

MINUTES OF THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF CHATHAM COUNTY, GEORGIA, HELD ON FRIDAY, NOVEMBER 17, 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, 2006.

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II. INVOCATION

Commissioner Patrick Shay gave the Invocation.

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III. PLEDGE OF ALLEGIANCE

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

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IV. ROLL CALL

The Clerk called the roll.

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

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

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V. PROCLAMATIONS AND SPECIAL PRESENTATIONS

1. PROCLAMATION DECLARING DECEMBER 13, 2006 AS SAVANNAH AREA CHAMBER OF COMMERCE DAY. BRIAN FOSTER, STEVE GREEN AND MARK SPADONI WILL BE PRESENT TO ACCEPT PROCLAMATION.

Chairman Liakakis said, gentlemen, if you will come up to the podium. I see — in the audience I don't see Mark [Spanoni] for one. I see Steve Green, so we want to introduce him also from the Chamber of Commerce, and I see we have Bill Hubbard, who is the President of the Chamber of Commerce, and Trip Tollison, who is the Governmental Affairs Officers for the Chamber, and what I'd like to do right now is read this proclamation.

WHEREAS, on December 13, 1806, when the Merchants and Traders of the City of Savannah met at the Exchange, few – if any – recognized history in the making; and

WHEREAS, as a result of this historic occasion, the Merchants and Traders of the City of Savannah unanimously resolved to draft a constitution for the government of a Chamber of Commerce; and

WHEREAS, the Society was called the Savannah Chamber of Commerce, and it was founded on the rising importance of the trade of the City of Savannah; and

WHEREAS, through the years, the Chamber evolved into an organization which often assumed a leadership role in issues of importance to the community, including recognizing the importance of tourism by creating the Savannah Area Convention & Visitors Bureau, locating Hunter Army Airfield in Savannah, advocating for affordable housing and identifying the need for beach renourishment projects; and

WHEREAS, history has proven the Chamber's contributions to the betterment of our community by helping to develop organizations which continue to serve the community, such as Armstrong Atlantic State University, Better Business Bureau, CrimeStoppers, Junior Achievement, Savannah Economic Development Authority, Savannah Music Festival, Savannah Technical College, and the United Way of the Coastal Empire; and

WHEREAS, through its commitment to serve and invest in the future of our community, the Chamber has now reached an historic milestone of two centuries of service.

NOW THEREFORE, I, Pete Liakakis, as Chairman, with the Board of Commissioners of Chatham County, upon the celebration of the Savannah Area Chamber of Commerce's 200th anniversary, do hereby recognize the organization's contributions to our community and its importance to our community's past, present and future, and do offer best hopes and wishes for many more centuries of service.

ADOPTED THIS 17th DAY OF NOVEMBER, 2006.

Pete Liakakis, Chairman

Attest:

Sybil E. Tillman, Clerk

Chairman Liakakis said, and I'd like to call on Brian Foster, who is Chairman of the Board for the Chamber now to make some comments and any of the other representatives.

Mr. Brian Foster said, thank you, Mr. Chairman and Commissioners. I'd just like to thank you very much for this recognition of this historic achievement. In fact, the Chamber here in Savannah is the oldest Chamber in the State of Georgia and, as best we can determine, it is the seventh oldest in the United States. To be one organization in existence for two centuries is certainly a milestone and we look forward to a celebration in December. As a matter of fact, we will be at the Savannah International Trade and Convention Center on December 13th and we certainly want to invite every Commissioner and anyone in the community who's interested because we're going to have a great celebration, and Steve Green is chairing that 200th anniversary. Steve [Green], would you like to make a comment?

Mr. Steve Green said, I just want to thank the Commission for this recognition of the 200 years the Chamber has been involved and I want to thank the Commission for the opportunity for the business community to work with the Commission to try to play a small role in trying to accomplish the good efforts and the work of the County Commission, and we appreciate that recognition and that opportunity, and we hope we see all of you on December 13th. The evening is going to be very festive, so you won't have to listen to a lot of speeches. We're going to have DT and the Allstars, the band that played at the G8 Summit, so it will be a nice way to top off the 200 years. Thank you again for your recognition and your support of the business community and the community as a whole.

Chairman Liakakis said, Steve [Green], we thank you, you know, for your many years of service to the Chamber of Commerce and, of course, Brian Foster who's Chairman of the Board now. We have a great executive committee and many great members of the Chamber of Commerce. We see in the audience, as I mentioned before, Trip Tollison, who's worked together with all of the governmental entities in our community to help lobby for us in Atlanta, which is really great, and of course one of the people who has been outstanding in his leadership, Bill Hubbard, who's done a terrific job since he's been the President of the Chamber of Commerce. It's really good to have people like you on board with us to help this City to grow because we can see the economic development that y'all have worked on. Many issues that we have faced in our community, whether it's with the homeless, whether it's a business development, or whatever it is, the Chamber has really made a difference in our community over the years. And what I'd like to do is call on Bill Hubbard, who's President of the Chamber, if he would come up and make a statement also.

Mr. Bill Hubbard said, thank you, Mr. Chairman. We also very much appreciate your recognition. The 200 years is really quite an accomplishment, but I think equally important is the dialogue and the ability of all of us to work together. Some days we agree on issues, some days we don't, but the thing that I think we can really appreciate is the very good open civil tone about it all as we work through all this, and I think that's what key and important to all. So thank you very much for the recognition and we look forward to a lots of future years and a lots of future work together. Chairman Liakakis said, thank you, Bill [Hubbard].

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VI. CHAIRMAN'S ITEMS

None.

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VII. COMMISSIONERS' ITEMS

Chairman Liakakis said, under Commissioners' Items we'll go to Item 2 first and then we'll ask for a recess to go into Executive Session, a short Executive Session.

1. ADJOURN TO EXECUTIVE SESSION.

Chairman Liakakis said, I'd like a motion on the floor now to recess to Executive Session for personnel — County Manager Abolt said, personnel, litigation and land acquisition. Chairman Liakakis asked, do we have a motion?

Commissioner Farrell said, so moved. Chairman Holmes said, second. Chairman Liakakis said, we have a second. All in favor, let's go on the board. The motion carried unanimously.

ACTION OF THE BOARD:

Commissioner Farrell moved to recess to Executive Session at 10:25 A.M., for the purpose of discussing personnel, litigation and land acquisition. Chairman Holmes seconded the motion and it carried unanimously.

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Following adjournment of Executive Session, the Board reconvened as the County Commission at 11:17 A.M.

[NOTE: See ITEMS FROM EXECUTIVE SESSION for action taken in Executive Session.]

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VII. COMMISSIONERS' ITEMS (continued)**2. WATER QUALITY RESEARCH PRESENTATION - PETER VERITY, PH.D.,
SKIDAWAY INSTITUTE OF OCEANOGRAPHY (COMMISSIONER SHAY).**

[NOTE: By consent of the Board, this item was taken out of order and was held prior to Item VII-1.]

Chairman Liakakis recognized Commissioner Shay.

Commissioner Shay said, Mr. Chairman, about two months ago I had the opportunity to ride over to Albany, Georgia, with Dr. Doug Skelton, and we were going over there to meet with the ACCG group to talk about restaurant quality standards. We talked about a great many things on that trip, and I was educated in many ways. One of the things that Dr. Skelton and I talked about which we were deeply concerned is reports to the South of here there were areas that were no longer able to support the shellfish culture and mariculture that they used to, and I'm blessed to represent the community of Thunderbolt, amongst others, in my district. I know that over the last 25 years I've seen that there has been a great change in the way that we use our coastal areas and Dr. Skelton shared with me some — at least to me — fairly frightening information, and I wanted him to have an opportunity to come here today and discuss that with us and bring some expertise along with it. So please, sir.

Dr. Doug Skelton said, thank you, Commissioner Shay and other members of the Commission. You should know that that trip to Albany was just two renaissance men going back and forth talking about everything. We had a wonderful trip and talked about a lot of things important to our communities, including this one, and I know all of you are concerned about the water quality on the coast as it relates to industry as well as it relates to human health, and I'm pleased that Dr. Verity of the Skidaway Institute of Oceanography has agreed to come and speak with you about some of his research. I also want to mention to you — introduce to you Mike Sullivan, the Director of Communications for the Institute of Oceanography, who's in the audience. Mike [Sullivan], where are you? Oh, there. Dr. Sanders I think is on teleconference this morning or something that's got him tied up, the Director. But Dr. Verity is here and I'll ask him to come forward and make a presentation to you, and he will be available to answer any questions you might have. Thank you.

Dr. Peter Verity said, thanks. Mr. Chairman and Commissioners, thank you very much for the opportunity to speak to you today. What I'd like to do is talk — can you hear me? Commissioner Shay said, yes. Dr. Verity said, what I'd like to do is talk to you a little bit very quickly about some of the issues that are affecting Coastal Georgia now and what is coming up in the future. I'll just take a very brief moment to tell you about the Skidaway Institute of Oceanography. You may not be aware of it. We're a member of the University System of Georgia. We're one of 35 members and we're the only one that does not confer degrees, which makes us a little unique. Otherwise, we're involved in basic and applied research. We have contacts throughout the area in education and outreach and, in fact, I'm the Education Coordinator as well as the faculty. So this is — I just bring that up because we're very much a gym in your pocket, and I want you to realize that because there's only a handful of counties in the entire country that can make this claim. I mean,

the Skidaway Institute of Oceanography is known throughout the world and many of its scientists are tops in their field in the entire world. So it's really a gym in the pocket of this community.

Dr. Verity said, what we are going to talk about very quickly today, as alluded to earlier, are patterns and trends in environmental quality and ecosystem services in Coastal Georgia. I'm going to run very quickly — in about ten minutes or so — I'm going to run through a conceptual model describing how these processes are linked to each other. Think of that merely as sort of a mental image so that you can appreciate the complexity of the situation, and then we're going to specifically talk about data from coastal estuaries of Georgia and reasons why we should be concerned now and in the coming decade, and then we're going to talk a little bit about the prognosis for the immediate future of the next five to ten years and the possibility of some action items that we might consider. And please interrupt me obviously, if you'd like to, as I go along if I'm not clear.

All right, what we're going to talk about today are nutrients, and we're not talking about the kinds of chemical contaminants that cause people to get thumbs in the middle of their forehead and things like that. We're talking about the kinds of things that you put on your garden, that you put on your lawn that cause plants to grow, and they're the natural byproducts of human activities and humans living anywhere. Where we live on the coast, however, those natural byproducts end up in our waterways relatively quickly and just as you put nutrients in your gardens or on your lawn, it stimulates growth when the sun comes up and the weather gets warm, and that's exactly what's happening in Coastal Georgia. Those nutrients find their way into waterways and those run downstream obviously to the coast, they percolate into the ground. That all runs downstream and into the coast and to the extent that we build and pervious surfaces, as I'm sure you are aware of, all of that accelerates these kinds of things, stormwater discharge. One way or another we put these nutrients in our river systems. Those go down and become estuaries and join the ocean. So again recognizing I have to go through this quickly, the problem becomes when they hit such waterways and the process that happens is called eutrophication. And what that means is that's the process when the plants start utilizing those nutrients and starts accelerating a food [inaudible] response to that. And this is a complicated figure. Don't worry about it. Just look at numbers one through four. The nutrients enter the aquatic system, the plants can use those nutrients to make more plants and more biomass. Bacteria then breaks that biomass down. As those plants die — these are microscopic plants — they break down. Just like grass clippings on your lawn or tree leaves in the forest, except that they need oxygen to do that process. In terrestrial environments, there's plenty of oxygen. In aquatic environments, there's a limited amount, and if the bacterial activities are greater than the supply of oxygen, the oxygen concentration goes down. And that's what is happening in Coastal Georgia, and the byproduct of that is that if oxygen concentrations get low, organisms that need it — fin fish, shell fish, oysters, all of those guys are things that are the reasons why many people move to this part of the world and the things that we take for granted — those organisms start getting [inaudible], then they get diseased and eventually they die if something is doesn't about that problem, and that's the point that we're in now in Coastal — or rapidly approaching Coastal Georgia.

Dr. Verity said, so very quickly I'm just going to show you the kinds of data that support the notion that I'm telling you about, the area that we've been studying most intensively is right here in our back yard. It's the Skidaway Estuary, basically from Warsaw Beach to upstream around Skidaway Island and to Bull Street over the ridge, and we've mentioned a number of different

nutrients, and I won't go into those details, but as you can see from a plot like this on the lefthand side, the nutrients that I'm talking about have been going up steadily for two decades. That's how long I have been here at this place. You can see that there's some sort of a little cycle. It's go up in the summer and down in the winter; up in the summer, down in the winter; up in the Summer, down in the winter. You can see that the lowest concentration each year gets a little bit higher every year and the highest concentration gets even higher every year. This trend has been underway for 20 years. What does that mean to us? Those nutrients, as I said, feed these organisms that leave in food webs and they feed bacteria.

Just to very quickly show you this upper panel is what I am just euphemistically calling bad plankton, it's the kind of things that turn ponds and golf courses, the ponds that are next to the Lynes Parkway Exit off I-16, every time you see it in the summertime they green, it's this process, and those kinds of plankton contribute to a change in the food web away from fish, away from shell fish and towards the kinds of organisms you don't want to see, like jelly fish. The lower panel shows you the same kind of a trend for bacteria. Bacteria concentrations every year are getting higher and higher and higher, and these are concentrations five to ten billion cells in a liter of water. You go swimming at Tybee and take a mouthful, you've swallowed fifty million cells of bacteria. They're not all bad bacteria, but the concentrations of bad ones are gradually increasing. Here's the core of the problem. This shows you oxygen concentrations for that same 20 year period starting in 1986 on the left — and let me step over here briefly — what you see is there's a range between the high concentrations in the winter and the low concentrations in the summer. Water holds — cold water holds more oxygen. It goes up in the winter and down in the summer; up in the winter, down in the summer; up in the winter, down in the summer. That's been going on and we were comfortable with that, but you can see the long term trend is exactly the opposite of nutrient concentrations, and that's because the nutrients are feeding this whole process.

