bonaventure Bridge. The County has received the permit from the USACE. All construction work is on hold pending acquisition of the required easements.
5. Conaway Branch Canal (tributary of Pipemakers Canal) Widen channel with road crossing improvements and a maintenance road from north of Main Street to the Pipemakers Canal.
 - a. Phase 1A extends from Pipemakers Canal to Conaway Road. Right of way acquisition is underway. Closing has been completed on 1 of 27 parcels. Coordination with GDOT for the crossing at Highway 80 is ongoing. Wetland delineation approval and a Provisional Wetland Permit have been received from the USACE.
 - b. Phase 1B extends from Conaway Road to Main Street. There is no target date for completion.
 - c. Phase 1C includes the area west of Maple Street. Construction costs are to be funded by the City of Bloomingdale. Recommended improvements have been provided to the City of Bloomingdale.
6. Little Hurst Canal Improve undercrossings at SR 21 and railroad, and widen channel downstream of SR21. A project to acquire rights of way and easements, and to acquire the required permits is underway. Work is underway to conduct preliminary geotechnical investigations to be used for final design of the improvements.
7. Wilmington Park Canal Phase 2 Widen channel and improve culvert crossings under Wilmington Island Road. The permit from USACE was received on July 5,

2002. Project is under design, incorporating changes to reduce cost while still attaining storm water goals. Review of preliminary report and recommendations is complete. Staff expects to begin acquisition of easements and rights of way in the near future.

8. Kings Way Canal Phase 2 Widen channel and enlarge culverts from Kings Way Court to the Truman Parkway. Design work and acquisition of easements are proceeding.
9. Romney Place Drainage Phase 2 Improve storm drains and road crossings on Romney Place and along Parkersburg Road. Final design drawings are complete. Permitting has been completed and acquisition of rights of way and easements is underway. The project will connect to the Skidaway Road Shoulder Improvement Project which will include improvements to the roadside ditch.
10. Village Green Canal, Phase 2 A project to improve the outfall. Wetland delineation has been approved by the USACE. Staff is soliciting engineering proposals for design of Phase 2 improvements.
11. Port Industrial Park Increase the capacity of the crossing under State Route 307 and improve the channel downstream to Pipemakers Canal. Design of the project to improve the canal downstream from SR307 to Pipemakers Canal is complete. Staff is working with Garden City staff and the property owner to coordinate plans for future development with the needs of the drainage improvement project.
12. Louis Mills Canal Widen channel from Veterans Parkway downstream to outfall at Westlake Canal and improve crossing under Marshall Avenue. Design is complete. Acquisition of Easements and ROW is underway. The permit from the USACE has been obtained.
13. Redgate/Rahn Dairy A project to provide larger undercrossings at several roads, canal widening and provisions for maintenance access. This project will reduce storm water flows in the Louis Mills system as well as improve the drainage in the Rahn Dairy canal. Preliminary design is complete and the permit from the USACE has been obtained. Acquisition of easements is underway.
14. Diggs Avenue Drainage (part of Louis Mills) This drainage improvement project involves improving drainage at the east end of Diggs Avenue. Notice to proceed with construction was issued to the contractor on June 9, 2006. Construction is approximately 95 percent complete.
15. Ogeechee Farms Phase 2 Improve road crossings at various locations. The permit from the USACE has been received. Mitigation requirements have been met. A fee proposal from the Consultant for design of drainage improvements in additional areas identified by Public Works has been requested.
16. Fawcett Canal Phase 2 Provide increased storm water drainage capacity in areas affecting Red Fox Drive and White Hawthorne Drive. Design is complete. Acquisition of easements from the City of Savannah is complete. Acquisition of the remaining easements is underway. To protect existing residential structures, the County will perform a limited investigation of geotechnical conditions.
17. Quacco Canal Drainage Improvements East of US17 Improve Quacco Canal and associated road undercrossing capacities from US 17 to marsh, including removal of a private tidegate structure. The permit from USACE has been received and required easements have been acquired. Staff will prepare the bidding documents necessary to solicit proposals for construction.
18. Quacco/Regency Park Storm collector improvements to relieve severity and frequency of flooding within community. The County's consultant has been directed to proceed with the design work based upon selection of most effective solution.
19. Halcyon Bluff Subdivision Storm collector improvements to relieve severity and frequency of flooding within community. Construction is approximately 50 percent complete and has been inspected. An opinion from the design engineer regarding acceptance of the completed work is pending. Construction of the second half of the project is underway.
20. Golden Isles Subdivision Phase 2 Storm collector improvements to relieve severity and frequency of flooding within community. Approval by Health Department to proceed with the project has been obtained. Right of way acquisition is complete.

Options to provide access for maintenance of the outfall are being evaluated. Staff is negotiating a fee proposal with the consultant to provide surveying services.

