

MINUTES OF THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF CHATHAM COUNTY, GEORGIA, HELD ON FRIDAY, JANUARY 12, 2007, 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 9:40 a.m., Friday, January 12, 2007.

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II. INVOCATION

Commissioner Harris Odell, Jr., gave the Invocation.

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III. PLEDGE OF ALLEGIANCE

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

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IV. ROLL CALL

The Clerk called the roll.

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

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

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YOUTH COMMISSIONERS

Chairman Liakakis welcomed the following Youth Commissioners who were in attendance: Clint Middleton, a Junior at Jenkins High School; Jacelle Lewis, a Sophomore at Jenkins High School; and Shawn Knight, a Sophomore at Jenkins High School.

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V. PROCLAMATIONS AND SPECIAL PRESENTATIONS

1. SPECIAL PRESENTATION.

Chairman Liakakis said, I'd like to call on the County Manager. We have under Item V a special presentation.

County Manager Abolt said, a very special presentation.

Mr. Bill Quinan said, good morning. I'm Bill Quinan, Chairman of the Veterans Counsel of Chatham County for 2007. As everyone knows, you've seen it in the newspapers and throughout presentations and ceremonies that we are very aggressive in trying to get a World War II Memorial built in downtown Savannah. In 2006, in February of 2006, we had finished going through the different hoops and the different offices of the City to get approval from the MPC and finally in February of '06 we received the approval from the City Council, it was a unanimous vote, that we get Oglethorpe Square in which to build our World War II Memorial. In the process of doing all this, you don't start out without getting help from people, and there's a lot of people that helped the veterans from time to time behind the scenes and they don't get the recognition that they should, and under my command if you will with the Veterans Council I want to see that people get the recognition because we need help to be continued and hopefully everyone in the City and the County and in the State for that matter will see what we're trying to do. It's over 60 years coming and it's time that we built the World War II Memorial.

Mr. Quinan said, without further ado, I'd like to ask the Chatham County Commission Chairman, Mr. Pete Liakakis, to come forward. As I said, a lot of people work for us behind the scenes and don't get the recognition from the Veterans Council, but all the veterans in Chatham County — it's unanimous — and we'd like to present Mr. Pete Liakakis with this token of our appreciation. Mr. Quinan said, I'll read the inscription: "Pete Liakakis, Chairman, Chatham County Commission, in appreciation for dedicated service to the Veterans Council of Chatham County in 2006."

Chairman Liakakis said, thank you very much, Bill [Quinan], but you know we had a lot of people working on this in the community and it's important that we recognize our World War II veterans and the Veterans Council has done a great job in the past in many areas helping the veterans, and we should always, you know, pay tribute the veterans because we have the freedom in our country because of the veterans and I thank you very much. I'm really honored to receive this,

but we've got a lot of other people too have worked hard on this. I thank you and all of the other veterans.

Mr. Quinan said, thank you. And our Veteran of the Year Mr. Joe Markwalter, I'd like to introduce him this morning. He's our Veteran of the Year for 2007.

Mr. Markwalter said, thank you, Bill [Quinan]. Chairman Liakakis, you're absolutely right when you said there are a lot of people that helped out. You were certainly a leader among them; however, there is another individual on your staff here today who didn't have to be asked. Ms. Helen Stone stepped forward and has been a true leader. Ms. Stone, if you could please come forward. I want to say a couple more things before I give her this. For those of you who don't know, Helen Stone's father was a World War II veteran. She came to us and she said what can I do to help and she has been extremely helpful, and we appreciate everything you have done. Thank you. "Helen Stone, Chatham County Commissioner, in appreciation of dedicated service to the Veterans Council of Chatham County 2006."

Commissioner Stone said, I can't tell you what this means to me. It's been a real honor working with these gentlemen and we're going to get that monument built. They deserve it, they've earned it, and we need to hurry up and get it finished. So you've got 100% of support from this end and I know a lady that's going to help us I told you about, is dying to help us. It's a passion of hers. We're going to get it built and we're going to get the money raised really quickly. Thank you.

Mr. Quinan said, also we have with us a couple of our outstanding World War II veterans. Everybody knows, I think, Daniel T. Fogarty. He's a retired Army Colonel. He's a veteran of World War II, Korean War and the Vietnam War. He's the recipient of the Purple Heart for having been wounded in World War II. Stand up, Dan [Fogarty].

Mr. Markwalter said, the gentleman sitting next to him is the main reason I'm standing here today. Frank A. Kelly supplied most of the South with their uniforms for many years; however, what people — a lot of people don't realize, in 1966 when I came home from Vietnam and received a tremendous welcome, it was Frank Kelly that instigated that and asked me to lead the parade. Frank Kelly is the reason a lot of young veterans came home and had a wonderful homecoming. There are some Vietnam veterans that do not feel slighted and it's because of people like Frank Kelly, who had worked tirelessly. He is a Past National Vice Commander of the American Legion, a Past Chairman fo the Veterans Council. I can't possibly tell you everything he's done in an hour, so I'm going to be quiet, but we have Frank [Kelly] with us today and I'm proud to call him a friend and a mentor of mine. Thank you.

Mr. Quinan said, this concludes our presentations and we appreciate your time, Commissioner. Chairman Liakakis said, thank you very much.

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VI. CHAIRMAN'S ITEMS

1. SECOND MEETING OF THE COMMISSION THIS MONTH CONFLICTS WITH ATTENDANCE IN ATLANTA FOR SAVANNAH DAY.

Chairman Liakakis said, as all of our Commissioners know, the second meeting in January was January 26th, but of course we have the Chatham-Savannah Day where we go to Atlanta and we meet with the department heads of the State and generally the Governor, Lt. Governor, and other constitutional officers when we go there, and of course after that beginning at some 2:30 in the afternoon, that's when the Savannah-Chatham Day at the Railroad Depot begins. And actually that's the biggest celebration I guess in Atlanta where we invite all of the elected officials that are in Atlanta and we also invite all the House of Representative and all the State Senators, and it has been a great success in the past. It's the biggest celebration that they have in Atlanta, and one of the great things about that, that really helps the recognition of Savannah and Chatham County and all of our other municipalities because we can see that, you know, many of them, they listen to the issues and the different things that we have that come before the Legislators and it has helped us in the past because they recognize, and a lot of times while we're up there on Savannah-Chatham Day we do a lot of lobbying, taking the individual State Representatives and State Senators and we talk about the projects that are important to our area and the surrounding area. So this is really important. It's been going on for quite a number of years now, and I'd like to thank the Chamber of Commerce. We have Bill Hubbard here, who is the President of the Chamber of Commerce and has done an excellent job leading this Chamber in many areas helping us and because that he and Trip Tollison, who is the head of the governmental part of the Chamber, we really appreciate the two of you, you know, helping to put this thing together and, of course, all the sponsors. It has really paid off in the past and, of course, this year we'll be up there on January 25th. All of our Commissioners will be up there and many of them will be lobbying for legislation that's important to our area. And, Bill [Hubbard], we thank you again and we appreciate the work that you do.