Here's the water quality standard for hypoxia in the State of Georgia: four milligrams per liter of oxygen. You can see that summertime lows dropped below that level 20 years ago. Now for pretty much the entire summer we're below the State Water Quality Standards for oxygen. This is even more important. Three milligrams per liter is the physiologically critical level. That's the level at which shrimp start going somewhere else or have their reproduction affected. Blue crabs start going somewhere else or they get sick and die. That's the concentration at which fish start having trouble dealing with the environment that they live in and they choose to migrate somewhere else, and that's the concentration at which things that can't migrate, like oysters, start getting sick and diseased with increasing frequency. These trends are independent of any changes or patterns in [inaudible] or temperature. So they're not affected by droughts, they're not affected by any increases or decreases in temperature.

So, very quickly, then just to make this absolutely clear, and this is a handout that I'm going to leave for you. In a natural system that's what Mother Nature looks like. Oxygen concentration goes up in the winter, down in the summer; up in the winter, down in the summer. [Inaudible] the long term average stays about the same. This is what happens as mankind activities increase on the coast and we don't do anything about it. You know, that same cycle, but the long term cycle is decreasing, and that's what has been happening in Georgia now for 20 years. This is the concentration or the term we call hypoxia, which means low oxygen. It's fine, it's stuck here. We're always above that as long as mankind's activities are not negatively influencing the

environment. The same concentration down here. This is what's happening in Coastal Georgia. Gradually we are exceeding, we're dropping below that concentration where organisms need to be concerned. We need to be concerned. These trends are happening in all Georgia Estuaries where data is available. I want to make that very, very clear to you. We have the best data set right here in our backyard because that's where the Oceanography is. Everywhere else that we have data for all the way down the length of Georgia shows that.

This is a bullet diagram. I'm not going to spend any time on it. This is also on your handout. It basically says what I have just said to you. Nutrients comes from humans living on the coast from their activities. If you don't do anything about it, they cause the problems that we're talking about. Right now Georgia's down here at about points eight and nine where we know that bacterial utilization of oxygen is exceeding the supply. Oxygen is going down and the next thing that happens is loss of ecosystem services, and that's what we're getting very, very close to. Loss of ecosystem services means that the things that you want out of your ecosystem, the things that make it attractive, the things that keep property values high, the things that make people want to live here disappear.

Dr. Verity said, and then to conclude I'll just leave you with this, and that is the upper panel shows the earth being balanced on a thermometer and the point that I'd like to make there is that climate at a global level represents a delicate balance between a whole bunch of different factors that we don't need to talk about here today, and that climate is a very stable phenomenon until either natural or [inaudible] process. He's nudged the earth too far, and then we move into a different climate system. We won't talk about that here obviously, but the point is that ecosystems operate exactly the same way. They have a stable state. They're very happy in that stable state until you change the boundary conditions too much and then, bingo, they move to a new stable state very, very quickly. And that's frankly what we're doing here in Georgia. That model has been shown to occur in places like Boston Harbor and Chesapeake Bay and San Francisco Bay, the Black Sea, the North Sea, a whole bunch of different places. We're not making something up here. So what happens then is these things that we're already seeing, plankton [inaudible], high bacteria, low oxygen. The next thing that happens is we end up with decreasing concentrations, the fish and shell fish increasing in outbreaks of disease in those organisms, and then eventually what will happen based upon what's happened elsewhere is those things get replaced by jelly fish.

Dr. Verity said, so I'm going to leave you then with this notion: for policymakers, this is my perspective and just accept it as that, for policymakers what we need to let our resources to address this issue and we need the dedication to actually acknowledge that it's going to take some hard decisions to be made. What do you need from the science community? You need some sort of tools, management tools as I all them, that allow us to convert all that scientific equations and gobbledygook into predictive management outputs or products, and that's the stage that we're at right now. We can take the information I just showed you, put it into large mathematical models that we don't need to talk about here today, and then the beauty of those models is that you folks can answer a question that right now you can't answer, and that question comes from the person on the street, the taxpayer, who says if you want to raise my taxes to deal with this issue, what do I get back for those taxes being raised? How much — for example, how much of a cleanup of this nutrient problem, this oxygen problem, happens if we cleanup the nutrient problem by 30%? A model like this can actually do that for you, and then you can decide how much money do we want to spend on that problem and what are we going to get for it? How

much bang on the buck will we get, for example, a bond issue or for raising taxes or whatever it takes? So we're in a position now to actually do something about this now. We weren't in that position five or ten years ago.

Dr. Verity said, so with that I think I'll stop. I'm happy to take some questions from you. Thank you for listening.

Chairman Liakakis asked, Doctor, will you have information that's coming to us about, you know, the cost factors and the specific areas that — whatever the solutions are to this that we'll know and other governmental entities will also know about this so — how we should approach it? Dr. Verity said, we know what the scientific solutions are for reducing the nutrient concentrations. The cost of implementing those decisions is the next level investigation that needs to be done. Frankly, that hasn't been done so far because this is perceived to have not been a problem locally until the low concentrations of fish and shell fish combined with the decreasing oxygen and the fact that jelly fish are invading and local ones are increasing is finally beginning to be appreciated.

Chairman Liakakis recognized Commissioner Stone.

Commissioner Stone asked, has this report been given to other organizations as well? I mean, besides the County Commission? Dr. Verity said, the primary data that I talked to you about today has all been published, some of it a number of years ago. The oxygen data has been published in very highly respected journals just this past August. All of that data has been made available to anybody who would it and it's available online in TDS format, if that answers your question.

Chairman Liakakis recognized Commissioner Shay.

Commissioner Shay said, I'm a problem solver, you know, by nature I guess, and what you have presented to us today is that we have a serious problem and that we can't continue to just ignore it and hope that it goes away. Dr. Verity said, yes sir. Commissioner Shay said, the research that's necessary to get from, okay, we've identified the problem to here are some viable solutions, is that something that this Skidaway Institute is working on? Is that something that you need for us to write letters of encouragement to wherever it is your get your funding or what is it that you think that we might be able to do to make sure that we move to the next level because we don't really have enough information to be able to say, okay let's do something, because we don't know what the solution is yet. Dr. Verity said, yes sir. There's a couple of responses to that. First, before I forget, just coincidentally I'm giving a presentation at the request of the Center for Sustainable Coast tomorrow at their annual funding raising event at the Bamboo Farm at five o'clock, and that's going to be a 45 minute to an hour long version of this talk with all the information that I presented to you here today, including answers to the questions that you have specifically. We have right now pending for NOAA a federal grant proposal from myself, several colleagues at UGA and two of the either Assistant Directors of Scientists at DNR as well as some of the major modelers around the country. We have a team of about eight scientists and modelers that are prepared to do exactly what I said is the next step that you need from a modeling community and that you can probably imagine that in Coastal Georgia with all of those rivers that we have coming down out of the Piedmont into the coastal plain, that the patterns that we see along the coast reflect the fact that those river systems drain agriculture land and the

biggest ones start out up in Atlanta. And so the kind of modeling that we are talking about is not something you do on a desktop with machines and you create little boxes and it takes you a couple of hours. We're talking about a large scale program that takes five years and about two and a half million dollars. We have —, as I said, we have proposals pending before federal agencies to try to address that. If those proposals aren't funded, then we'll move on from there. Scientifically that's what we can do at the moment.

Chairman Liakakis recognized Commissioner Odell.

Commissioner Odell said, I'm trying to get someone to [inaudible] too. When do we reach a point of crisis? If you look at a continuation, we do nothing and continue to act the way that we do now, at point are we — five years out, ten years out — where we see the conversion from shell fish and crabs to jelly fish and dead plant life? Is there any way to predict with any level of certainty when we will reach a crisis predictably between five and ten years or two and five years? Dr. Verity said, each of the estuaries along the coast of Georgia is degrading at a rate that — we have the best data for the Skidaway River Estuary. We can make the most accurate predictions to answer your question for that estuary. The other estuaries are also going down. For many of them the data is from DNR and they've only been studying this problem for about four years. They're doing an excellent job, but as you can appreciate to make an accurate prediction, you need probably more than four years of information. So that's a caveat. The information that we have available now suggests that sometime in the next decade we're going to reach that threshold of three milligrams per liter in the summer months, at which point the organisms actively choose to relocate to higher oxygen concentrations and if that they can't relocate, then their instances of disease and reproductive output and susceptibility to infection, all of those things increase. It's just the same as you or me. If we overwork ourselves or get pushed, we're susceptible to getting sick and when we get sick, then it takes us longer to get better. This is no different that us. Commissioner Odell said, I think that we're kind of fortunate in the following regard. We have some relatively influential State representatives who are here, and to me we're at the end of the system, not at the beginning because the drainage that climbing flows downhill, and a lot of the things that impact our system are coming, as you said, from elsewhere, which to me indicates that it might demand a statewide solution and not necessarily just an isolated Chatham County, but this is a statewide problem that potentially can only be solved by our Legislators. I think that we can do our part obviously, which we must, but if the large agricultural concerns outside of Atlanta, and you look at the flow all the way down through Dublin into the ocean, all of those areas are potential players and the only way that you get at that, I would think, is through the State of Georgia acting as if it's a State and saying, "This is a problem." It's not a problem — it's a problem now because we are now going down a slippery slope, but five to ten years we won't have the option of grabbing it whole. We'll be at the point where it might be disastrous to why many people move to this part of the country. I think it's the State's solution. Having said that, has this been given to the State Representatives and our State Senators, Doctor? By way of presentation, not reports, and the only reason why I say that I was in my State Representative's office and they get more paper than we get and it's almost impossible to believe that they're going to read it. But your presentation I think is excellent and I appreciate Dr. Skelton and Patrick [Shay] for having you here, and it impacts the quality of life. This is a major quality of life issue. Not at this point we have the chance to change it so that it does not become a major, major issue down the road for our children and other people moving to this area. Dr. Verity said, yes sir, you said a mouthful. Can I address them? Commissioner Odell said, please. Dr. Verity said, first of all,

let me just make something clear about the nature of the problem and the solution, and then I'll talk to you about the issue of a statewide solution, if that's okay? This is another figure I had in here. Consider this axis over here, ecosystem health is the best way to think of it, and this is the amount of nutrients we put in. Think of that as population growth or population activities that are out of control. We start out with a nice clean ecosystem. It stays that way and this is part of the problem right now. You and I can go out fishing next week or go oystering and we say, you know, that guy has talked about problems, but I just went out and caught a mess of fish, and the problem is that once you get beyond the tipping I talked about, and that tipping point is a little bit flexible, then you have this major system and you end up somewhere else that you don't want to be. And once you get to that point, and what these two points show you, is that, for example, if you have over-fishing going on in addition to nutrient loading, that crash or that change happens faster. But the point is that once you get to a system like this, you don't go back the same pathway. I said that that new ecosystem is perfectly happy where it is. Mother Nature doesn't give a darn. We're not getting the ecosystem services or have the natural resources that we had before that we still want, and so to clean up that mess takes a lot more money and a lot more effort. You've got to go back, for example, to this green line. You came down on one of these orange lines, you don't go back that way. That would be the cheap inexpensive way. So putting off a decision whether it's local, regional or statewide is only going to make it much harder and take much longer to clean up later, and that means more money. So that's the general answer to one of the points you made.

Dr. Verity said, the second point is that, yes, it's probably a statewide problem in the sense that the major rivers that feed the coast drain through much of the State, and a lot of that is agricultural activities and streams. The kinds of model that I'm talking about is the kind where the water starts flowing up in the mountains, it takes into effect all of those rivers, all seven or nine of the major and minor rivers. It look at how those nutrients are input all the way along the way, and they come in different forms. Sometimes they come from cows and from pigs and from people and from silt or culture and from natural forests, and all those inputs vary and they're temperature depending. They vary based on rainfall and tropical storms. That's why it's complicated. So we can predict what happens to those nutrients, how much gets to the coast, what kind of damage they cause and how much is an immediate local problem versus a statewide problem. That's why this modeling approach is the next fundamentally important approach to do. We can do the conflicts in our head, but we can't do the nap that allows you to ask me, "If we spend five million dollars or ten million dollars statewide on this problem in the next year, how much of a difference will it make?" I can't tell you that now. Nobody can tell you that right now. The next scientific level, which is this model, will be able to tell you that question and many others like it. It asks you to allow what if questions and get quantitative answers.

Commissioner Odell said, and part of that what if, do you also say part of the problem says it might be from agriculture, which flows into a stream. If you're in a hole and you want to get out, the best thing to do is to stop digging. So what about some of those activities which substantially impact that system. What is it — your organization or would it be EPA or DHR that would — could substantially impact the inflow of the negative material into the system? Dr. Verity said, this gets back to Commissioner Stone's question, and it's extremely important at this point for all the players who are involved, the scientists, the policymakers, the State agencies, the local agencies, to work together on this problem and not be finger-pointing or not be concerned about their turf or not be saying I just don't have enough money and we're not going to deal with this right now.

That's a short answer to your question. I think the more important answer and the reason frankly that I'm here and talking to you is that right now we're still in pretty good shape, you know. What we shouldn't do is let our environment, Coastal Georgia — I'm passionate about this now that I've been here 20 years — let it go to the point that other places have gone to in New England and the West Coast. There's still time to do something about it. We know it's coming, we have an idea of about the time frame. We fundamentally know what kinds of things we need to do to reduce the nutrient loading. The only think that we don't know what resources can we bring to bear and how much bang for the buck do we get for that because that's the local issue. But getting back to my point, my point is that for your folks, as well as all the way up to the Governor's office, this is a great opportunity to get maximum political clout to benefit for this. You can fix the problem before it becomes a major problem and then go wave the flag. And this is the kind of thing I would like everybody to fundamentally appreciate. Right now it doesn't cost much to address this problem and ultimately fix it instead of waiting until later when it's going to take longer, take more money. We're going to all look like fools. We can get a lot of credit for it now. Commissioner Odell asked, is that the two and a half million dollars? Dr. Verity said, two and a half million dollars is what we have submitted to a federal agency and said for that kind of money over five years we can generate this model that would allow you to ask the what if questions and we can give you answers to those what if questions. And that has nothing to do with implementing or direct reduction of nutrients. Commissioner Odell said, but what that would enable — I'm sorry. What that would enable us to do is for you to tell us if we budget X-number of dollars, then the impact on that would be A or B. Dr. Verity said, yes sir, and it will also allow you to say that if you made these kinds of changes — for example, reduce phosphorous instead of nitrogen or something like that — that it's not going to have very much of an effect, but you can actually target the kinds of things that need to be done. It will identify making upstream changes to regulations that influence the amount of fertilizers put on agricultural lands is more or less important or non-existent or very important compared to local changes that are made down here on the coast to the number of septic systems, how efficient they are. We can put in sewage treatment — sewage treatment plants can be put in that will go well beyond code for example. They cost more money, but they do a very, very good job of reducing the nutrient problem that we're talking about. And so those are the kinds of issues that can be done once you have a quantitative model that replicates nature well, which is part of the process, but you can answer those questions.