21. Georgetown Canal Upgrading roadway undercrossings to improve drainage capacity at St. Ives Way. Construction work was completed in February 2006. Minor cleanup and an inspection report for the sanitary sewer work remains to be completed.
22. Wilmington Outfall A project to correct storm sewer drainage pipes between Wilmington Road and the Wilmington River. Design work is completed and necessary easements for construction work have been obtained. The permit application to the USACE was made in September 2006.
23. Henderson Channel and crossing improvements to alleviate flooding in the subdivision.
 - a. Brown Thrush Canal (a.k.a. Channel 1): Crossing and channel improvements on the canal parallel to Brown Thrush Road, from Al Henderson Blvd. to Little Neck Road. A contract for design and permitting was approved by the Board on September 22, 2006. Work will begin upon execution of the professional services agreement.
 - b. Little Neck Crossing: Replacement of the undersized culvert. A contract for design and permitting was approved by the Board on October 20, 2006. Work will begin upon execution of the professional services agreement.
 - c. Henderson Canal: Provide maintenance road for canal from Gateway Blvd. to Little Neck Road through wetlands. Wetland delineation has been approved by the USACE. No target construction date.
24. Walthour Canal at Off Shore A project to improve the undersized culverts under the entrance road to the Off Shore Subdivision. Final construction documents have been received. Efforts continue to secure the necessary permits for construction of the project.

RECOMMENDATION: For information.

Districts: All

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

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

ACTION OF THE BOARD:

A status report was attached for review.

AGENDA ITEM: XIII-4

AGENDA DATE: November 3, 2006

TO: Board of Commissioners

THRU: R. E. Abolt, County Manager

FROM: Robert Drewry Director, Public Works and Park Services

ISSUE: Provide Board a status update on RAP

BACKGROUND:

At the Board's request, staff has developed a Recreational Action Plan (RAP) that best utilizes the additional funds allocated to Parks and Recreation for FY 07. It is staff's overall commitment to improve the visibility of the recreation facilities and the quality of recreational programs for the citizens of this community.

FACTS AND FINDINGS:

1. To provide the Board with data on RAP
2. FY 06 staff was able to accomplish the following:
 - In-house renovation of Lake Mayer's Restrooms
 - Installed new infield mix for Ambuc Park, L. Scott Stell, and Charlie Brooks Park
 - Installed new backstop and foul line fencing for Ambuc Park
 - Hired nine Maintenance Workers
 - Replaced the scoreboards at Ambuc, L. Scott Stell, and Charlie Brooks Park
 - Replaced all roofs at Memorial Stadium

- Purchased three new vehicles
- Purchased material for the renovation of the restroom at Ambuc Park
- Painted the exterior of the concession stand at L. Scott Stell, and Ambuc Park

3. With remaining funds allocated for FY 07, staff established a priority project list and anticipate proceeding with the following:

- Request to award the contract for replacement of the large pavilion roof at Lake Mayer is on the agenda for 11/03/06.
- Pre-bid meeting for the reconstruction or resurfacing of the tennis courts at L. Scott Stell, Lake Mayer, and Wilmington Island was held on 10/4/06 with the bid opening scheduled for 11/06/06.

4. Priority projects identified on previous RAP reports that are still unfunded:

- Back stop fencing and dugouts replacement at L. Scott Stell
- Any remaining tennis courts to be resurfacing or reconstructed at L. Scott Stell, Lake Mayer, and Wilmington Island.

5. The Sports Panel held its first meeting after the summer break. Three of the eight members were in attendance. Those in attendance provided input on how to improve the recreation programs and facilities.

FUNDING:

Looking at CIP choices by Board in early 2007

RECOMMENDATION:

For Board Information Only

[All Districts]

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EXECUTIVE SESSION

Upon motion being made by Commissioner Farrell and seconded by Commissioner Holmes, the Board recessed at 1:30 P.M. to go into Executive Session for the purpose of discussing litigation and personnel.

Following adjournment of the Executive Session, the meeting of the Board of Commissioners was reconvened at 2:00 P.M.

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ITEMS FROM EXECUTIVE SESSION

1. REQUEST BOARD SETTLE WORKERS' COMP CLAIM OF MELVIN JONES (JON HART).

ACTION OF THE BOARD:

Commissioner Gellatly moved to authorize the settlement of the workers' comp claim of Melvin Jones in the amount of \$3,500. Commissioner Holmes seconded the motion and it carried unanimously. [NOTE: Commissioners Shay, Odell and Kicklighter were not present when this vote was taken.]

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

ACTION OF THE BOARD:

Commissioner Gellatly moved to approve a motion to authorize the Chairman to execute an Affidavit that the Executive Session was held in compliance with the Open Meetings Act. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioners Shay, Odell and Kicklighter were not present when this vote was taken.]

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APPOINTMENTS

1. AGING SERVICES ADVISORY COUNCIL

ACTION OF THE BOARD:

Commissioner Gellatly moved to approve the appointment of Ms. Dorothy Cannon and Ms. Elizabeth Jones to the Aging Services Advisory Council with terms to expire on November 3, 2009. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioners Shay, Odell and Kicklighter were not present when this vote was taken.]

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ADJOURNMENT

There being no further business, the Chairman declared the meeting adjourned at 2:02 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