Chairman Liakakis said, so what we will need to do is have a motion on the floor —. County Manager Abolt said, Mr. Chairman, you may, if you wish, in anticipation that you would not want to meet the second meeting in January. Staff later on in the agenda has prepared your master calendar for all of 2007. You've acknowledged it and as long as there's no difference from the balance of the Board, when you adopt the calendar you will do just what you described. Chairman Liakakis said, okay, fine.

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2. NEED TO SCHEDULE BOARD RETREAT.

Chairman Liakakis said, we have talked with our staff people about our Board retreat and what has occurred, if some of you do not know, we started when we came on board in January of 2005 to set up a Board retreat, and what we did for the first time, we have not only all of the department heads, but we've invited all of the sixteen judges, we invited the Tax Commissioner, we invited

the District Attorney, we invited the Superior Court Clerk, which is a constitutional office, and it's really important, and they have the opportunity at that retreat to come and to speak to the Commissioners and discuss any kind of problems they have or something possibly about their budget in the operation and it has really worked well in 2005 and 2006. So we looked at different dates and we were thinking about doing it the first week in February, but February 6 conflicts with the ACCG meeting that the Commissioners will be going to Atlanta to work with the County Commissioners of Georgia for legislation and help and especially to encourage them to get with the Legislators so that they will start funding or helping us monetarily-wise for our jail prisoners that are costing us a huge amount of money, which we are not being paid by the State of Georgia for the State prisoners. So I need a motion on the floor, if it's acceptable to the Commissioners, for February 13th of this year for our Board retreat. Now also in that I want you to know, we looked at — Commissioner Farrell talked about another location — Fort Pulaski, but unfortunately because we're going to have so many people, they just did not have the facilities for everything that we needed. But — so we're talking about again going to the Bamboo Farm because they have an excellent area out there and the Friends of the Bamboo Farm will also provide the food and other things for our retreat. Okay, do we have a motion on the floor?

Commissioner Shay asked, is there a time for this? Chairman Liakakis said, February 13th. County Manager Abolt said, the time would be we planned between — well, 8:30 it would commence and then it would conclude on or before 5:00 that evening.

Commissioner Thomas asked, do you need a motion? I move for approval, Mr. Chairman. Commissioner Stone seconded the motion.

Chairman Liakakis said, all right, we have a motion on the floor and a second for the retreat for 8:30 a.m., for February 13th. Let's go on the board. The motion carried unanimously. Chairman Liakakis said, the motion passes.

ACTION OF THE BOARD:

Commissioner Thomas moved to scheduled a Board retreat at Bamboo Farm beginning at 8:30 a.m., and concluding on or before 5:00 p.m., on Monday, February 13, 2006. Commissioner Stone seconded the motion and it carried unanimously.

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3. SOUTHSIDE BAPTIST CHURCH REQUEST TO USE MEMORIAL STADIUM IN JULY.

Chairman Liakakis said, we're putting that on the Action Calendar at this particular time. Do we have to vote on that? We'll just do it on the Action Calendar? County Manager Abolt said, well, you can do it on the Action Calendar. This is a very simple subject the Board has approved in the past. You might even entertain a motion right now just grant to that group. You've been working with the opportunity to use Memorial Stadium on that date in July. I'd say keep it simple, do it here.

Commissioner Farrell said, so moved. Commissioner Holmes said, second.

Chairman Liakakis said, okay, we have a motion on the floor and a second to provide the Memorial Stadium for the Southside Baptist Church for July 1. Now that, so everybody understands, is not just for the church. They provide all of the — they provide the food, they provide the entertainment, they provide a family-type of atmosphere, and they also have a fireworks display, and we have seen in the last two years when they have sponsored this thousands and thousands of the people from Chatham County go to that celebration. So they want to celebrate our Independence Day. Let's go on the board. The motion carried unanimously. Chairman Liakakis said, the motion passes.

ACTION OF THE BOARD:

Commissioner Farrell moved to grant the request of Southside Baptist Church to use Memorial Stadium on July 1, 2007. Commissioner Holmes seconded the motion and it carried unanimously.

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4. REQUEST BOARD APPROVE AN AGREEMENT BETWEEN GEORGIA POWER COMPANY AND CHATHAM COUNTY TO RELOCATE A GEORGIA POWER POLE WITHIN THE FOUNTAIN ROAD RIGHT-OF-WAY. [DISTRICT 6.]

County Manager Abolt said, Mr. Chairman, and ladies and gentlemen, this is a late starter. It's come up and primarily a creature of being approximately a month between today's meeting and your next meeting on the 9th of February, the Chairman has allowed us to put it here on the agenda. Appropriately, if y'all concur, there should be a motion to place this on the Action Calendar. It's a routine item, what has to be done to not delay this project. So the motion should be to put it on the Action Calendar and then when you adopt the Action Calendar, you approve this.

Chairman Liakakis asked, do I have a motion on the floor to place this on the Action Calendar. Commissioner Farrell said, so moved. Commissioner Thomas said, second. Chairman Liakakis said, all right. Let's go on the board. The motion carried unanimously. Chairman Liakakis said, the motion passes.

ACTION OF THE BOARD:

Commissioner Farrell moved to place on the Action Calendar a request to approve an agreement between Georgia Power Company and Chatham County to relocate a Georgia Power pole within the Fountain Road right-of-way. Commissioner Thomas seconded the motion and it carried unanimously.

From Action Calendar:

Commissioner Stone moved to approve an agreement between Georgia Power Company and Chatham County to relocate a Georgia Power pole within the Fountain Road right-of-way. Commissioner Gellatly seconded the motion and it carried unanimously. [NOTE: Commissioner Kicklighter was not present when this vote was taken.]

AGENDA ITEM: VI-4
AGENDA DATE: January 12, 2007

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

ISSUE: To approve an agreement between Georgia Power Company and Chatham County to relocate a Georgia Power pole within the Fountain Road right-of-way.

BACKGROUND: E & D Contracting was awarded a contract on June 12, 2006 to pave Fountain Road. The project is about 80 percent complete.