Chairman Liakakis recognized Commissioner Gellatly.

Commissioner Gellatly said, I just have an observation, Doctor. To begin with, I congratulate you on your work. It's certainly very complicated stuff that you're talking about. I would hope that as we move along due to the fact that you're talking about a lot of money and timing, you know, when it's going to get worse and what it's going to take to solve it, I would certainly hope that there are other people as smart as your are that are doing similar studies that can either harm your work or differ with your work because when you're spending that kind of money, I've always learned whatever one man can prove another man can disprove, so I would like to see as we go along that, number one, that there are people as smart as you are that support you, and if there are any people out there that think that you're all wrong or partially wrong or disagree with the table, or something like that, we get all of these opinions also. Just an observation.

Chairman Liakakis said, thank you very much, Doctor. We appreciate it.

ACTION OF THE BOARD:

Dr. Peter Verity of the Skidaway Institute of Oceanography gave a briefing to the Commissioners on the results of a water quality research and its impact on fish and shell fish and plants in Coastal Georgia.

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YOUTH COMMISSIONERS

Chairman Liakakis said, what I'd like to do now is recognize two of our outstanding members for the Chatham County Youth Commission: Sheray Franklin, a Sophomore at Savannah Arts Academy, and Jamesha English, a Sophomore at St. Vincent's Academy.

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VIII. TABLED/RECONSIDERED ITEMS

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| Unless action is contemplated at today's meeting, staff report and file material has not been duplicated in your agenda packet. The files are available from the Clerk. Those on which staff is requesting action are indicated by asterisk (*). |
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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) TRANSFER \$12,465 FROM CONTINGENCY TO SPECIAL APPROPRIATIONS FOR A RECORD'S RETENTION STUDY, (B) TRANSFER \$20,583 FROM CONTINGENCY TO TRANSFER TO EMERGENCY MANAGEMENT FOR A COST OF LIVING ADJUSTMENT, AND (C) TRANSFER \$5,000 FROM CONTINGENCY TO SPECIAL APPROPRIATIONS FOR THE SIXTY-FIFTH ANNIVERSARY OF FOUNDING OF EIGHTH AIR FORCE, (2) AN AMENDMENT TO THE 2003-2008 SPLOST (FUND 323) TO TRANSFER THE FOLLOWING AMOUNTS FROM RESERVE FOR OTHER COUNTY PROJECTS: (A) \$150,000 TO OLD HIGHWAY 204 BRIDGES, (B) \$150,000 TO CHARLIE**

BROOKS PARK ROADS, (C) \$150,000 TO CONCORD SOCCER FIELD, (D) \$3,000,000 TO DIAMOND CAUSEWAY, (E) \$400,000 TO WALTHOUR ROAD/OFFSHORE SUBDIVISION, AND (F) \$1,500,000 TO SKIDAWAY ROAD/ISLE OF HOPE.

Chairman Liakakis said, all of you have been given that information in your packets and a breakdown on it. I'd like a motion on the floor and a second to approve those.

Commissioner Stone said, I'll make a motion, but I do have a question. Commissioner Farrell said, second. Commissioner Stone said, on number two, the transfer to the Emergency Management, the 5% marketing adjustment, was this something outside of their approved budget? County Manager Abolt said, the budget had it in it. Ms. Cramer, could you explain please. Ms. Linda Cramer said, when they submitted their budget they did have a 5% merit increase in their budget, but they did not have an appropriation for the County COLA, which was a 5% total that was given. Commissioner Stone said, I was just curious as to why.

Chairman Liakakis said, okay, we have a motion on the floor and a second to approve these items. Let's go on the board. The motion carried unanimously. [NOTE: Commissioner Odell was not present when this vote was taken.] Chairman Liakakis said, the motion passes.

ACTION OF THE BOARD:

Commissioner Stone moved to approve the following: (1) an amendment to the General Fund M&O budget to: (a) transfer \$12,465 from Contingency to Special Appropriations for a record's retention study, (b) transfer \$20,583 from Contingency to Transfer to Emergency Management for a cost of living adjustment, and © transfer \$5,000 from Contingency to Special Appropriations for the Sixty-Fifth Anniversary of Founding of Eighth Air Force, (2) an amendment to the 2003-2008 SPLOST (Fund 323) to transfer the following amounts from Reserve for Other County Projects: (a) \$150,000 to Old Highway 204 Bridges, (b) \$150,000 to Charlie Brooks Park Roads, © \$150,000 to Concord Soccer Field, (d) \$3,000,000 to Diamond Causeway, (e) \$400,000 to Walthour Road/Offshore Subdivision, and (f) \$1,500,000 to Skidaway Road/Isle of Hope. Commissioner Farrell seconded the motion and it carried unanimously. [NOTE: Commissioner Odell was not present when this vote was taken.]

AGENDA ITEM: IX-1

AGENDA DATE: November 17, 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) transfer \$12,465 from Contingency to Special Appropriations for a record's retention study, (b) transfer \$20,583 from Contingency

to Transfer to Emergency Management for a cost of living adjustment, and © transfer \$5,000 from Contingency to Special Appropriations for the Sixty-Fifth Anniversary of Founding of Eighth Air Force, (2) an amendment to the 2003-2008 SPLOST (Fund 323) to transfer the following amounts from Reserve for Other County Projects: (a) \$150,000 to Old Highway 204 Bridges, (b) \$150,000 to Charlie Brooks Park Roads, © \$150,000 to Concord Soccer Field, (d) \$3,000,000 to Diamond Causeway, (e) \$400,000 to Walthour Road/Offshore Subdivision, and (f) \$1,500,000 to Skidaway Road/Isle of Hope.

BACKGROUND:

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

FACTS AND FINDINGS:

- 1) The National Center for State Courts and Chatham County entered in to an agreement for a records retention study in May of 2005. Funds for the contract were appropriated in the FY2005 Superior Court Clerk budget. The invoice for the study was received in October of 2006. The original appropriation had lapsed as a result of having a fiscal year pass with no activity. A transfer of \$12,465 from the General fund M&O contingency will restore funding for the contract. A copy of correspondence is attached.
- 2) The adopted FY2007 budget for Transfer to Emergency Management included funding for a 5% market adjustment. A contingency transfer of \$20,583 to fund a cost of living adjustment has been requested.
- 3) A request for Chatham County to participate in an event celebrating the sixty-fifth anniversary of the founding of the Eighth Air Force was approved by the Board on November 3, 2006. A transfer of \$5,000 from General Fund M&O contingency will provide funding. Correspondence is attached.
- 4) The County Engineer is requesting transfers in the 2003-2008 SPLOST Fund from Reserve for Other County Projects to the projects listed in the attached correspondence. The transfers total \$5,350,000.

FUNDING: Funds are available in the General Fund M&O Contingency and the Reserve for Other County Projects in Sales Tax IV for the transfers.

ALTERNATIVES:

- (1) That the Board approve the following:

GENERAL FUND M&O

- a) a contingency transfer of \$12,465 to Special Appropriations for a record's retention study.

- b) a contingency transfer of \$20,583 to Transfer to Emergency Management for a cost of living adjustment.
- c) transfer \$5,000 from Contingency to Special Appropriations for the Sixty-Fifth Anniversary of Founding of Eighth Air Force.

SALES TAX IV (2003-2008) FUND

transfers from Reserve for Other County Projects of: (a) \$150,000 to Old Highway 204 Bridges, (b) \$150,000 to Charlie Brooks Park Roads, © \$150,000 to Concord Soccer Field, (d) \$3,000,000 to Diamond Causeway, (e) \$400,000 to Walthour Road/Offshore Subdivision, and (f) \$1,500,000 to Skidaway Road/Isle of Hope.

- 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. REQUEST BOARD APPROVE AMENDED FISCAL 2007 BUDGET RESOLUTIONS TO REFLECT FISCAL 2006 RESERVES FOR ENCUMBRANCES AND CAPITAL PROJECT BALANCES FOR THE GENERAL M&O, SPECIAL REVENUE, CAPITAL IMPROVEMENT, AND ENTERPRISE FUNDS, AND TO RECOGNIZE AUDITED FISCAL 2006 FUND BALANCES FOR ALL FUNDS EXCEPT THE GENERAL FUND M&O AND THE SPECIAL SERVICE DISTRICT FUND.

County Manager Abolt said, Mr. Chairman, ladies and gentlemen, this is a showing we're getting wrapped now on our audit for this year. This represents closing all those funds with the exception of the M&O and SSD fund balances, which you'll have as part of your CAFR, which Ms. Cramer tells me we're very close on that. So this is all good news on the financial health of the County. It's obvious in the information you have in front of you we recommend a motion to approve.

Commissioner Stone said, so moved, Mr. Chairman. Chairman Liakakis said, do we have a motion on the floor? Commissioner Gellatly said, second.

Chairman Liakakis said, we have a motion on the floor and a second. Go on the board. The motion carried unanimously. [NOTE: Commissioner Odell was not present when this vote was taken.] Chairman Liakakis said, the motion carries.

ACTION OF THE BOARD:

Commissioner Stone moved to amend the fiscal 2007 budget resolutions to reflect fiscal 2006 reserves for encumbrances and capital project balances for the General M&O, Special Revenue, Capital Improvement, and Enterprise Funds, and to recognize audited fiscal 2006 fund balances for all funds except the General Fund M&O and the Special Service District Fund. Commissioner Gellatly seconded the motion and it carried unanimously. [NOTE: Commissioner Odell was not present when this vote was taken.]

AGENDA ITEM: IX-2

AGENDA DATE: November 17, 2006

TO: Board of Commissioners

THRU: R.E. Abolt, County Manager

FROM: Linda Cramer, Finance Director

ISSUE:

To amend fiscal 2007 budget resolutions to reflect fiscal 2006 reserves for encumbrances and capital project balances for the General M&O, Special Revenue, Capital Improvement, and Enterprise Funds, and to recognize audited fiscal 2006 fund balances for all funds except the General Fund M&O and the Special Service District Fund.

BACKGROUND:

The fiscal year 2007 Chatham County budgets were adopted on June 24, 2006. A subsequent independent financial audit has verified fiscal year-end 2006 fund balances and capital project balances including reservations of fund balance for encumbrances and restricted fees. This report amends current year budgets to show the potential use of unreserved fund balance in those funds where it is considered an operating resource. The report also provides appropriations related to outstanding fiscal 2006 encumbrance balances ("carryforwards") and restricted fee reserves. Although a budget amendment to account for year end encumbrances is not a requirement of enterprise funds, enterprise funds are included in this report to facilitate effective management planning.

Since fund balance is not considered an operating resource in the General M&O Fund and the Special Service District, audited fund balance information for those funds is not herein presented but will be presented to the Board upon presentation of the Comprehensive Annual Financial Report (CAFR).

FACTS AND FINDINGS:

- (1) The Chatham County General Fund M&O budget amendment increases the budget by \$828,176 Fund Balance - Reserved for Encumbrances and \$737,923 Reserved - Restricted fees. The encumbrances and restricted fees total of \$1,566,099 will be added to the appropriate expenditure budgets.
- (2) The Chatham County Confiscated Special Revenue Fund budget amendment increases the budget by \$149,826 to reflect a fund balance total of \$441,826. Appropriations are increased for expenditures in accordance with the resolution.
- (3) The Chatham County Emergency Management Special Revenue Fund budget amendment decreases the budget by \$16,370 to reflect fund balance of \$33,630. Appropriations are decreased for expenditures in accordance with the resolution.
- (4) The Chatham County Street Paving Special Revenue Fund budget amendment increases the budget by \$13,386 to reflect fund balance of \$283,832. Appropriations are increased for expenditures in accordance with the resolution.
- (5) The Chatham County Street Lighting Special Revenue Fund budget amendment increases the budget by \$7,781 to add fund balance. Appropriations are increased for expenditures in accordance with the resolution.
- (6) The Chatham County Emergency Telephone System budget amendment increases the budget by \$626,205 to add fund balance. Appropriations are increased for expenditures in accordance with the resolution.
- (7) The Multiple Grant Fund budget amendment increases the budget by \$25,876 to add fund balance. Appropriations are increased for expenditures in accordance with the resolution.
- (8) The Chatham County Special Service District Fund budget amendment increases the Special Service District budget by \$206,860 Fund Balance - Reserved for Encumbrances. The encumbrances amount will be added to the appropriate expenditure budgets.
- (9) The Chatham County Land Disturbing Activities Ordinance Special Revenue Fund budget amendment increases the budget by \$218,784 to \$336,150 fund balance. Appropriations are increased for expenditures in accordance with the resolution.
- (10) The Chatham County Sales Tax Road Program Fund (1985-1993) budget amendment decreases the budget by \$58,376 to reflect a fund balance of \$23,497,331. The latest revised budget detail is available in the Finance Department as stated in the resolution.

- (11) The Chatham County Sales Tax Extension Fund (1993-1998) budget amendment decreases the budget by \$53,418 to reflect a fund balance of \$10,385,591. The latest revised budget detail is available in the Finance Department as stated in the resolution.
- (12) The Chatham County Sales Tax Fund (1998-2003) budget amendment decreases the budget by \$667,477 to reflect a fund balance of \$80,592,294. The latest revised budget detail is available in the Finance Department as stated in the resolution.
- (13) The Chatham County Sales Tax Fund (2003-2008) budget amendment increases the budget by \$9,844,411 to reflect a fund balance of \$50,596,400. The latest revised budget detail is available in the Finance Department as stated in the resolution.
- (14) The Chatham County Capital Improvement Fund budget amendment increases the budget by \$13,471,441 to reflect a fund balance of \$14,894,518. Appropriations are adjusted for expenditures in accordance with the resolution.
- (15) The Chatham County Capital Improvement - Series 1999 DSA Revenue Bond Fund budget amendment increases revenue by \$109,905. Total fund balance will be \$984,495. The latest revised budget detail is available in the Finance Department as stated in the resolution.
- (16) The Chatham County Capital Improvement - Series 2005 DSA Revenue Bond Fund budget amendment increases the budget by \$154,371 to reflect fund balance increases of \$234,371 and to reverse previous interest income budget adjustments of \$80,000. Fund balance will total \$9,886,371. The latest revised budget detail is available in the Finance Department as stated in the resolution.
- (17) The Hospital Authority Debt Service Fund increases the budget by \$98,377 to add fund balance. The appropriations are adjusted for expenditures in accordance with the resolution.
- (18) The Chatham County Water and Sewer Fund budget amendment adjusts revenues by \$339,782 to reflect encumbrance carryforwards. Appropriations are adjusted for expenditures in accordance with the resolution.
- (19) The Chatham County Solid Waste Management Fund budget amendment adjusts revenues by \$99,887 to reflect encumbrance carryforwards. Appropriations are adjusted for expenditures in accordance with the resolution.

FUNDING:

Funds are available in Reserved Fund Balance, Unreserved Fund Balance and/or Net Assets for all funds.

ALTERNATIVES:

(1) That the Board approve the following:

GENERAL FUND M&O

- (a) A budget amendment in the amount of \$1,566,099 for Fund Balance - Reserved for Encumbrances and Restricted Fees.
- (b) Appropriations in accordance with the attached resolution.

CONFISCATED SPECIAL REVENUE FUND

A budget amendment to increase revenues by \$149,826 with a corresponding appropriation for Public Safety expenditures.

CHATHAM EMERGENCY MANAGEMENT SPECIAL REVENUE FUND

A budget amendment decreasing the fund in the amount of \$16,370 to a fund balance of \$33,630 with corresponding decreases in expenditures.

STREET PAVING SPECIAL REVENUE FUND

A budget amendment to increase revenues by \$13,386 with corresponding increase in expenditures.

STREET LIGHTING SPECIAL REVENUE FUND

A budget amendment to increase revenues by \$7,781 with a corresponding increase in expenditures.

EMERGENCY TELEPHONE SYSTEM FUND

A budget amendment to increase revenues by \$626,205 with a corresponding increase in expenditures.

MULTIPLE GRANT FUND

A budget amendment to increase revenues by \$25,876 with a corresponding increase in expenditures.

SPECIAL SERVICE DISTRICT FUND

- (a) A budget amendment in the amount of \$206,860 Fund Balance - Reserved for Encumbrances.
- (b) Appropriations in accordance with the attached resolution.

LAND DISTURBING ACTIVITIES ORDINANCE SPECIAL REVENUE FUND

A budget amendment to balance to increase revenues by \$218,784 with a corresponding increase in expenditures.

ONE PERCENT LOCAL OPTION SALES TAX (1985-1993)

A budget amendment to decrease fund balance carried forward by \$58,376 in fund balance with a corresponding decrease in expenditures. The latest revised list of projects is available in the Finance Department as stated in the resolution.

ONE PERCENT LOCAL OPTION SALES TAX EXTENSION (1993-1998)

A budget amendment to decrease fund balance carried forward by \$53,418 with a corresponding decrease in expenditures. The latest revised budget detail is available in the Finance Department as stated in the resolution.

ONE PERCENT LOCAL OPTION SALES TAX (1998-2003)

A budget amendment to decrease fund balance carried forward by \$667,477 with a corresponding decrease in expenditures. The latest revised budget detail is available in the Finance Department as stated in the resolution.

ONE PERCENT LOCAL OPTION SALES TAX (2003-2008)

A budget amendment increasing fund balance carried forward by \$9,844,411 with a corresponding increase in expenditures. The latest revised budget detail is available in the Finance Department as stated in the resolution.

CAPITAL IMPROVEMENT PROGRAM FUND

- (a) A budget amendment increasing the fund to \$14,894,518 audited fund balance.
- (b) Appropriations in accordance with the attached resolution..

CAPITAL IMPROVEMENT - SERIES 1999 DSA REVENUE BOND FUND

A budget amendment increasing the fund by \$109,905 in fund balance with a corresponding increase in expenditures. The latest revised list of projects is available in the Finance Department as stated in the resolution.

CAPITAL IMPROVEMENT-SERIES 2005 DSA REVENUE BOND FUND

A budget amendment increasing fund balance carried forward by \$234,371, decreasing interest income by \$80,000, and increasing expenditures by \$154,371.

HOSPITAL AUTHORITY DEBT SERVICE FUND

A budget amendment recognizing fund balance of \$98,377.

WATER AND SEWER ENTERPRISE FUND

A budget amendment in the amount of \$339,782 net assets for year end encumbrances with corresponding expense appropriations.

SOLID WASTE MANAGEMENT ENTERPRISE FUND

A budget amendment in the amount of \$99,887 net assets for year end encumbrances with corresponding expense appropriations.

(2) Amend the transfers and budget amendments.

POLICY ANALYSIS:

The State Code grants the Board of Commissioners the authority to amend the budget as it deems necessary during the fiscal year.

RECOMMENDATION:

That the Board approve Alternative 1.

PREPARED BY: Read DeHaven

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3. REQUEST BOARD AUTHORIZE RESOLUTIONS PROVIDING INVESTMENT AUTHORITY FOR GEORGIA FUND 1 AND THE SAVANNAH BANK.

Chairman Liakakis recognized County Manager Abolt.

County Manager Abolt said, Mr. Chairman, this could have been easily on your Action Calendar. This is just signature authority to recommend approval. It follows the chain of command from the Finance Department.

Chairman Liakakis asked, any questions? Do we have a motion on the floor?

Commissioner Thomas said, move for approval, Mr. Chairman. Chairman Liakakis asked, do we have a second? Commissioner Gellatly said, second.

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

ACTION OF THE BOARD:

Commissioner Thomas moved to authorize resolutions providing investment authority for Georgia Fund 1 and The Savannah Bank. Commissioner Gellatly seconded the motion and it carried unanimously. [NOTE: Commissioner Odell was not present when this vote was taken.]

AGENDA ITEM: IX-3

AGENDA DATE: November 17, 2006

TO: Board of Commissioners

THRU: R.E. Abolt, County Manager

FROM: Linda Cramer, Finance Director

ISSUE:

To authorize resolutions providing investment authority for Georgia Fund 1 and The Savannah Bank.

BACKGROUND: Chatham County currently invests excess cash in the Georgia Fund 1, a liquid investment pool. The County also has a certificate of deposit with The Savannah Bank. The County is updating its records at both institutions to reflect staff changes and realignments.

FACTS AND FINDINGS:

1. The Finance Department has realigned staff responsibilities related to wire transfers and investment authority. As a result, Finance is updating related paperwork.
2. Some institutions require formal resolutions to modify investment authorizations. As a result, Finance is asking for formal board approval of the resolutions.
3. In accordance with the County’s adopted Investment Policy and applicable state laws and regulations, the Finance Director, under the supervision of the County Manager, is responsible for ensuring the management of the County’s investments. In discharging her duties, the Finance Director or designated Finance staff may directly assist in managing the County’s investments.

FUNDING:

N/A

POLICY ANALYSIS: The authorization is consistent with the Chatham County Investment Policy.

ALTERNATIVES:

1. Approve resolutions providing investment authority for Georgia Fund 1 and The Savannah Bank.
2. Provide staff with other direction.

RECOMMENDATION:

Approve Alternative 1.

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4. PRESENTATION ON THE CHATHAM COUNTY SAFETY NET PLANNING COUNCIL ANNUAL REPORT.

County Manager Abolt said, Mr. Chairman, ladies and gentlemen, this is a very opportune time for you to look at opportunity you have that was made possible — certainly all of you are aware of it, but a few years ago when NACo recognized this County and what we were doing to get the most leverage out of millions of dollars spent in indigent defense, the Safety Net Planning Council, which you have, we'll see some excellent representatives in a few moments are giving you a report which you've had now I know for a few days prior to the meeting. Essentially what we're looking at is leveraging the amount of money that we spend as a County in indigent health care with the understanding that will get the biggest return on our investment. The members of the Safety Net Planning Council are here to go through it in detail, but again please remember the whole idea behind the Safety Net is realizing revenues are diminishing, there's an obligation to provide for the indigent health care and to do that we must be aware of how we can get the best return and realize we're not paying twice for the same services. Dr. Weems?

Dr. Diane Weems said, good morning, and I appreciate the opportunity to come before you today to give a very brief presentation and inform you where we are in progress on the Safety Net and where we see the future heading and the kinds of information we hope to bring back to you by Spring of 2007 that will help inform the process as you move forward with looking at how funding is allocated for — I'm sorry — for health services in the community. And just — and I know all of you know this, but as a reminder the Safety Net really does serve as a countywide systems planning group really with the goal of identifying strategies and opportunities to better meet the health care needs of the uninsured and underinsured of Savannah, Chatham County, that we do that in different ways. Obviously we talk about leveraging, available resources, leveraging resources and building partnerships that better utilize the funding that is available, as well as identifying new funding from additional resources outside of the County to enhance what is done for healthcare to the uninsured and underinsured in our community. The Council was created in 2003 and also serves as the healthcare action team for the Poverty Reduction Initiative Stepup. So the work we're doing is not redundant but is continuous and seamless with the initiatives in the community trying to prove access to healthcare. Again, at any point — any one point in time it's estimated that about 60,000 individuals in the County are uninsured and we know that number is growing. And traditionally hospital emergency rooms are the most frequent source of care for the uninsured. And again, I think everybody understands that although emergency rooms are great sources of care for emergency problems, they are neither cost effective or appropriate sources of healthcare for primary healthcare problems because there is not provision for continuity of care.

Dr. Weems said, one of the things this County is unique in and fortunate to have is quite a few resources for the uninsured. Many counties do not have these kinds of resources. We have a federally-qualified Health Center that has three locations providing service at the Curtis V. Cooper Center. We have Community Health Care Center and Savannah Health Mission, which are both private nonprofits that are currently undergoing a merger. They both share a mission of serving the uninsured adult who lives in works in Chatham County using a small salaried staff, but primarily utilizing volunteer physicians, retired and working physicians, and retired nurses and volunteer nurses. So we're really able to provide health care at a very inexpensive rate, quality health care.

Chairman Liakakis asked, Doctor, is that the one on Eisenhower? Dr. Weems said, yes sir. Savannah Health Mission meets at the Memorial Campus in Georgia Ear one evening a week. So they have both traditional and nontraditional hours.

Dr. Weems said, Chatham County Health Department, although we are not a primary care provider, we continue to be an important provider of some preventative health services, particularly to women and children. J. C. Lewis Health Center, targeting the homeless population, and obviously with an interest in serving those with behavioral health problems, and then other private nonprofits that have specific, although again not comprehensive primary care providers, are partners that provide important services, such as Community Cardiovascular Council providing case management to those with hypertension at risk for stroke and MedBank that has assisted all of these under agencies and individuals with prescription assistance. Again, when the Safety Net was formed, our purpose was to really develop the infrastructure that would better coordinate all those resources because although they all existed, they really didn't work very well together. Patients would often go to one or the other and no one really knew where they had been before and through that process to enhance that access to primary care avoid redundancy, avoid duplication, which is not cost effective. Enhance access to medication, enhance access to specialty care. We know by talking to the physicians and to the emergency rooms that one of the problems we have is that individuals who can't access a specialist when they need it end up going back to the emergency room to try and access that care. Again, ineffective and costly. And also to consider the future opportunities to look beyond the basic primary care, and understand that really when we talk about comprehensive primary care, we're also talking about behavioral health, which has a huge impact on health and oral health services as well.

Dr. Weems said, to date one of the fundamental elements of that infrastructure was the implementation of a care navigator program, which was a unified case management system that would link uninsured patients who come to the hospital emergency rooms in our area that don't have a primary care provider with those other key community partners that do provide primary care for the population. We were able to get a grant through Healthcare Georgia Foundation, a \$200,000 grant, which funded a Care Navigator Coordinator, who's here today, Natalie Walker. She is based at Curtis V. Cooper and works with the other Care Navigators in the hospital emergency departments, the Health Department, Community Health Care Center, Savannah Health Mission, J. C. Lewis. Those are all provided in kind by those agencies to help coordinate that care and link folks to that site that probably could provide the best care for the kinds of problems and issues they have. That was implemented in March of 2006 and to date through the end of October over 2,600 individuals have been served, and as that program is strengthened in one of those months we used a web based electronic tracking software to be able to do this, there were some upgrades to the system and we were down for almost a full month — the end of August beginning of September. But we believe that number can grow significantly in 2007.

Dr. Weems said, the other piece that I think is probably one of what I consider the most important things we've done, and I hope will become one of the most important accomplishments to this Commission, is that as you look at how you invest your dollars all of these different entities, including public health, reported things differently. How you recorded define a patient's visit, how if at all you recorded patient's outcome. Does it matter that you saw 2,000 diabetics or does it matter that you saw a thousand diabetics, provided disease case management education and 80% of them had a Hemoglobin A1C less than what we consider good care. That we're

measuring not just that you provided the care, but you provided it well and the patient is having a good health outcome as a result of that care.

After some very difficult deliberations, discussions and work, the Council has developed and agreed upon the standard formula to measure health service delivery by all of the entities that are participants in the Safety Net, including health outcome that we anticipate will help us measure the impact of all the programs we put in place and of the services we provide, including the impact of the Care Navigator Program. So we see that as a very important tool. We will be applying that accountability measure to the calendar year 2006 data that we will measure and hopefully have ready to present and share with this Commission in the Spring of 2007.

Dr. Weems said, next step. There is a new program that's been implemented throughout the State. It's the Georgia Volunteer Healthcare Program. You may recall two years ago there was State legislation passed which provided enhanced liability protection to physicians who volunteer. This is very important, particularly for retired physicians who cannot afford to carry malpractice if they're just volunteering and not working. Basically, if they are seeing patients as a volunteer physician and are part of this program, which requires some appropriate screening of patients to make sure they truly are uninsured and go through that process, then if there is a lawsuit the State — the lawsuit is actually against the State. In talking to volunteer physicians, one of the hesitations to volunteer their time was the concern about their liability for malpractice. We are very optimistic that through this program, which is currently — two weeks ago Community Healthcare Center, Savannah Health Mission, [inaudible] Clinic here in Savannah began training their volunteers in the paperwork so we believe by January 2007 we'll be on board and can go out to the private physician community to try and solicit their increased participation to help serve this population. We also believe we need to continue to build on the Care Navigator Program strengthening particularly the in-kind care navigation provided in all the hospitals. Quite honestly, not all of them are putting as much effort into that equally as well as the ambulatory centers, and also build on our ability to access speciality care, and again that goes back to the Georgia Volunteer Healthcare Program because even a physician who's practicing seeing an uninsured patient in their office, if it's through and part of this program, they do have that enhanced liability protection.