FACTS AND FINDINGS:

1. Within the acquired right-of-way for Fountain Road is a Georgia Power Easement [where they have prior rights] with a pole that must be relocated to complete the project.
2. Georgia Power's regulations require a signed agreement between the two parties involved to relocate their facilities when the facilities are located in a pre-existing easement. After reviewing the document, staff found information that indicated the County could possibly be responsible for unspecified costs involved in relocating the power pole.
3. Georgia Power Company has agreed to delete the portion of the agreement that could possibly increase the cost of the relocation. The estimated cost for the relocation is \$6,772.

ALTERNATIVES:

1. That the Board approve an agreement between Georgia Power Company and Chatham County in an amount not to exceed \$6,772 to relocate a Georgia Power pole on Fountain Road.
2. That the Board not approve the agreement.

FUNDING: Funds are available in the 1985-1993 SPLOST, Unincorporated County Roads, Fountain Road Account (3204220, 54.14001, 32055437).

POLICY ANALYSIS: The Board must approve agreements with utility companies.

RECOMMENDATION: That the Board approve Alternative 1.

District 6

Prepared by: Grady E. Dixon

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VII. COMMISSIONERS' ITEMS

1. REQUEST BOARD ELECT A CHAIRMAN PRO TEM FOR 2007.

Chairman Liakakis said, I'll read this out: "At the first regular meeting in January of each year, the Board of Commissioners shall elect from its members a Chairman Pro Tem. In the event of the absence of both the Chairman and the Vice Chairman, the Chairman Pro Tem shall provide at meetings of the Board of Commissioners. Such a Chairman Pro Tem shall not have or exercise any of the duties or authority of the Chairman except to preside at meetings of the Board of Commissioners." Now as all of our Commissioners know, that in the past it has been Commissioner Dean Kicklighter, you know, and he's always available, as we know if there's an absence of the two — the Chairman and the Vice Chairman and he's always, as I said, been standing by to do that and a good member of our Commission, and I'd like to have, you know, someone to give us a name.

Commissioner Stone said, I make a motion to keep Commissioner Kicklighter as our Chairman Pro Tem. Commissioner Thomas said, second. Commissioner Farrell said, second.

Chairman Liakakis said, we have a motion on the floor to elect Dean Kicklighter as Chairman Pro Tem for the year 2007. Let's go on the board. The motion carried unanimously.

Commissioner Kicklighter said, thank you. I'm truly honored and I really appreciate this. Thank you.

ACTION OF THE BOARD:

Commissioner Stone moved to appoint Commissioner Dean Kicklighter as the Chairman Pro Tem for 2007. Commissioners Farrell and Thomas seconded the motion and it carried unanimously.

AGENDA ITEM: VII-1
AGENDA DATE: January 12, 2007

TO: Board of Commissioners

FROM: R. E. Abolt, County Manager

ISSUE:

To elect a Chairman Pro Tem for 2007.

BACKGROUND:

The County's Enabling Act requires the action be taken during the first meeting of the Board in each new year.

FACTS AND FINDINGS:

Concerning the election of the Chairman Pro Tem, the Enabling Act states:

At the first regular meeting in January of each year, the Board of Commissioners shall elect from its members a Chairman pro tem. In the event of the absence of both the Chairman and the Vice Chairman, the Chairman pro tem shall preside at meetings of the Board of Commissioners. Such a Chairman pro tem shall not have or exercise any of the duties or authority of the Chairman except to preside at meetings of the Board of Commissioners.

ALTERNATIVES:

1. Elect a Chairman Pro Tem.
2. Postpone election of a Chairman Pro Tem.

POLICY ANALYSIS:

Compliance with the Enabling Act.

FUNDING:

Not applicable.

RECOMMENDATION:

Alternative #1.

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CHATHAM AREA TRANSIT AUTHORITY

Upon a motion made by Commissioner Stone, seconded by Chairman Holmes and unanimously approved, the Board recessed as the County Commission at 10:00 a.m., and convened as Chatham Area Transit Authority.

The Board reconvened as the County Commission at 11:21 a.m.

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VIII. TABLED/RECONSIDERED ITEMS

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

- 1. 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. *Tabled at meeting of November 17, 2006. Re-tabled at meeting of December 15, 2006.***

Chairman Liakakis said, there is no activity that has been requested on Item VIII.

ACTION OF THE BOARD:

This item was not removed from the table for consideration by the Commissioners.

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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 \$11,760 WITHIN THE BUILDING MAINTENANCE AND OPERATIONS BUDGET TO SALARIES AND BENEFITS, (B) TRANSFER \$42,500 FROM CONTINGENCY TO THE DEPARTMENT OF FAMILY AND CHILDREN'S SERVICES FOR AN ON-CALL AFTER HOURS UNIT, (C) TRANSFER \$250,000 FROM CONTINGENCY TO THE BOARD OF ASSESSORS FOR STAFFING AND EQUIPMENT, (D) INCREASE SALARIES AND BENEFITS IN THE COUNTY MANAGER'S OFFICE BY \$19,270 WITH A CORRESPONDING REIMBURSEMENT FOR AN ADMINISTRATIVE ASSISTANT I POSITION, (E) TRANSFER \$5,170 FROM CONTINGENCY TO THE COMMISSIONER'S BUDGET FOR SALARY AND COST OF LIVING ADJUSTMENTS, (F) TRANSFER \$34,450 FROM CONTINGENCY TO BRIDGES FOR BRIDGE REPAIRS, AND (G) TRANSFER OF \$48,915 WITHIN THE COUNTER NARCOTICS TEAM BUDGET TO SALARIES AND BENEFITS, (2) AMENDMENTS TO THE CAPITAL IMPROVEMENT PROGRAM FUND TO: (A) TRANSFER \$460,580 FROM M&O**

CONTINGENCY FOR RECONSTRUCTION/RESURFACING TENNIS COURTS, (B) TRANSFER \$79,975 FROM M&O CONTINGENCY FOR THE DETENTION CENTER PROJECT FOR FUNDING OF DETENTION CENTER CHILLERS, (C) INCREASE MISCELLANEOUS REVENUE BY \$84,970 AND INCREASE THE DETENTION CENTER PROJECT BY A CORRESPONDING AMOUNT TO COMPLETE FUNDING OF THE DETENTION CENTER CHILLERS, (D) TRANSFER \$150,000 FROM CIP M&O CONTINGENCY TO THE DETENTION CENTER PROJECT TO COMPLETE ELECTRICAL INSTALLATION OF TEMPORARY HOUSING UNITS, AND (E) INCREASE RENTAL REVENUE BY \$8,160 AND TRANSFERS IN FROM THE DEBT SERVICE FUND BY \$27,620 (TOTAL OF \$35,780) WITH A CORRESPONDING INCREASE TO THE HEALTH DEPARTMENT PROJECT, (3) AN AMENDMENT TO THE DEBT SERVICE FUND TO APPROPRIATE \$27,620 IN RENTAL REVENUE TO TRANSFERS OUT TO THE CAPITAL IMPROVEMENT PROGRAM FUND, (4) A SPECIAL SERVICE DISTRICT FUND BUDGET AMENDMENT TO TRANSFER \$442,750 FROM CONTINGENCY FOR THE SAVANNAH-CHATHAM METROPOLITAN POLICE DEPARTMENT, AND (5) AN AMENDMENT TO THE MULTIPLE GRANT FUND BUDGET TO INCREASE REVENUE AND APPROPRIATIONS BY \$399,975 FOR NEW AND CONTINUING GRANTS.