We also are looking at collaborations that better utilize and leverage the funding that we have. An example is a matching grant that was offered through Memorial Health and then matched by United Way, which will provide for the expansion of the MedBank model to be co-located at Community Health Care Center and Savannah Health Mission. MedBank had a meeting yesterday with Savannah Area Behavioral Health Collaborative. They will be contracting with them to help with medication assistance at that site and possibly with Curtis V. Cooper Primary Health Care Center. They are, as was written in the original proposal, one of the participants and we are trying to work out some of the logistical problems and concerns they have about partnering in this initiative. Again we see this as a mechanism to leverage funding available to help individuals to access drugs primarily through pharmaceutical assistance programs as well as, when appropriate, helping to direct them to the cheapest way to get their meds. That might include going to Wal-Mart for a drug that's on that formulary, but understanding that each patient is different and there is an organization that has the expertise to sit down with that patient and help find them the best way, the most cost-effective way, the most affordable way for them to get all the medications they need, so you don't have the diabetic patient who needs eight medications

but she can only afford four and she's been trying to pick which four she's going to get. Because to really have a good health outcome, she probably needs all eight.

Commissioner Odell asked, will the assistance be coordinated so that if you have four sites I can go to four different sites and four different —. Dr. Weems said, MedBank like Care Navigator, uses a web-based system so that a MedBank individual who enters patient data at Community Health Care Center and sees a patient, links them to prescription assistance for three drugs, three companies, if that patient then shows up at one of the other partners, for instance if Curtis V. Cooper becomes a partner and there is a lot of back and forth, at Curtis V. Cooper the MedBank person could similarly pull up the data and say, "Oh, according to this program your prescription assistance runs out next month. While you're here, let's redo your paperwork." Yes sir. Commissioner Odell asked, and because she'd have it accessed by a different provider, are there any implications as to how HIPPA would apply? Dr. Weems said, the different partners would have to have a HIPPA business agreement signed and as each patient enrolled in the program with MedBank as the actual provider, they would be signing an individual consent that says they understand they are enrolled in this collaborative program and that their information will be available to MedBank personnel at these different sites. And the model for that — that's a good question, Commissioner Odell —, the model for that is really the Care Navigator Program where we are doing exactly the same thing because that information is available to all the Care Navigators. The Care Navigator at Memorial, if Natalie's entered a patient at Curtis Cooper who says, "Yeah, I don't know where I went last month. I went to one of the health centers." We hear that a lot. We know what they're all called. They don't always know the name. I went to a health center. The Navigator can pull it up on the web-based system if the patient's enrolled and say, "Well, you know, you were seen at Curtis Cooper and this is who your doctor is and we're going to try and link you back there." Call Natalie the next day and make sure she gets her appointment. So it is — we have a model. If you're a Navigator, we piloted that. It works. MedBank would be a similar model specifically for prescription assistance. Commissioner Odell said, and controlled access —. Dr. Weems said, correct. Commissioner Odell said, — and every access can be identified. Dr. Weems said, correct. And the patient voluntarily agrees to be part of that program. The patient isn't forced to participate. Commissioner Odell said, I know. My only concern is what private implications, if any, there would be and limitation of that confidential data, they would be giving it up to those who participate in the partnership only in that it's web-based. It's to me important that limited access and that any access be identified so that at some control point you can determine if the data had been accessed and by whom. Dr. Weems said, yes, we can and it's password protected and HIPPA — the web-based system which is actually being used in several other areas around the country is HIPPA compliant and very carefully guarded because it does have the patient's medical information on it. Commissioner Odell said, maybe Jon [Hart], I don't know — wouldn't Garcia — is it Garcia? Attorney General now is — he's the only one on the way they have written the law for HIPPA, who could bring the action. County Attorney Hart said, yeah, there's not a private remedy under the HIPPA statute. Commissioner Odell said, right.

Dr. Weems said, thank you. The recommendation today — I'm not here to ask you for money, I'm not asking you for — I know. Well, I guess I could ask you for money, but really the recommendation today, one, I wanted to lay some foundation and inform you what we were doing and what we hope to bring to you in the next three to four months and ask that the Commission, as Mr. Abolt actually said in his introductory remarks, consider how you leverage your investment in health services with community partners based on demonstrated data, demonstrated success,

and expand beyond the current limitations of the program to better meet the comprehensive needs of the community. And I would ask the Commission, as we move forward in the future and we look at this data, that we begin to consider how behavioral health and oral health are also part of those needed services for our uninsured.

Chairman Liakakis said, Doctor, are you measuring or looking at the three emergency rooms that the hospitals have about the overflow of people on indigent care, do you have the numbers and who they are going into the emergency room? The reason why I ask that question, I was at a function last evening and one of the doctors just was making comments and said that their emergency room was getting loaded down with a lot of people in that area. So do you have the statistics on that? And that's really important for our Board to know that and — so that we can address certain situations that might be occurring in those emergency rooms. Dr. Weems said, yes, Mr. Chairman. We do actually track — the hospitals individually provide for us the demographic profiles of numbers regarding the number of uninsured. We try to capture as best we can by some specific diagnosis that we have particular interest in, including diabetes and hypertension, the percentage visits, for current visits for diabetes and hypertension, and again the demographic profile as well. We know historically predominantly these have been adults. It will also give us a mechanism to track how changes in Medicaid may impact the loads of patients in the emergency room, and that is part of the data that we do track the hospitals on. Both hospital systems have been very cooperative in providing that data because obviously they are as concerned about the problem as the Commission is and are likewise supportive of the efforts of the Safety Net because they see our efforts as a mechanism to help decrease and inappropriate utilization of the emergency room for primary care issues. Chairman Liakakis said, that's good, but what I would like, if you will distribute that information to the Commissioners on the numbers of people going into the emergency rooms, and I understand you are talking about the particular medical situations with each and all, but I think it's good for us to know because we have to fund the indigent care in our community and it's good for our Commissioners to know now about who's going in those emergency rooms and what the status and the numbers are so that we can make, you know, good decisions and address whatever is necessary.

Commissioner Odell said, I feel certain that, knowing Memorial, St. Joseph's and Candler, that they probably are tracking that data. I'm certain they are, and I think what happens, Mr. Chairman, is occasionally when Medicaid changes, then some doctors opt out because quite frankly it does not reimburse them for their cost, and not only the cost of providing services, which would include their time and facilities, the medical malpractice insurance, so occasionally many doctors are saying we won't see these patients and it has nothing to do with them not liking the patient, it's just that the risk attending to seeing them isn't justified by the reimbursement. And there's a correlation between if you are a diabetic or if you have hypertension and you have been going to see Dr. X, but Dr. X no longer sees Medicaid patients, and you've run out of your medicine, where do you go? And a large number of people are using the emergency rooms as their primary care for treatment facilities. In fact, if you were to do the intake, you would probably determine, depending on income level, the lower the income level, the hospital is identified as their primary care physician. Now what we have to do is to make certain that Curtis V. Cooper and the other ambulatory care places have as much notoriety so that we can change the patterns or behavior so that they do not tie up a costly emergency room visit when they in fact could go to Curtis V. Cooper or go to one of the other ambulatory care or one of the SABHC programs, and I'm not certain if looking down at our healthcare system if we have a system. I think that we have

a lot of parts, but I'm not certain if we have a coordinated, goal-directed system. In fact, I know that we don't. I think that we can. That's why the Hospital Authority is very, very crucial and the Hospital Authority needs to become greater players in the healthcare delivery system, not just inpatient because if you don't get your medicine for diabetes or for hypertension, the incidents of your having an inpatient goes up substantially. And not only does it go up, the stay is extended because of the lack of ambulatory care treatment. I think we can change that trend, but it hasn't been looked at as a global system. And we've got to understand that the Feds are getting out of it; as budget becomes tighter, they're stepping back, and when they step back, the State's cutting flow-through monies they are receiving, not only proportionately, but proportionately with an administrative cost add-on, so more and more things are going to be dumped in our lap because they're our people within our boundaries. And one last aside, when we develop the best value program — and for information the best value program looked at county facilities that we were building and said you must have things like health insurance for your workers, you must pay a prevailing wage — what we were trying to do from that end is hopefully create a trend so that — there are about 30 to 35% of the people in this community who do not have insurance — Dr. Weems said, about 20%. It's about 20%. Commissioner Odell said, I somehow thought it was higher. Dr. Weems said, 22%. It's one out of every four, almost five. Commissioner Odell said, which is a substantial number. Dr. Weems said, it's a substantial number. And many of those with chronic illnesses. Commissioner Odell said, yeah. Dr. Weems said, and so that it is a small number of individuals who really incur most of those visits to the emergency rooms because there were current visitors, and that is part of what we hope your navigator, which is beginning small, can help identify those patients, particularly who come over and over again not so because we have limited capacity in that system now, not so much worried about the healthy 23-year-old who's uninsured who comes in with a sprained ankle, but the 50-year-old uninsured person with high blood pressure or diabetes, chronic pulmonary problems. Those are the kinds of patients we really want to educate about the importance and link them to that primary home and help them understand that the emergency room is not the best place for them to get their optimal health care. Commissioner Odell asked, will the emergency room schedule, like if you go in if you have an incident and it's one of the chronic illnesses, will they schedule the individual for a follow-up appointment with one of the primary care providers? Dr. Weems said, they actually have their in-kind care navigators who can communicate with Natalie, enter them in the system, and then Natalie will see they are entered and help assure that they not only are scheduled but that they keep their appointment, and then help work with them to understand what they need. Do they need medications? I mean, the emergency room's supposed to give them two or three days medication [inaudible] once they get to a primary care home. Again, some of the hospital emergency departments have been better staffed to provide that care navigation than others. There's only salaried position right now and that is at Curtis V. Cooper at the receiving end. Everything else is in-kind right now. Commissioner Odell said, we've got to change that. Honestly, we really do because money spent on that end is money we save for unnecessary emergency visits, which could be seen at a primary care, which is substantially cheaper. So it's money well spent. Dr. Weems said, and as we complete this evaluation, this January through December evaluation, that is the information we hope to bring back to you by March with recommendations for what we see is working and what we hope we can sustain.

Commissioner Shay said, great presentation. I appreciate the information that was brought forward. I'm going to pay you back a little bit on what Commissioner Odell said. I think it's clear to us as Commissioners as we look across the spectrum of issues that we're facing that we're

entering into an era of diminishing resources at all levels, whether it's federal or state or our own resources, and at the same time we are seeing an increasing number of people who are using these services, many of whom are not residents of Chatham County. Commissioner Odell said, or this country. Commissioner Shay said, and so one of the things that we have to be cognizant of as a Board is, you know, when you're keeping track of these statistics — I don't mean to be heartless here — I want to know whether or not somebody's taking their diabetes medication, but I think we also at all these locations, whether it's the hospitals or whether it's Curtis V. Cooper or any of these places, need to know more about where these people are coming from so we have zip codes. We don't want names, you know, but — so we've got to have more information about that. So you're nodding at me so — Dr. Weems said, we are tracking by county. I'll be honest, outside of Chatham County we have not tracked. We've done some mapping in Chatham County by — particularly with ED utilization — with census track and zip codes outside of Chatham all we've really done is patient's visits at some of these sites by county. You know, how many are coming from Bryan, Effingham, and that's a very good point. Commissioner Shay said, I mean, we just need to know where these folks come from because we need to look to some of those outlying counties or to other institutions to say we would like for you to be a partner in us providing healthcare. The final comment that I have is as much as I would like to see us expand into the areas of behavioral health and oral health services, we have to also be cognizant of the fact that in an era of diminishing resources, what we're first going to have to focus on is getting as much efficiency as we possibly can for the dollars that we're spending, and that's why that accountability piece is absolutely fundamental in my mind to understanding the dimensions of the problem. I mean, we are being, I think, generous as a county in continuing to provide services for a lot of folks and we don't want to stop being generous, but I think we'd like to know that our generosity is a very efficient generosity.

Dr. Weems said, and I agree and I would like to add because we often don't say this to the Commissioners, at the level of the Safety Net and looking and talking to other programs around the country, citizens of Chatham County I don't think really understand how supportive this Commission has been of health services to the uninsured. Most county commissioners have not provided that level of support. As a Safety Net we feel it is our job to make sure you're getting the biggest bang for the buck for those dollars that you have committed and invested, and we see that as our job and commitment to you and we appreciate your support.

County Manager Abolt said, Mr. Chairman and ladies and gentlemen, by way of benediction I remember, like y'all do, the criticism you took because you participated in NACo. Please understand if you all did not participate in NACo, none of this would have been possible.

Chairman Liakakis said, okay. Thank you, Doctor. Dr. Weems said, thank you very much. Chairman Liakakis said, I appreciate the presentation and if you could get that information to us in the not too distant future — Dr. Weems said, we will do that. Chairman Liakakis said, — so that we could look at it and address the problems. Dr. Weems said, yes sir.

Commissioner Odell said, you know, our Health Department really — and I'm just really very, very pleased with our Health Department. I have to give a lot of the credit to you, Doctor, and to Dr. Skelton for his leadership, which often, Doc, it's unsung, but you all are doing some things that often don't hit the paper but I think substantially impacts this community in the quality of life and every citizen here, and you are to be commended. Dr. Weems said, thank you very much.

Chairman Liakakis recognized Commissioner Thomas.

Commissioner Thomas said, I just want to thank you also. I also want to say that, and perhaps have gotten some assignments as well, but I've just been asked to serve on the NACo's Health and Education Committee, which I will be able to get more information from the national level coming down to the local level.

Chairman Liakakis said, okay. Thank you, Doctor. Dr. Weems said, thank you.

ACTION OF THE BOARD:

Dr. Diane Weems gave an oral briefing on the Chatham County Safety Net Planning Council's annual report and the status of care for the uninsured and underinsureds in Chatham County.

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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 10 and under Item 10 we have Items A through Q. Are there any items that the County Commissioners would like to hold up and take a vote on all items except the ones excepted by the Commission? Any items?

Commissioner Odell said, move for approval of the balance of the Action Calendar minus those items identified earlier. Commissioner Gellatly said, second. Commissioner Thomas said, second.

Chairman Liakakis said, all right. All in — let's go on the board. The motion carried unanimously. [NOTE: Commissioners Shay and Kicklighter were not present when this vote was taken.]

ACTION OF THE BOARD:

Commissioner Odell moved to approve Items 1 through 10-Q, both inclusive. Commissioners Gellatly and Thomas seconded the motion and it carried unanimously. [NOTE: Commissioners Shay 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 NOVEMBER 3, 2006, AS MAILED.

ACTION OF THE BOARD:

Commission Odell moved to approve the minutes of the regular meeting of November 3, 2006. Commissioners Gellatly and Thomas seconded the motion and it carried unanimously.

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2. CLAIMS VS. CHATHAM COUNTY FOR THE PERIOD OCTOBER 26 THROUGH NOVEMBER 8, 2006.

ACTION OF THE BOARD:

Commissioner Odell moved to authorize the Finance Director to pay the claims against the County for the period October 26, 2006, through November 8, 2006, in the amount of \$2,702,429. Commissioners Gellatly and Thomas seconded the motion and it carried unanimously. [NOTE: Commissioners Shay and Kicklighter were not present when this vote was taken.]

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3. REQUEST BOARD DECLARE SURPLUS REMNANT PARCEL 62R, 64R, 66R AND 68R CONTAINING 1.14 ACRES WHICH WAS ACQUIRED FOR TRUMAN PARKWAY PHASE 4 AND PROCEED WITH THE SEALED BID PROCESS. [DISTRICT 6.]

ACTION OF THE BOARD:

Commissioner Odell moved to declare surplus Remnant Parcels 62R, 64R, 66R and 68R containing 1.14 acres which was acquired for Truman Parkway, Phase 4, and authorized staff to proceed with a sealed bid process. Commissioners Gellatly and Thomas seconded the motion and it carried unanimously. [NOTE: Commissioners Shay and Kicklighter were not present when this vote was taken.]

AGENDA ITEM: X-3

AGENDA DATE: November 17, 2006

TO: Board of Commissioners

THRU: R. E. Abolt, County Manager

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

ISSUE: To declare surplus remnant parcel 62R, 64R, 66R and 68R containing 1.14 acres which was acquired for Truman Parkway Phase 4 and proceed with the sealed bid process.

BACKGROUND: The County acquired these remnant parcels as a part of the acquisition for the right-of-way for Truman Parkway Phase 4. The four parcels are contiguous and are located on Thomas Avenue about 300 feet from Montgomery Cross Road.

FACTS AND FINDINGS:

1. The properties can be declared surplus since there is no known County need for the properties and the Truman Parkway Phase 4 project is complete. The property is presently zoned RA. The property is irregular in shape but has about 290 feet of frontage on Thomas Avenue.
2. Conditions of the purchase of the property include:
 - a. That the four properties be combined into a single parcel.
 - b. That only one driveway access point will be allowed onto Thomas Avenue.
3. The property will be sold in accordance with Georgia law through a sealed bid process to the highest bidder. State law requires that the property not be sold for less than fair market value.
4. Chatham County's right-of-way acquisition agent has advised that their opinion of the fair market value of the property is from \$197,435 to \$282,050 depending on zoning. Based on the current zoning, staff believes the Fair Market Value is \$200,000

ALTERNATIVES:

1. That the Board declare surplus remnant parcel 62R, 64R, 66R and 68R containing 1.14 acres which was acquired for Truman Parkway Phase 4 and proceed with the sealed bid process.
2. That the Board take no action.

FUNDING: Proceeds from the sale of the property will become revenues to SPLOST.

POLICY ANALYSIS: The Board must follow Georgia Code §36-9-3 et al. which provides certain legal requirements for disposition of publicly owned property.

RECOMMENDATION: That the Board approve Alternative No. 1.

District 6

Prepared by Allan R. Black

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4. REQUEST FROM EMC, ENGINEER FOR THE DEVELOPER, HERB RIVER, LLC, FOR THE COUNTY TO RECORD THE SUBDIVISION PLAT FOR HERB RIVER BEND SUBDIVISION, PHASE 1, ACCEPT THE SUBDIVISION AGREEMENT AND FINANCIAL GUARANTEE AND WAIVE THE REQUIREMENT FOR A STREETLIGHT ASSESSMENT DISTRICT. [DISTRICT 3.]

ACTION OF THE BOARD:

Commissioner Odell moved to approve the request from EMC, engineer for the developer, Herb River, LLC, for the County to record the subdivision plat for Herb River Bend Subdivision, Phase 1, accept the Subdivision Agreement and Financial Guarantee and waive the requirement for a Streetlight Assessment District. Commissioners Gellatly and Thomas seconded the motion and it carried unanimously. [NOTE: Commissioners Shay and Kicklighter were not present when this vote was taken.]

AGENDA ITEM: X-4

AGENDA DATE: November 17, 2006

TO: Board of Commissioners

THRU: R. E. Abolt, County Manager

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

ISSUE: To record the subdivision plat for Herb River Bend Subdivision, Phase 1, accept the subdivision agreement and financial guarantee and waive the requirement for a streetlight assessment district.

BACKGROUND: The engineer, EMC, for the developer, Herb River, LLC, requests that the County approve the final plat for recording, accept the subdivision agreement and financial guarantee and waive the requirement for a streetlight assessment district.

FACTS AND FINDINGS:

1. Herb River Bend is a new subdivision located on LaRoche Ave. This Phase consists of 44 lots on 15.12 acres. Paving and drainage improvements will be maintained by the Herb River Bend Homeowners' Association. Water and sewer will be maintained by the City of Savannah.
2. Staff approved construction plans and issued a permit. Construction of the improvements is underway.
3. The developer has submitted a letter of credit issued by BankSouth in the amount of \$1,075,000, which is 100% of the cost of improvements.

4. The developer has requested that the Board waive the requirement for a streetlight assessment district. Streetlights will be provided and will be maintained by the Homeowners' Association.
5. An Environmental Site Assessment was previously conducted on the subdivision in accordance with the Subdivision Ordinance. No environmentally unsafe conditions were found on the site.

ALTERNATIVES:

1. To approve the recording of the subdivision plat for Herb River Bend, Phase 1, accept the subdivision agreement and financial guarantee, and waive the requirement for a streetlight assessment district.
2. Do not approve the request.

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

RECOMMENDATION: That the Commissioners adopt Alternative No. 1.

District 3

PREPARED BY: Suzanne Cooler

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**5. REQUEST FROM SOUTHEAST ENGINEERING AND ENVIRONMENTAL, ENGINEER FOR THE DEVELOPER, BERWICK TOWNHOMES, LLC, FOR THE COUNTY TO RECORD THE SUBDIVISION PLAT FOR GLENWOOD GROVE (A.K.A. BERWICK TRACT A-3).
[DISTRICT 7.]**

ACTION OF THE BOARD:

Commissioner Odell moved to approve the request from Southeast Engineering and Environmental, engineer for the developer, Berwick Townhomes, LLC, for the County to record the subdivision plat for Glenwood Grove (a.k.a. Berwick Tract A-3). Commissioners Gellatly and Thomas seconded the motion and it carried unanimously. [NOTE: Commissioners Shay and Kicklighter were not present when this vote was taken.]

AGENDA ITEM: X-5

AGENDA DATE: November 17, 2006

TO: Board of Commissioners

THRU: R. E. Abolt, County Manager

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

ISSUE: To record the subdivision plat for Glenwood Grove (aka Berwick Tract A-3).

BACKGROUND: The engineer, Southeast Engineering and Environmental, for the developer, Berwick Townhomes LLC, requests that the County approve the final plat for recording.

FACTS AND FINDINGS:

1. Glenwood Grove is a private townhome community in Berwick Plantation. The development consists of subdividing 132 townhome lots on 15 acres.
2. Staff approved construction plans and issued a permit. Construction of the improvements is underway.
3. All common area, paving and drainage will be owned and maintained by the Glenwood Grove Homeowners Association. The water and sewer improvements will be owned and maintained by Consolidated Utilities.
4. The developer previously submitted a letter of credit issued by First Chatham Bank in the amount of \$688,459.50, which is 100% of the cost of improvements for this phase. The Board accepted the letter of credit and the subdivision agreement at their August 11, 2006 meeting.
5. An environmental site assessment was previously conducted on the subdivision in accordance with the Subdivision Ordinance. No environmentally unsafe conditions were found on the site.

ALTERNATIVES:

1. To approve the recording of the subdivision plat for Glenwood Grove.
2. Do not approve the request.

FUNDING: None required.

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

RECOMMENDATION: That the Commissioners adopt Alternative No. 1.

District 7

PREPARED BY: Suzanne Cooler

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**6. REQUEST BOARD TO RECORD THE SUBDIVISION PLAT FOR SARANAC SUBDIVISION LOT 7 (A.K.A. BERWICK MINI STORAGE), AND ACCEPT THE SUBDIVISION CONSTRUCTION AGREEMENT AND FINANCIAL GUARANTEE.
[DISTRICT 7.]**

ACTION OF THE BOARD:

Commissioner Odell moved to approve the request to record the subdivision plat for Saranac Subdivision Lot 7 (a.k.a. Berwick Mini Storage) and accept the Subdivision Construction Agreement and Financial Guarantee. Commissioners Gellatly and Thomas seconded the motion and it carried unanimously. [NOTE: Commissioners Shay and Kicklighter were not present when this vote was taken.]

AGENDA ITEM: X-6

AGENDA DATE: November 17, 2006

TO: Board of Commissioners

THRU: R. E. Abolt, County Manager

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

ISSUE: To record the subdivision plat for Saranac Subdivision Lot 7 (aka Berwick Mini Storage) and accept the subdivision construction agreement and financial guarantee.

BACKGROUND: The engineer, Kern-Coleman & Co., for the developer, Chatham Investment Group, requests that the County approve the final plat for recording and accept the subdivision construction agreement and financial guarantee.

FACTS AND FINDINGS:

1. Saranac Subdivision Lot 7 is a private commercial subdivision located on Hwy17, just south of Cottonvale Road. The development consists of 4 commercial lots on 7.66 acres.
2. Paving and drainage will be maintained by the property owners. Water and sewer will be provided by Consolidated Utilities.
3. The developer submitted a letter of credit issued by Darby Bank in the amount of \$209,735.50, which is 100% of the cost of improvements.
4. An environmental site assessment was previously conducted on the subdivision in accordance with the Subdivision Ordinance. No environmentally unsafe conditions were found on the site.

ALTERNATIVES:

1. To approve the recording of the subdivision plat for Saranac Subdivision Lot 7 and accept the subdivision construction agreement and financial guarantee.
2. Do not approve the request.

FUNDING: None required.

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

RECOMMENDATION: That the Commissioners adopt Alternative No. 1.

District 7

PREPARED BY: Suzanne Cooler

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7. REQUEST FROM THE TAX COMMISSIONER’S OFFICE FOR THE BOARD OF COMMISSIONERS TO WRITE OFF UNCOLLECTIBLE PERSONAL PROPERTY TAXES FOR THE PERIOD OF 1999 THROUGH 2006, WITH AN ADDITIONAL REQUEST TO INSTRUCT THE BOARD OF ASSESSORS NOT TO CREATE A 2007 ASSESSMENT AND/OR ANY SUBSEQUENT ASSESSMENT OF THE SAME PROPERTIES.

ACTION OF THE BOARD:

Commissioner Odell moved to approve the request from the Tax Commissioner’s Office to write off uncollectible personal property taxes for the period of 1999 through 2006, with an additional request to instruct the Board of Assessors not to create a 2007 assessment and/or any subsequent assessment of the same properties. Commissioners Gellatly and Thomas seconded the motion and it carried unanimously. [NOTE: Commissioners Shay and Kicklighter were not present when this vote was taken.]

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8. REQUEST BOARD APPROVAL OF ENCROACHMENT AGREEMENT WITH CITY OF SAVANNAH FOR 71 ROSS ROAD (CNT).

ACTION OF THE BOARD:

Commissioner Odell moved to approve an Encroachment Agreement with City of Savannah for 71 Ross Road (CNT) pertaining to a County fence upon the property of the City. Commissioners

Gellatly and Thomas seconded the motion and it carried unanimously. [NOTE: Commissioners Shay and Kicklighter were not present when this vote was taken.]

AGENDA ITEM: X-8

AGENDA DATE: November 17, 2006

TO: Board of Commissioners

THRU: R. E. Abolt, County Manager

FROM: R. Jonathan Hart, County Attorney

ISSUE: Entry of Agreement with the City of Savannah regarding County Fence Encroachment

ISSUE:

Request approval as to entry of Agreement with the City of Savannah pertaining to a County fence encroachment upon the property of the City.

BACKGROUND:

Chatham County acquired Lot 7A of a subdivision of Lot 7, Savannah Industrial Park from Loreal USA for purposes of providing office space for CNT. As part of the acquisition and preparation of the building for this use, a security fence was erected around the building.

The City of Savannah desires to acquire a contiguous piece of property to the north of the County property known as Lot 7B of a subdivision of Lot 7, Savannah Industrial Park. During the course of surveying the property for acquisition by the City of Savannah, it became apparent that a portion of the County fence for CNT encroaches at its furthest point approximately five feet into the proposed property to be acquired by the City. In discussions with the City Attorney, an agreement has been reached to allow the fence to remain in place upon the City property after acquisition and the County would enter into an Encroachment Agreement acknowledging that although the fence encroaches upon the City's property the County will not acquire an easement or right of possession by virtue of the encroachment. The City grants the County a license.

FACTS AND FINDINGS:

1. Chatham County acquired Lot 7A of a subdivision of Lot 7, Savannah Industrial Park from Loreal USA for purposes of providing office space for CNT.
2. As part of the acquisition and preparation of the building for this use by Chatham County, a security fence was erected around the building.

3. The City of Savannah desires to acquire a contiguous piece of property to the north of the County property known as Lot 7B of a subdivision of Lot 7, Savannah Industrial Park.
4. During the course of surveying the property for acquisition by the City of Savannah, it became apparent that a portion of the County fence for CNT encroaches as its furthest point approximately five feet into the proposed property to be acquired by the City.
5. In discussions with the City Attorney, an agreement has been reached to allow the fence to remain in place upon the City property after acquisition and the County would enter into an Encroachment Agreement acknowledging that although the fence encroaches upon the City's property the County will not acquire an easement or right of possession by virtue of the encroachment. The City grants the County a license.

FUNDING:

N/A

RECOMMENDATION:

1. Approve entry of Agreement with the City of Savannah pertaining to a County fence encroachment upon the property of the City.
2. Do not approve entry of Agreement with the City of Savannah pertaining to a County fence encroachment upon the property of the City.