Commissioner Shay said, Mr. Chairman, what I'd like to do is ask that Item 1(c) be considered at the same time as Item 4 later on in this budget on this agenda. Chairman Liakakis asked, okay, do we have a second? Commissioner Farrell said, second. Chairman Liakakis said, okay, we have a motion on the floor and a second to move Item 1(c) to talk about it at the same we do Item 4. Let's go on the board. The motion carried unanimously. [NOTE: Commissioner Kicklighter was not present when this vote was taken.] Chairman Liakakis said, the motion passes.

Chairman Liakakis asked, do I have a motion on the floor for these items?

Commissioner Odell said, I move for approval with the exception of (c), which has been pulled to be considered with Item 4, and I'd also ask that we treat separately number (4), a Special Service District Fund budget amendment to transfer \$442,750 from Contingency for the Savannah-Chatham Metropolitan Police Department. Commissioner Thomas said, second. Commissioner Odell said, I'd just like to have some comments for that put on the record, if I might. Chairman Liakakis said, okay, so on 1(c) and of course (4) that we will discuss that after this particular motion. Do we have any other discussion on this? All right, let's go on the board. The motion carried unanimously. Chairman Liakakis said, the motion passes.

Chairman Liakakis said, on Item 4 do you want to do that at the same time, #4? Commissioner Odell said, Item (c), we can do that at the same time as #4 —. Chairman Liakakis said, let's do

that now. All right, we have Item (4), a Special Service District Fund budget amendment to transfer \$442,750 from Contingency fund. Mr. County Manager?

County Manager Abolt said, this is, as you all know from our discussion in pre-meeting, it reflects —. Chairman Liakakis asked, do we have a motion?

Commissioner Farrell said, so moved. Chairman Liakakis asked, and a second? Commissioner Thomas said, second. Chairman Liakakis said, okay, discussion.

County Manager Abolt said, reflections action of the Savannah City Council, who was on a calendar year, fiscal year. They're six months ahead of us or six months behind us, depending on your perspective, but in this particular case staff realizes that expense is going to have to be covered. You will be having your budget deliberations in the Spring later on this year, but this is something I think you've actually put your finger on that we have to perfect going forward in preparation of the budget for the police department. One thought I had, and I've talked only briefly with the new Chief of Police, is that I think it's appropriate for me to direct him that going forward that in November of each year, starting with November of this year, that when his budget proposal of the department is ready, at the same time he's making his presentation to the Savannah City Council, he make a presentation to the County Commission. I think that will solve the issue. It definitely doesn't solve, as some of you mentioned, invoice because in the final say-so if the City Council adopts something, particularly when it comes to overhead discussions, we have very little control over that.

Chairman Liakakis recognized Commissioner Shay.

Commissioner Shay said, Mr. Chairman, I asked this be considered separately at our pre-meeting and the reason is not because I don't support the idea of us providing the full funding that's necessary for the Savannah-Chatham Metropolitan Police Department to provide the services that are needed in the Special Service District. I think all of us are unanimous in our support for the efforts of our public safety officers in these regards, but I wanted to take this opportunity to point out that we're in an unusual situation where a policy decision about how this money is being allocated, appropriated and spent is actually being made by Savannah City Council and they're doing it not through any fault of their own, but their budget year is six months different from ours. But it must not be very difficult to sell the idea of spending the money that's necessary to Savannah City Council if for no other reason than it's not coming out of their budget. So basically what they're being asked to do is to vote on a budgetary matter that affects the Special Service District, which is to say this government and not them, and then send us the bill. Now we want to be good partners and we recognize that the Chief of Police and the City Manager and the City of Savannah's Council are going to make sound decisions on our behalf, but frankly we also ought to be consulted because we are as elected representatives also getting feedback from our citizens and from our constituents that are not City of Savannah constituents about what types of service delivery and what types of issues they're experiencing within the Special Service District. And it is my experience as a Commissioner that only at the moment where you're voting on the money will your considerations and your wishes be fully considered. It's a moment of truth where we are the ones who appropriate the funds and then later on in this case levy the funds against individual

taxpayers by adopting a millage rate for the Special Service District. So we're on Board —, I was at a neighborhood association meeting last night and I could tell that the Precinct Commander was concerned about there was some dissension between the City and the County over matters relating to the hiring of the Police Chief and other things that have been highly publicized. The newspaper does their job. They go out and let the citizens know that we are at times not on exactly the same page. We're on the same page. We want to have the most effective police department that we can possibly have, and this isn't about us saying, hey, we don't want to spend the money, but we do think, or at least this Commission thinks, that we ought to be consulted more closely about matters that had to do with the funding of the Special Service District into the police department. I feel like we're left out of the occasion at this point, and I just wanted to mention that.

Chairman Liakakis recognized Commissioner Stone.

Commissioner Stone said, I would like to piggy back on what Commissioner Shay just said. I mean, I don't want an invoice without seeing all the information. I mean, we should be privy to the same information that the City is getting before we place a vote on the bill that they send us. And thank you, Commissioner Shay, for bringing that forward.

Chairman Liakakis recognized Commissioner Thomas.

Commissioner Thomas said, will we not have a budget analyst? County Manager Abolt said, yes, we do. Commissioner Thomas said, and the reason why I'm asking that —. The Clerk asked, would you please speak up. I cannot hear you. Commissioner Thomas said, we do have a budget analyst and I think that the budget analyst should be a little bit more proactive in terms of helping the Commissioners to come up with these items. County Manager Abolt said, yes, you're right. To give you a history, remember Ms. Cramer gave to me and then we gave to y'all and Mr. Grant is the analyst assigned to this. He gave us a head's up some time ago, like three, four or five weeks ago and it was sent to y'all. Just to be very candid in responsive to your needs, this has been one of those not clinches, but issues that have to be worked out in our relationship under the merger. It certainly is important now and will be solved, I think, once Chief Berkow makes his budget presentation to us in November. But that aside, Mr. Grant did do his job, gave us the alert. It became readily apparent because of the size of the increase that we have something that we have to improve upon. In years gone by, which has only been a few in the merger, what staff has done when we had no money in Contingency for SSD, we just knew that we had to make it up six months into the calendar year. So your SSD budget for July through June would reflect the full amount. Now we're saying we have some coins in the SSD Contingency, draw down now to lessen the hit on your going-forward budget. But you're right, I do not want the record to reflect that Mr. Grant did not do his job. He did do his job.