RJH/jr

**STATE OF GEORGIA
COUNTY OF CHATHAM****AGREEMENT AS TO ENCROACHMENT OF FENCE**

THIS AGREEMENT, made and entered into this ____ day of November, 2006, between Chatham County, hereinafter referred to as ("County"), and City of Savannah, hereinafter referred to as ("City").

WITNESSETH:

WHEREAS, County is the owner of a fence situated as follows: Lot 7A, a resubdivision of Lot 7, Savannah Industrial Park, Chatham County, Georgia, and City is the Purchaser of Lot 7B, a resubdivision of Lot 7, Savannah Industrial Park,

Chatham County of a lot of land adjoining the same on the northern boundary line of Lot 7A and the southern boundary line of Lot 7B.

WHEREAS, by mistake a portion of the said fence belonging to County encroaches on the land of City and it is mutually desired that such fact shall not create a right or easement,

NOW, THEREFORE, in consideration of the premises and of the mutual covenants herein made, it is agreed as follows:

1. The said encroachment of the said fence belonging to the County shall be deemed to have been made, and the continuance of the same hereafter shall be deemed to be, with the express permission, license, and consent of City, so that County shall not acquire any easement or right in respect to the same. The City grants the County a license to continue to have its fence encroach upon County property as shown on Plat attached as Exhibit "A" and made a part of this Agreement.

2. This Agreement shall inure to the benefit of the respective owners for the time being of the above-described lots of land, who shall be bound by all the terms thereof, and the names of any such owners shall be deemed to be included wherever the names of the parties hereto respectively occur.

IN WITNESS WHEREOF, the undersigned parties have hereunto set their hands and affixed their seals, on this the day and year first above written.

CHATHAM COUNTY, GEORGIA

BY: _____
Pete Liakakis, Chairman
Chatham County Board of Commissioners

ATTEST: _____
Sybil E. Tillman
Clerk of Commission

Executed in the presence of:

Witness

Notary Public

FOR THE MAYOR AND ALDERMEN OF THE CITY OF SAVANNAH

BY: Michael B. Brown, City Manager

ATTEST: Dyanne C. Reese Clerk of City Council

Executed in the presence of:

Witness

Notary Public

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9. REQUEST BOARD ADOPT THE 2007 HOLIDAY SCHEDULE.

ACTION OF THE BOARD:

Commissioner Odell moved to approve the 2007 holiday schedule as follows: New Year's Day - January 1, Martin Luther King, Jr. Day - January 15, George Washington's Birthday (President's Day) - February 19, Memorial Day - May 28, Independence Day - July 4, Labor Day - September 3, Veterans Day (Observed) - November 12, Thanksgiving (two days) - November 22 and 23, Christmas Eve - December 24, and Christmas Day - December 25. Commissioners Gellatly and Thomas seconded the motion and it carried unanimously. [NOTE: Commissioners Shay and Kicklighter were not present when this vote was taken.]

AGENDA ITEM: X-9
AGENDA DATE: November 17, 2006

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

Issue: To adopt the 2007 holiday schedule.

Background:

Each year the Board sets the holiday calendar in order to allow departments to schedule business activities.

Facts and Findings

1. As per the Personnel Ordinance and Procedures Manual, employees appointed to full-time regular, part-time regular and seasonal positions shall receive regular compensation for eleven holidays per year, or any other day proclaimed by the Board of Commissioners as a holiday.
2. Attached is the proposed holiday schedule for January 2007 through December 2007. These holidays are recognized nationally and are not chosen based upon any religious uniqueness.

Funding:

No additional funds required. These days are currently budgeted as work days.

Alternatives:

1. Adopt attached schedule.
2. Adopt attached schedule with modifications.

Policy Analysis:

It is the policy of the board to provide paid holidays as an employee benefit. This practice is consistent with other major employers in the local labor market area.

Recommendation: That the Board adopt Alternative One.

**CHATHAM COUNTY
2007 HOLIDAY SCHEDULE**

| | |
|---|-------------|
| New Year's Day | January 1 |
| Martin Luther King, Jr. Day | January 15 |
| George Washington's Birthday (President's Day) | February 19 |
| Memorial Day | May 28 |
| Independence Day | July 4 |

| | | |
|-------------------------|------------|------------------|
| Labor Day | | September 3 |
| Veterans Day | (Observed) | November 12 |
| Thanksgiving (two days) | | November 22 & 23 |
| Christmas Eve | | December 24 |
| Christmas Day | | December 25 |

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

| <u>ITEM</u> | <u>DEPT.</u> | <u>SOURCE</u> | <u>AMOUNT</u> | <u>FUNDING</u> |
|--|---------------------------------------|--|---------------|--|
| A. Software upgrades | Assessor | ESRI, Inc. (Sole Source) | \$22,915 | General Fund/M&O - Assessor |
| B. Construction of sidewalks | Facilities Maintenance and Operations | Coastline Concrete Service, Inc. | \$17,649 | General Fund/M&O - ADA Compliance |
| C. WordPerfect software maintenance agreements | ICS | Software House International (State Contract) | \$25,005 | General Fund/M&O - ICS |
| D. Confirmation of emergency service to evaluate the fire alarm system | Detention Center | Brewer Technology Solutions, Inc. | \$11,600 | General Fund/M&O - Detention Center |
| E. Two (2) additional mowing tractors | Public Works | Atlantic Coastal Equipment | \$39,110 | CIP - Public Works |
| F. One (1) additional one ton pickup truck | Public Works | J.C. Lewis Ford | \$25,910 | CIP - Public Works |
| G. One (1) - ½ ton pickup truck | Public Works | J.C. Lewis Ford | \$17,300 | CIP - Public Works |

| | | | | |
|--|--------------------------------|--|----------------------------|---|
| H. Storage Area Network system upgrade | ICS | Xiotech (Sole Source) | \$105,000 | CIP - Communications |
| I. Annual contract with automatic renewal options for four (4) additional one year terms to provide specialized water and wastewater system repairs | Water and Sewer | •Primary: Savannah River Utilities •Secondary: Water Wastewater Contractors | Varies by service provided | Water and Sewer |
| J. Contract for concrete repairs at the Mosquito Control facility | Mosquito Control | E & D Contracting Services, Inc. (WBE) | \$54,663 | •General Fund/M&O - Mosquito Control - (\$5,000) •CIP - Mosquito Control - (\$50,000) |
| K. Extend lease agreement for 12 months for three (3) modular units | Public Works and Park Services | Williams Scotsman, Inc. | \$53,505 | •SSD - Public Works - \$41,407.20 •General Fund/M&O - Parks and Recreation - \$12,097.80 |
| L. Declare Piper Aztec airplane as unserviceable surplus and approve to sell for an online auction | Mosquito Control | N/A | N/A | Revenue Producing |
| M. Payment for Riverwalk Project | SPLOST | Savannah International Trade and Convention Center | \$151,400 | SPLOST (1998-2003) - Hutchinson Island Riverwalk Construction |
| N. Change Order No. 1 to the contract for Chatham County Courthouse renovations, Phase I - Underground Connector for additional work beyond the scope of service | SPLOST | The Industrial Company (TIC) | \$27,843 | SPLOST (2003-2008) - Courthouse Renovations |

| | | | | |
|---|----------------|-----------------------------|------------------------|---|
| O. Temporary restroom facilities | SPLOST | Royal Restrooms | \$12,600 | SPLOST (2003-2008) - Courthouse Renovations |
| P. Roof renovations for CNT warehouse | CNT | The House Doctor | \$10,655 | 2005 DSA Bonds - CNT Headquarters |
| Q. Confirmation emergency approval for interim cooling system | Aquatic Center | •United Rental •W.W. Gay | Not to exceed \$87,840 | 2005 DSA Bonds - Aquatic Center |

ACTION OF THE BOARD:

Commissioner Odell moved to approve Items 10-A through 10-Q, both inclusive. Commissioner Gellatly and Thomas seconded the motion and it carried unanimously. [NOTE: Commissioners Shay 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.

None.

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XII. SECOND READINGS

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 rezone 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.]

Chairman Liakakis asked, do we have a motion to — on this item?

Commissioner Stone said, I just have a couple of questions. I don't see anyone from the MPC, but is the petitioner in agreement with the alternate proposal?

Mr. Richard Garrard said, yes ma'am. County Attorney Hart said, identify yourself please. Mr. Garrard said, my name is Richard Garrard. I'm the petitioner's agent. The alternate zoning of P-R-3-4.25/EO was a compromise that was reached at the Zoning Board of Appeals and we agreed with them — accepted it. Commissioner Stone said, I just wanted to make sure that we were all —.

Commissioner Farrell said, I'll make a motion for approval. Commissioner Thomas said, second.

Chairman Liakakis said, okay, we have a motion on the floor.

County Manager Abolt said, we have our MPC rep in case there's further questions, Mr. Chairman. Commissioner Shay asked, we do? County Manager Abolt said, he just walked in. Commissioner Shay said, we do.

Chairman Liakakis said, okay. So we're voting on the alternate. Commissioner Stone said, the alternate. Chairman Liakakis said, let's go on the board. The motion carried unanimously. [NOTE: Commissioners Holmes and Kicklighter were not present when this vote was taken.] Chairman Liakakis said, the motion passes for the alternate that's recommended by the MPC.

ACTION OF THE BOARD:

Commissioner Farrell moved to **deny** the petition of Richard Guerard, Agent (for Kennedy Ragsdale and Associates) 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 as requested, and **approve** the rezoning of the subject property to an alternate P-R-3-4.25/EO classification. Commissioner Thomas seconded the motion and it carried unanimously.

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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.

Chairman Liakakis said, we've had some discussion on it, individual members and all, and what we'd like to do at this point, if we have anybody from the audience that would like to make any comments on this particular proposed ordinance. If you'll step forth and come to the podium and state your name please and give us the information.

Ms. Anna Maria Thomas said, hello. My name is Anna Maria Thomas. I've been a Chatham County employee for 30 years this June and I love my job. I'm also on the Thunderbolt Town Council. I'm on — I am the Mayor. Six years ago when I first decided to run, I asked permission and received permission to run for my municipality, and I have worked hard at both my jobs. I don't know why all of a sudden we have decided to make these changes in our Personnel Policies for running for nonpartisan positions. As far as I know, there's never been any conflict with my job as an employee or as being — for being Mayor. As Spencer Lawton stated in his letter, conflicts between elected office and County employment can be taken up on a case by case basis if something was to come up. I strongly oppose this change and hope you rethink this. Working together for the benefit of all citizens has always been my top priority.

Ms. Thomas said, I also have a resolution that Town Council presented and I'd like to read that.

Whereas, the Chatham County Commission is considering a law prohibiting Chatham County employees from running for elected office in nonpartisan elections; and

Whereas, there is no reason why there should be a conflict as long as the County employee does not run for a County elective office; and

Whereas, participating in the political process is the right and privilege granted to all citizens; and

Whereas, if passed, this legislation would create a class of second-rate citizens barred from the political process by merely serving in the employee of Chatham County.

Be It Resolved that the Mayor and Aldermen strongly oppose this ill-advised legislation and strongly urge its defeat.

Ms. Thomas said, that's all from me. I've also been asked to read from Van — for Van Johnson, who is not here, a statement. Is that okay? Chairman Liakakis said, sure. Go ahead.

Ms. Thomas read the following:

Chairman Liakakis and Honorable Members of the Chatham County Commission:

I regret that I am unable to address you personally as I am in Valdosta today to represent Chatham County as a graduate from Leadership Georgia. I appreciate the opportunity to have served Chatham County as a Chatham County Police Officer and now as a Manager in the Human Resources and Services Department.

I also greatly value the opportunity to serve during my personal time as an elected representative of the citizens of the First District in the City of Savannah. While I may be

able to continue serving in my present capacity and maintain my employment under the proposed change, I am very concerned that the same change in the ordinance would prevent other County employees from seeking partisan elected office.

The present policy, adopted in 1998, was clear and intentional when it made a clear distinction between elected partisan and nonpartisan office. It was a thoughtful policy that stipulated that candidates for partisan elected office would have to take a leave of absence once they officially qualified for that position and resign the position so they could become elected to the office they sought. This would prevent someone from running for a state or county elected position because it could create a conflict of interest for some very uncomfortable situation.

The present policy also allowed employees who wish to serve their community in a nonpartisan elected capacity to do so and not conflict with their county position. This is consistent with federal, state and local governments and allow their employees to serve in elective office.

I did not see a leave of absence during my qualification or election in 2003, and I believe this is true with the other two employees that hold municipal office. Likewise, my elected position has not caused conflict for me, my department or the county, and I believe the same is true for the two other similarly situated county employees.

I think that it is a testament to Chatham County to be able to develop leaders that can lead other jurisdictions. I believe that our elections have also contributed to the highest level of cooperation between the county and the municipal governments in recent memory. I believe that other employees have strongly considered nonpartisan elected offices as an opportunity to remain with Chatham County rather than to seek other employment opportunities that would satisfy us, plus the desire to serve and their need to eat and feed their families.

So I have to ask the unasked question. Why change the policy? Why change it now? Why take away the opportunity for service for self-actualization and county employees have enjoyed for the most — for almost 20 years.

I ask you to think about your elected service and what made you want to serve. Certainly you know that it was not for the money, but it was because of a yearning deep inside your soul to make this community better than you found it. Imagine if someone changed a rule or regulation or an ordinance or a law that could — and you could not serve or either prevent you from serving at all.

In a time that Chatham County is aggressively seeking citizens to serve on Chatham County's boards, authorities and commissions, I respectfully ask you to reconsider this preemptive action based on political conflicts that have not occurred. I ask you to handle any such incidents as they occur and continue to support the personal rights of Chatham County employees to serve in nonpartisan elected office. Trust me. Chatham County is better because of it.

Ms. Thomas said, thank you all.

Chairman Liakakis said, next.