Commissioner Shay said, if I understand correctly though the budget analyst gave us a head's up and said this is coming, but it's not as if the budget analyst has the capacity to act in our stead on policy decisions. I mean —. Commissioner Thomas said, I understand that. Commissioner Shay said, — a budget is a reflection of policy and I think that we need to be more directly consulted over how the money is going to be spent. The budget analyst did their job, but that's

kind of more of an audit function to basically say, okay, you're getting your money's worth. I'd like to also be able to say — have some input into how the money is being allocated, that's all.

Chairman Liakakis said, Patrick (Farrell) —. Go ahead and finish then. Commissioner Thomas said, I'm through. Chairman Liakakis recognized Commissioner Farrell.

Commissioner Farrell said, Mr. Abolt —. County Manager Abolt said, yes sir. Commissioner Farrell asked, as we were doing the budget that we approved in July, with the process under the current merger agreement, is this something that we're going to see each year or, you know, are we going to — are we doomed to be repeating this every January? County Manager Abolt said, well, I think if you agree with my plan of action to have a budget presentation out of sync with everything else you do, then when you have the police budget before you in November prior to any action either by yourself or the City Council, I think that protocol will solve the problem. But you always have the way in which the sequence goes in the merger as a responsibility for cost centers, and not all the costs because most of it is accrued to either new police officers or changes in policy within the Police Department. We also have the overhead function in these cost centers. So you have all the support: data processing, finance, all those things that are considered staff in nature that are attributed to supporting the Metropolitan Police Department and then we're given in this invoice an estimate or I guess it's an adopted budget for increases in those different staff departments within the City of Savannah and now we must pay for it. But again the long answer — the short answer to it I think that if we can initiate a protocol that in November each year the Police Department will come before you all with a budget presentation, which is the same presentation, I would think, that would be made to the Savannah City Council. You'd have plenty of time to make your comments known.

Commissioner Farrell said, my concern is that when this body comes up with a budget in July under that scenario we're going to have a great unknown, whether it's January, December or November. County Manager Abolt said, correct. Commissioner Thomas said, exactly. Commissioner Farrell said, and that concerns me. That is an item in the merger agreement that this Board needs to get a better handle on. We can't go year to year to year and budget for a year but only have half the information, and I think we need to look more closely at this policy in order to have some predictability in our budget. When you take \$442,000 out of the CIP for the Special Service District, that takes away a lot of potential improvement in the Special Service District, whether it be cleaning ditches to improved drainage or filling potholes, any number of services. So with that unknown, it really diminishes the positive impact that this Commission can do in the Special Service District. So I find it troubling that within the last month this is the second incident where we're going forward with less than enough information to properly run this government as I think we should. County Manager Abolt said, correct.

Chairman Liakakis recognized Commissioner Odell.

Commissioner Odell said, the reason I asked that this be pulled was basically for two reasons. One is that it's a two-headed monster. The first monster is that we have varying fiscal years. The City of Savannah and Chatham County fiscal years are different so we're always going to have that problem, but the other part of the monster's head is if they decide to give all of the officers

tasers and they make that as a policy decision and that costs X-number of dollars in addition to what we had already budgeted and they give us a bill for whatever our percentage is, then it's those kinds of items which we need to have a greater input in the expenditure side of things. You know, it needs to be made abundantly clear that you cannot have a partnership and you simply give us a bill. That isn't a partnership. That's often a marriage, but it's not a partnership as such. What we need is we need to have greater input involvement with any increase in cost. I think what will ultimately happen is that we can budget not to a mathematical certainty because we have six months which is unknown, but if we know what the cost of living increases that they're going to give and their fuel agreement, if it covers that, and a lot of other things that we can control, we can almost budget to a certainty what that additional six months is going to cost. Not to a mathematical certainty. What happens is that they'll make a policy decision to increase staff, to promote, to provide new equipment, to do a whole host of other things, and the end results is that our involvement in that is we are the recipient of the bill. And until that is resolved, budgeting-wise we're always going to be less than a certainty, and I know that the Chairman is working with the Mayor and Council, but if they have an item which is going to have a budgeted or substantial budgeted impact, then we should be apprised of that before. And our budget analyst can track it afterwards, but that isn't the point of the decision whether you do or don't do. That's what we need and which we don't have technically, and I wanted that pulled not that we shouldn't approve it. I don't think we have a choice. I think we have made a commitment that of all of the things we do here, if our citizens are not safe, then our other efforts are going to be less than successful. We have to provide sufficient funding to reach that goal of safety. I think we should approve it, but I think after we approve it we really need to have more detailed discussion about what the City of Savannah, not just the Chief of Police, but what the City of Savannah will commit with us to work with us because this is a partnership relationship and helping us to better budget.

Chairman Liakakis recognized Commissioner Shay.

Commissioner Shay said, one small point of clarification for those of you that are listening and may not understand this. The \$442,750 isn't the total amount of money that we're spending in the Special Service District on policing, we budgeted a lot more money than that last July. What this is, an increment that has shown up on our doorstep after the City adopted their budget. I just want people to understand that, that's all. Commissioner Odell said, and that's an important factor.

Commissioner Farrell said, it's a classic example of the left hand not knowing what the right hand is doing, and again that's a troubling trend in this merger agreement that the left hand does not know what the right hand is doing and then when it comes time to write a check, oh, by the way, and this trend needs to be reversed.

Commissioner Stone said, and it could be detrimental to the SSD budget, which —. Commissioner Odell said, oh, it is. Commissioner Stone said, — which is already fragile as it is. So really scary.

County Manager Abolt said, there's no question about that. With this action today we're down to \$30,000 approximately in SSD Contingency, realizing that the second largest city in the County having at least 7,000, we've got six months to get by on \$33,000 for the unexpected.

Commissioner Stone said, and we have an obligation to keep some contingency there in the event of something, some tragedy that is more likely to happen in the unincorporated area really than in the incorporated area. So I think we're walking on eggshells here.

Commissioner Odell said, the point is we need to have sufficient information from the City of Savannah so that we can make a policy decision and budget. It is not acceptable to give us an additional bill for \$442,750 and say here's your bill, you eat it. That is unacceptable in a partnership and that needs to be conveyed in the strongest sense because what it does to us is all of our decisions in SSD have been undermined because we have now depleted SSD. We have depleted SSD. If we have a substantial storm and we have to dump money in to moving limbs and what have you, then you better get your chainsaws out. And this is a problem that can be solved only if they allow us when we are in our budgeting process to be partners in the decision making which increases our cost. Not their cost, our cost. And that's the request.

Chairman Liakakis said, one of the things for us to remember that what happens is that the City Council now is given a budget ahead of time. They don't start, you know, making decisions just in November, you know, and approve the budget in December. So what we can request is when the earlier time element, it could be in, you know, the middle of the year that they know what's going to come from the Police Department so that that information can be given to us so that when we have that, that's something to consider.

County Manager Abolt said, I think, sir, and I can solve that part of it with a memorandum which will go out this afternoon, I think the directive to have the Chief of Police before you in the Fall of the year to present the police budget. That's what we do. That department will make it's presentation in April, May or June whenever, and that will be based on the best information that the Chief and the staff have and we have given six months ahead of schedule. All I'm saying is that the way to possibly get us more in sync, though it's not implied in the agreement, we can assert ourselves and say that this body, this policy-making body wants the police budget presented twice: once in the Spring of the year based on the best information and then again in approximately November when all these costs on the City's side are — and prior to any action by the partner, the Savannah City Council, to adopt. I think that will give you leverage. It may not be totally satisfactory, but I can solve that this afternoon.

Chairman Liakakis recognized Commissioner Farrell.

Commissioner Farrell said, in lieu of that perhaps not working, we may have to just stick with our original budget throughout our year. County Manager Abolt said, yes sir. You're right. Also —, you're right, you're absolutely right. We're again relying on us [inaudible] at the partnership. And I think, to use the example of Commissioner Odell, tasers. Let's hypothetically say in November of next year all of a sudden we see a major line item for that of equipment and prior to any action by your partners that there's some feeling to the contrary or desire to get that money from some

place else, you would have the chance at that juncture before the final decision by the City Council to express your communication to your partner.

Chairman Liakakis said, okay, we have a motion on the floor and a second. Let's go on the board.

ACTION OF THE BOARD:

- a. Commissioner Shay moved that the Board consider Item (1)(c) at the same time that the Board considers Item 4 under this agenda item. Commissioner Farrell seconded the motion and it carried unanimously. [NOTE: Commissioner Kicklighter was not present when this vote was taken.]
- b. Commissioner Odell moved to approve the following: (1) an amendment to the General Fund M&O budget to: (a) transfer \$11,760 within the Building Maintenance and Operations budget to salaries and benefits, (b) transfer \$42,500 from Contingency to the Department of Family and Children's Services for an on-call after hours unit, (d) increase salaries and benefits in the County Manager's office by \$19,270 with a corresponding reimbursement for an Administrative Assistant I position, (e) transfer \$5,170 from Contingency to the Commissioner's budget for salary and cost of living adjustments, (f) transfer \$34,450 from Contingency to Bridges for bridge repairs, and (g) transfer of \$48,915 within the Counter Narcotics Team budget to salaries and benefits, (2) amendments to the Capital Improvement Program Fund to: (a) transfer \$460,580 from M&O Contingency for reconstruction/resurfacing tennis courts, (b) transfer \$79,975 from M&O Contingency for the Detention Center Project for funding of detention center chillers, (1)(c) increase miscellaneous revenue by \$84,970 and increase the Detention Center Project by a corresponding amount to complete funding of the detention center chillers, (d) transfer \$150,000 from CIP M&O Contingency to the Detention Center Project to complete electrical installation of temporary housing units, and (e) increase rental revenue by \$8,160 and Transfers In from the Debt Service Fund by \$27,620 (total of \$35,780) with a corresponding increase to the Health Department project, (3) an amendment to the Debt Service Fund to appropriate \$27,620 in rental revenue to Transfers Out to the Capital Improvement Program Fund, and (5) an amendment to the Multiple Grant Fund budget to increase revenue and appropriations by \$399,975 for new and continuing grants. Commissioner Shay seconded the motion and it carried unanimously. [NOTE: Commissioner Kicklighter was not present when this vote was taken.]
- c. Commissioner Farrell moved to approve the following: (1)(c) transfer \$250,000 from Contingency to the Board of Assessors for staffing and equipment. Commissioner Gellatly seconded the motion. Chairman Liakakis and Commissioners Stone, Holmes, Shay, Farrell, Gellatly and Thomas voted in favor of the motion. Commissioner Odell voted in opposition. The motion carried by a vote of seven to one. [NOTE: Commissioner Kicklighter was not present when this vote was taken.] **NOTE: For discussion on Item (1)(c) refer to Item IX-4 below.**

- d. Commissioner Farrell moved to approve (4) a Special Service District Fund budget amendment to transfer \$442,750 from Contingency for the Savannah-Chatham Metropolitan Police Department. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Kicklighter was not present when this vote was taken.]

AGENDA ITEM: IX-1

AGENDA DATE: January 12, 2007

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 \$11,760 within the Building Maintenance and Operations budget to salaries and benefits, (b) transfer \$42,500 from Contingency to the Department of Family and Children's Services for an on-call after hours unit, (c) transfer \$250,000 from Contingency to the Board of Assessors for staffing and equipment, (d) increase salaries and benefits in the County Manager's office by \$19,270 with a corresponding reimbursement for an Administrative Assistant I position, (e) transfer \$5,170 from Contingency to the Commissioner's budget for salary and cost of living adjustments, (f) transfer \$34,450 from Contingency to Bridges for bridge repairs, and (g) transfer of \$48,915 within the Counter Narcotics Team budget to salaries and benefits, (2) amendments to the Capital Improvement Program Fund to: (a) transfer \$460,580 from M&O Contingency for reconstruction/resurfacing tennis courts, (b) transfer \$79,975 from M&O Contingency for the Detention Center Project for funding of detention center chillers, (c) increase miscellaneous revenue by \$84,970 and increase the Detention Center Project by a corresponding amount to complete funding of the detention center chillers, (d) transfer \$150,000 from CIP M&O Contingency to the Detention Center Project to complete electrical installation of temporary housing units, and (e) increase rental revenue by \$8,160 and Transfers In from the Debt Service Fund by \$27,620 (total of \$35,780) with a corresponding increase to the Health Department project, (3) an amendment to the Debt Service Fund to appropriate \$27,620 in rental revenue to Transfers Out to the Capital Improvement Program Fund, (4) a Special Service District Fund budget amendment to transfer \$442,750 from Contingency for the Savannah-Chatham Metropolitan Police Department, and (5) an amendment to the Multiple Grant Fund budget to increase revenue and appropriations by \$399,975 for new and continuing grants.