Ms. Maggie Puccini said, my name is Maggie Puccini. I'm an attorney here in Savannah, and today I'm speaking on behalf of Misty Bethune, who is the third County employee who holds elected office and is impacted by this proposed amendment. Ms. Bethune is a Councilwoman with Garden City city council and she approached her supervisor before running for this position and it was approved, and I believe it could be shown that her job performance has not been impacted by her public service. This amendment would allow her to continue to serve on the city council as long as she's continuously reelected to that position, but it would prevent her from seeking a different elected position. I think the policy behind the proposed amendment is to maintain order, discipline and efficiency in the work place. We question whether this amendment will affect that [inaudible] policy. I think if we want to maintain order or discipline and efficiency in the workplace, you may also have to prohibit County employees from holding any part time job outside their full time County position for any volunteer organization can make — even want to prohibit people from having children at some point, because that certainly impacts the order, discipline and efficiency of the workplace, and I can testify to that because I have a small child so it does impact that. I think also and most importantly the proposed amendment does not comply with the Federal Hatch Act. This Act is applicable to Chatham County employees, specifically Ms. Bethune because of the receipt of federal grants by the County. The Act itself prohibits state and local employees from taking part in political campaigns or holding elective offices, but it specifically exempts the prohibition from non — it specifically exempts — excuse me — specifically exempted from this prohibition is the holding of a nonpartisan elective office. I think that the council's proposed amendment or the Commission's proposed amendment, because it does not exempt nonpartisan elective office, it violates the Hatch Act in that it would not withstand judicial scrutiny. I think if the Commission wanted to amend this policy, it should be redrafted to comply with the Hatch Act by allowing County employees to hold elective nonpartisan positions. The stated policy and purpose could be served by requiring employees to obtain approval of their supervisors prior to running for nonpartisan offices. It could allow the supervisor to evaluate on a case by case basis and to determine based on facts and circumstances known to him or her whether the order, discipline and efficiency in his or her workplace could be maintained while the employee performs a public service by serving in an elected nonpartisan office.

Chairman Liakakis said, thank you. Okay, we've had discussion on this. There has been conversations between individual Commissioners and all. Chairman Liakakis recognized Commissioner Kicklighter.

Commissioner Kicklighter said, thanks, Mr. Chairman. I definitely understand where everyone's coming from on that and what I think we are trying to accomplish here is basically we always talk about planning ahead, planning for the future, and I'll give you one example of a potentially just major, major conflict if the current trend of allowing things to go like it's been allowed continues. Should we ever have the Mayor of Savannah working for Chatham County, current state laws requires that the City of Savannah agree in writing with the County on what goes on the final — on, say, SPLOST, take for example, Special Purpose Local Option Sales Tax. If that person was an employee here, was the Mayor of that largest city, that's potentially a — just a major effect on the County itself in negotiating with them because it's — it's a situation that I think none of us would ever want to see ourselves in as representatives of the people of all of Chatham County. That wouldn't be good for this whole County and it's — what I've done, I've read the concerns that

the District Attorney said last night, and right off the bat I'll state that we appreciate all of you that's in office right now and we didn't in no way shape or harm want to halt, hinder, stop what you're doing. That's why immediately we all said, yeah, they can retain and seek reelection for the position they're in now, but just no other office. After reading the District Attorney's concerns, I really understand what he was stating there because you have specialized positions out there under a lot of the constitutional officers, such as the District Attorney. You've got an Assistant District Attorney so should one day the District Attorney not seek office, who better or more logically qualified would be, you know, one of the Assistant District Attorneys. So what I — and the same would go with the Sheriff's Department and, you know, et cetera — so what I think that we can do is possibly, and it may take just tabling it period because I just handed this to the attorney and everybody because we just received this from the District Attorney, I guess, this morning — is I think we need to amend this what we have here. In other words I think we need it with an amendment that allows Chatham County employees to seek the following elected offices without forced resignation, which would be Chatham County Commissioner, Chatham County Chairman, or Chatham County constitutional officer positions provided that the incumbents not seeking reelection of the position in which the Chatham County employee is seeking, but should a Chatham County employee seek one of the elected offices stated above and the incumbent for that position is seeking reelection, the Chatham County employee must take an unpaid leave of absence starting the date the Chatham County employee qualifies for office and ending the first day the newly elected officials are sworn into office. By doing so there you're not taking someone — you're not taking any rights away for anyone in those positions to help out within that Chatham County Government, which they are serving, but you're taking potential conflict away from someone working for the boss, running against them, and it just being reeking havoc for that period of time. So you would have them taking an unleave — unpaid leave of absence until the first day the people started back, and again I think we are just all looking at the future on that. It's — y'all know how it works because you all are in governments. Your positions, and I'll be quite honest, I don't see, but you know how it goes. You pass an ordinance, it applies all over. I personally don't see a problem with personally smaller municipalities because you don't have 55% or whatever over the population, but I see a major problem with possibly having an entire Savannah Council and Mayor on there and they, or in most of our agreements, major agreements on how to distribute sales tax revenues. And y'all know this, unfortunately when you pass an ordinance, it's all the way across, but if we don't do something we could have major problems in the future, and that's what this kind of addresses.

County Manager Abolt said, Mr. Chairman, ladies and gentlemen, why don't you give us a chance to look at this. At first blush I just can see the problem. This is not me as an individual, but if you had an employee for which I was responsible running for the chairmanship, that person would be one of my bosses and my employer. I don't know how I would handle that.

Chairman Liakakis said, right. Chairman Liakakis recognized Commissioner Odell.

Commissioner Odell said, Helen [Stone], I'll yield to you because I'm going to make a motion to table. Commissioner Stone said, I'll second the motion. Commissioner Odell said, I'd like an opportunity to look at this and to — we have no need to rush into this. We want to make certain that we do the right thing for our employees, all of our employees, and I need time to think about this. Commissioner Thomas asked, are we going to have —? Commissioner Odell said, so I'll move to table.

County Attorney Hart said, moving to table that cuts off discussion. Moving to table will cut off discussion now.

Commissioner Thomas said, I wanted to make a statement. Chairman Liakakis said, well, he's made the motion to table. Commissioner Stone said, and I seconded. Chairman Liakakis said, and you've got a second.

Chairman Liakakis said, okay, let's go on the board. The motion carried unanimously. Chairman Liakakis said, okay, that ends that.

ACTION OF THE BOARD:

Commissioner Odell moved to table the 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. Commissioner Stone seconded the motion and it carried unanimously.

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RESOLUTION IN SUPPORT OF COUNTER NARCOTICS TEAM

Commissioner Shay said, Mr. Chairman. Chairman Liakakis said, yes. Commissioner Shay said, I'd like to ask for — make a motion to amend our agenda to place an item on today's agenda whereby the Board can pass a resolution in support of our — people that are working for the Counter Narcotics Team right now, and let them know that the County Commission is behind them and in support of their efforts and that we will continue to do what needs to be done to try and interject and eradicate drug crimes in Chatham County.

Chairman Liakakis said, we have a motion on the floor. Do we have a second? Commissioner Thomas said, I'll second that. Chairman Liakakis said, we have a second for that resolution. Let's go on the board. Commissioner Shay said, that will be a motion to amend the agenda. The motion carried unanimously.

Commissioner Shay said, and then I would like to offer what I just said as a resolution and authorize the Chairman to send a letter to the Acting Commander and all of the members of CNT expressing —. County Manager Abolt said, the Commander. Commissioner Shay said, the Commander and members of the CNT team to let them know that we're behind them in every way. Commissioner Thomas said, and I would like to second that as well.

Commissioner Stone said, we've already done this. Chairman Liakakis said, no, we have — no, we voted first to amend the agenda. Commissioner Stone said, I'm sorry.

Chairman Liakakis said, let's go on the board for the resolution. Stand by just a minute. Commissioner Kicklighter said, support of CNT as what? Chairman Liakakis said, we're supporting all the agents — the Commander and the agents that this Commission is —.

Commissioner Kicklighter asked, as currently structured? Commissioner Shay said, yes, because we're concerned about all the [inaudible] in the public. The motion carried unanimously. Chairman Liakakis said, the motion carries.

ACTION OF THE BOARD:

Commissioner Shay made a motion that the Board authorize the Chairman to write a letter to the Commander and agents of the Counter Narcotics Team, in light of the negative publicity they have been receiving, acknowledging the support of the County Commission for the work that they are performing. Commissioner Thomas seconded the motion and it carried unanimously.

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XIII. INFORMATION ITEMS

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

ACTION OF THE BOARD:

A status report was attached for review.

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

ACTION OF THE BOARD:

A status report was attached for review.

**AGENDA ITEM: XIII-2
AGENDA DATE: November 17, 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> |
|-----------------------------|-------------------------|--------------------|---------------|--|
| Lease for mailing equipment | Administrative Services | Pitney Bowes, Inc. | \$5,072 | General Fund/M&O - Administrative Services |

| <u>ITEM</u> | <u>DEPT.</u> | <u>SOURCE</u> | <u>AMOUNT</u> | <u>FUNDING</u> |
|---|------------------|--|---------------|--|
| 50 folding tables | Detention Center | ATD-American | \$3,967 | General Fund/M&O - Detention Center |
| County lot maintenance | Land Bank | L & P Enterprises | \$6,175 | Land Bank Authority |
| Ford F-550 truck bed | Mosquito Control | Bradford Built, Inc. | \$3,695 | General Fund/M&O - Mosquito Control |
| Labor and equipment to repair two (2) hanger doors | Mosquito Control | Industrial Conveyor Belt Systems | \$3,140 | General Fund/M&O - Mosquito Control |
| Wired and installed six (6) new receptacles in lobby area | Mosquito Control | All Electric & Specialty | \$2,950 | General Fund/M&O - Mosquito Control |
| 100 ton asphalt hot mix | Public Works | Carroll & Carroll | \$5,200 | SSD - Public Works |
| 300 reflective 28" traffic cones | Public Works | Grainger | \$5,805 | SSD - Public Works |
| Install concrete ramp at CNT headquarters | CNT | Coastline Concrete Services, Inc. | \$7,589 | 2005 DSA Bonds - CNT Headquarters |
| Labor and material for installation of 125 linear foot - four (4) foot wall and miscellaneous repairs | CNT | JD Masonry, Inc. | \$6,875 | 2005 DSA Bonds - CNT Headquarters |
| Supplemental geotechnical work at Red Fox | SPLOST | Hussey, Gay, Bell and DeYoung | \$9,650 | SPLOST (1998-2003) - Fawcett Canal |
| Provide all labor, materials and supervision to install headwall structure | SPLOST | Sandhill ALS Construction, Inc. (MBE) | \$8,000 | SPLOST (1998-2003) - Westlake Drainage |
| General construction contract administration services | SPLOST | Hodges, Harbin, Newberry & Tribble, Inc. | \$5,650 | SPLOST (2003-2008) - Charlie Brooks Park |
| Install underground conduit for scoreboard, lights and electrical wiring to terminate at scoreboards for Field #5 | SPLOST | Godbee & Rimes Electrical | \$6,600 | SPLOST (2003-2008) - Charlie Brooks Park |

| <u>ITEM</u> | <u>DEPT.</u> | <u>SOURCE</u> | <u>AMOUNT</u> | <u>FUNDING</u> |
|--|-----------------|--------------------------------------|---------------|--|
| Labor and materials for chemical pump and backflow preventor | SPLOST | Consolidated Plumbing Services, Inc. | \$3,040 | SPLOST (2003-2008) - Charlie Brooks Park |
| Replacement pump for Salcedo lift station | Water and Sewer | P D A | \$4,300 | Water and Sewer |
| Geographic Information System (GIS) software license package | Land Bank | ESRI (Sole Source) | \$7,100 | Land Bank Authority |

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ITEMS FROM EXECUTIVE SESSION

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

ACTION OF THE BOARD:

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

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APPOINTMENTS

1. CHATHAM COUNTY HOSPITAL AUTHORITY

Chairman Liakakis said, give us the names for the Hospital Authority so we can vote on that please. The Clerk said, Dr. Gerald Caplan, James Buchman, Dr. Cecil Bendush and Don Harwood.

Commissioner Odell said, move for approval. Commissioner Farrell said, second. Chairman Liakakis said, all right. Let's go on the board for those for the Hospital Authority. The motion carried unanimously.

Commissioner Odell said, Mr. Chairman, we send out a letter I know from Sybil [Tillman]. The Clerk said, no, it's —. Chairman Liakakis said, no, it's from the Chairman. Commissioner Odell

said, that's good, that's good. Chairman Liakakis said, thanking them for their service. Commissioner Odell said, that is excellent. Thank you.

ACTION OF THE BOARD:

Commissioner Odell moved to make the following appointments to the Chatham County Hospital Authority: Dr. Gerald E. Caplan, with term to expire October 24, 2012, and Dr. Cecil Bendush to fill the term of Eli Karatassos, which term will expire October 24, 2010; and reappoint Mr. James Buchman and Mr. Don Harwood to terms which will expire October 24, 2012.

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2. ETHICS COMMISSION

Chairman Liakakis said, the next one is the Ethics Commission. For the attorney. The Clerk said, Tom Taggart.

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

Chairman Liakakis said, and of course the Chairman's appointment is Mitchell Bush. So that's not for the vote.

ACTION OF THE BOARD:

Commissioner Shay moved to appoint Tom Taggart, Esquire, as the attorney for the Ethics Commission. Commissioner Odell and Commissioner Thomas seconded the motion and it carried unanimously.

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3. SAVANNAH ECONOMIC DEVELOPMENT AUTHORITY

Chairman Liakakis said, for the Savannah Economic Development Authority, give us those names please. The Clerk said, Richard Barrow and Bert Tenenbaum. Do we have a motion?

Commissioner Shay said, so moved, Mr. Chairman. Chairman Liakakis said, we have a motion on the floor. Do we have a second? Commissioner Gellatly said, second. Chairman Liakakis said, let's go on the board. The motion carried unanimously.

ACTION OF THE BOARD:

Commissioner Shay moved to appoint Richard Barrow to serve January 8, 2007, through January 7, 2012, to fill the term currently held by Edwin J. Feiler, Jr., and appoint Bert Tenenbaum to serve January 1, 2007, through January 7, 2010, to fill the unexpired term of Dr. Carlton Brown.

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Chairman Liakakis said, Sybil [Tillman], is that —? The Clerk said, that’s it. Chairman Liakakis said, that’s it. Okay.

Commissioner Odell asked, may I just make a comment? In a certain situations where we had more than one person who made application for a particular position and I’d like to also have a letter penned by the Chairman thanking them for making the application and requesting their continuing support of — because we had some very hard decisions to make with some exceptional people and I would like my fellow Commissioners to join in on that. Other — where we had like four people to apply for one slot, we can only pick one. It would be good that if the other three also got thank you letters.

Commissioner Thomas said, and perhaps maybe another time there may be a slot where we can —. Commissioner Odell said, absolutely.

Chairman Liakakis said, okay. All right. Thank you.

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ADJOURNMENT

There being no further business, the Chairman declared the meeting adjourned at 12:23 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