BACKGROUND:

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

FACTS AND FINDINGS:

- 1) The Board of Commissioners approved an additional position for Building Maintenance and Operations at the December 1, 2006 meeting. The position is funded by rent revenue from the Health Department (\$8,160), transfers from the Debt Service Fund (\$27,620) and transfers within the department budget (\$11,760). Budget amendments to the General Fund M&O, the Capital Improvement Program Fund, and the Debt Service Fund are needed. Resolutions are attached.
- 2) The Board of Commissioners approved funds for an on-call after hours unit at the Department of Family and Children's Services at the December 15, 2006 meeting. A transfer \$42,500 from the General Fund M&O Contingency is necessary.
- 3) The Board of Commissioners approved an appropriation of \$250,000 to the Board of Assessors at the December 15, 2006 meeting. A General Fund M&O Contingency transfer is needed. Correspondence detailing the use of the funds is attached.
- 4) The Board of Commissioners approved an additional Administrative Assistant I position at their meeting held December 15, 2006. Salaries and benefits for the position will be charged to various capital projects as outlined in the staff report. A budget amendment to set up funding and the offsetting charge back for the position is needed. The annual salaries and benefits are estimated to be \$40,140. The amount needed for the balance of FY2007 is \$19,270.
- 5) Two Commissioner have become eligible for a \$1,200 salary supplement. Also, the State of Georgia legislated a cost of living adjustment effective January 1, 2007. This was not included in the adopted budget. A General Fund M&O contingency transfer is requested.
- 6) Emergency repairs to the Skidaway Narrows bridge will exceed funds available in the adopted budget. A contingency transfer of \$34,450 has been requested. Copies of correspondence are attached.
- 7) The Board of Commissioners approved an appropriation of \$460,580 for reconstruction and resurfacing tennis courts at the December 15, 2006 meeting. A transfer from M&O Contingency in the Capital Improvement Program Fund is necessary to provide funding.
- 8) The needs assessment for the Detention Center was paid for using funds in the Detention Center project in the Capital Improvement Program Fund. The repairs to the HVAC system and replacement of the chillers have created a need to fund the project at its original level. A transfer of \$79,975 from M&O

Contingency in the CIP Fund will restore funding. In addition the Detention Center will provide funding of \$84,970 from the Jail Commissary Account to complete funding of the chillers.

- 9) Installation of temporary housing units at the detention center is estimated to cost \$150,000. Funding for the one-time expenditure is available in the M&O Contingency account in the CIP Fund.
- 10) The City of Savannah has adopted its fiscal year 2007 budget. The adopted budget for the Metropolitan Police Department will increase expenditures in the Special Service District budget for the remainder of the County's fiscal year (from January 1, 2007 through June 30, 2007) by \$442,750. A transfer of funds from the SSD Contingency is necessary. A transfer of funds within the General Fund - CNT budget from contractual payments to salaries and wages for a transferred position is also requested for \$48,915. The City reduced the 2007 CNT budget; thus, the line item for contractual payments can be reduced.
- 11) Chatham County has a number of grants that cross over between fiscal years. The attached resolution amends the Multiple Grant Fund budget to include the current grant activity for fiscal year 2007. This includes new and continuing grants.

FUNDING: Funds are available in the General Fund M&O, Capital Improvement Program Fund and Special Service District Fund Contingencies for the transfers. Budget amendments will set up funding in the General Fund M&O, the Capital Improvement Program Fund, the Debt Service Fund and the Multiple Grant Fund.

ALTERNATIVES:

(1) That the Board approve the following:

GENERAL FUND M&O

- a) a transfer of \$11,760 within the Building Maintenance and Operations budget to salaries and benefits for a position,
- b) a transfer of \$42,500 from Contingency to the Department of Family and Children's Services for an on-call after hours unit,
- c) a transfer of \$250,000 from Contingency to the Board of Assessors for staffing and equipment,
- d) an amendment to increase salaries and benefits in the County Manager's office by \$19,270 with a corresponding reimbursement for an Administrative Assistant I position,
- e) a transfer of \$5,170 from Contingency to the Commissioner's budget for a salary and cost of living adjustments,
- f) a transfer of \$34,450 from Contingency to Bridges for bridge repairs.

- g) a transfer of \$48,915 within the Counter Narcotics Team budget to salaries and benefits for a transferred position

CAPITAL IMPROVEMENT PROGRAM FUND

- a) a transfer of \$460,580 from M&O Contingency for reconstruction/resurfacing tennis courts,
- b) a transfer of \$79,975 from M&O Contingency to the Detention Center project,
- c) recognize miscellaneous revenue of \$84,970 and appropriate funds of \$84,970 for the Detention Center project,
- d) a transfer of \$150,000 from CIP M&O Contingency to the Detention Center Project to complete installation of the temporary housing units, and
- e) an amendment to increase revenue by \$8,160 for rental revenue and \$27,620 for Transfer In from the Debt Service Fund (total of \$35,780) for a maintenance position, and amend corresponding expenditure/project budgets.

DEBT SERVICE FUND

- a) an amendment to increase rent revenues by \$27,620 and appropriate \$27,620 to Transfer Out to the Capital Improvement Program Fund.

SPECIAL SERVICE DISTRICT FUND

a transfer of \$442,750 from Contingency for the Metropolitan Police Department.

MULTIPLE GRANT FUND

an amendment to increase revenues and appropriations by \$399,975 for new and continuing grants.

- (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 THE FY 2007/2008 BUDGET ADOPTION AND MILLAGE LEVY CALENDAR AND SET A DATE FOR THE BUDGET GOALS SESSION/RETREAT.

County Manager Abolt said, Mr. Chairman and members of the Board, what you're doing now is officially adopting your budget calendar. We do it every year about this time. It is the second tab on your agenda. You essentially put forward expectations, milestones to get you towards adopting the budget on the 22nd of June of this year, but also in partnership with the Board of Assessors to get the tax digest to Atlanta by the 23rd of July. You also because of your previous action incorporating your goal session for the 17th of February. Commissioner Farrell asked, 17th or 13th? County Manager Abolt said, I'm sorry. Yes, 13th.

Commissioner Shay said, move for adoption, Mr. Chairman.

Chairman Liakakis said, we have that date and then for — well, let's vote on that and then we'll go for the session retreat. County Manager Abolt said, you've already done it. Chairman Liakakis said, yeah, for February 13th, right. County Manager Abolt said, the staff report was prepared prior to — so if you adopt this, you incorporate your 13th of February goal session. Chairman Liakakis said, right.

Commissioner Shay said, move for approval, Mr. Chairman. Commissioner Stone said, second.

Chairman Liakakis said, we have a motion on the floor and a second to approve this budget adoption and millage levy calendar and for the other items. Let's go on the board. The motion carried unanimously. [NOTE: Commissioner Kicklighter was not present when this vote was taken.] Chairman Liakakis said, the motion passes.

ACTION OF THE BOARD:

Commissioner Shay moved to approve the FY2007/2008 Budget Adoption and Millage Levy Calendar and set February 13, 2007, as the date for the budget goals session/retreat. Commissioner Stone seconded the motion and it carried unanimously. [NOTE: Commissioner Kicklighter was not present when this vote was taken.]

AGENDA ITEM: IX-2

AGENDA DATE: January 12, 2007

DATE: January 3, 2007

TO: Board of Commissioners

THRU: R.E. Abolt, County Manager

FROM: Linda Cramer, Finance Director

ISSUE:

To present Fiscal Year 2007 / 2008 Budget Adoption and Millage Levy Calendar to the Board for approval.

BACKGROUND: The Budget Adoption and Millage Levy Calendar is approved by the Board each fiscal year to allow for timely adoption of the budget and millage levy.

FACTS AND FINDINGS:

(1) The FY 2007/2008 (July 1, 2007 thru June 30, 2008) Budget Adoption and Millage Levy calendar is shown in completion on page 3-4 herein and contains the following major target dates:

- January 22, 2007- Distribution of budget packages
- May 11, 2007 - Presentation of proposed budget to Board of Commissioners
- May 25, 2007 - Public hearing at regular Commission meeting
- June 22, 2007 - Adoption of the FY 2007 / 2008 Budget
- June 22, 2007 - Year 2007 Tax Digest and 5-year history to Board as information
- July 6, 2007 - Adoption of Year 2007 M&O, SSD, and CAT Millage Levy by Board of Commissioners
- July 20, 2007 - Adoption of Year 2007 Board of Education Millage Levy by Board of Commissioners
- July 23, 2007 - Tax Digest to Atlanta

(2) Budget workshops with the Board are scheduled for May 14, 2007 through June 8, 2007.

(3) The Board may elect to hold a Budget Goals Session/Retreat in late January or February 2007 where the Board's goals and priorities for the upcoming fiscal year can be developed. Stated goals and priorities will be utilized by the County Manager to develop the FY 2007/2008 proposed budget. The Board could also have a series of workshops on CIP needs concurrent with the goal session.

(4) Approval of the calendar does not preclude the Board scheduling additional workshops prior to budget adoption or amending the target adoption date.

(5) The State of Georgia may enforce penalties against counties who do not submit their digest by August 1st.

FUNDING:

N / A

ALTERNATIVES:

- (1) Approve the FY 2007 / 2008 Budget Adoption and Millage Levy Calendar, and set a date for the Budget Goals Session/Retreat.
- (2) Amend the calendar.

POLICY ANALYSIS:

State law requires that an annual budget be adopted by the Board for the General Fund and all Special Revenue and Debt Service Funds while a project-length budget should be adopted for construction-in-progress funds. The calendar also provides for levy of millage rates to allow for timely submission of the tax digest to the Department of Revenue.

RECOMMENDATION:

That the Board approve Alternative 1 and set a date for the Budget Goals Session/Retreat.

PREPARED BY: *Estelle Brown*

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3. TRANSMITTAL OF THE CHATHAM COUNTY 2007 CAPITAL IMPROVEMENT PROJECTS WORKBOOK TO THE BOARD.

County Manager Abolt said, Mr. Chairman, at your places today we just completed printing yesterday, you have what amounts to the lion's share of what we would expect your work on the 13th of February. This is an opportunity — this Board has been insistent upon accuracy and capital improvement programming and forecasting of needs. This will be your second year now in which you'll have benefit of staff's very best on this. You saw some of your problems, a good portion of your problems if you look at this CIP this year versus last year by having a successful vote on SPLOST and the major commitment to the Detention Center plus some facilities in the court system. But that aside, if you wouldn't mind, go through the document and then come prepared on the 13th to in effect listen to the departments that have projects here and then be able to make decisions fairly early on realizing that because of your very conservative and sound financial policies, you'll have well over — well, you'll have over \$5,000,000 to make decisions on for the CIP yet this fiscal year and the idea would be to jumpstart those improvements.

Commissioner Farrell asked, that's in M&O, not SSD? County Manager Abolt said, M&O, yes. That says the — remember again using the term we used all too often maybe, the shaky nature of the SSD we in effect have our one month reserve for expenses which your financial policy says. Two months, I'm sorry, for SSD and we have our one month for M&O. In the case of M&O we've been able to nest away more than that, but SSD is very fragile.

ACTION OF THE BOARD:

The Board received a copy of the Chatham County 2007 Capital Improvement Projects Workbook for review prior to the goals session scheduled for the 13th of February.

AGENDA ITEM: IX-3**AGENDA DATE: January 12, 2007**

DATE: January 3, 2007
TO: Board of Commissioners
THRU: R.E. Abolt, County Manager
FROM: Linda Cramer, Finance Director

ISSUE: To transmit the Chatham County 2007 Capital Improvement Projects Workbook to the Board for consideration.

BACKGROUND: In October 2006 capital budget packages were distributed to all departments. Submitted projects were rated by the CIP Committee in late November. The 2007 Capital Improvement Projects Workbook provides summary detail on submitted projects with priority ratings.

FACTS AND FINDINGS:

1. The Capital Improvement Projects Workbook represents a listing of capital requests and cost estimates provided by County Department Heads. Funded capital projects are not included in the document unless current funding is insufficient. The cost threshold for projects is \$25,000.
2. The 2007 Capital Improvement Projects Workbook lists 142 projects for consideration totaling over \$107 million. Summary lists are provided that sort the projects three ways within fund sources: i) by Rating Score, ii) by Service Level Priority, and iii) by Department/Agency. Further detail on each project is provided on a separate project detail sheet.
3. The CIP Committee scored each project and assigned a rating. Projects were scored based on six categories: Service Level Priority, Policy Priority, Expected Useful Life, Effect on Annual Operating Costs, Effect on Revenues, and Grant Availability. The maximum available score is 160 points. A sample rating sheet is attached.

FUNDING: Limited funding for capital improvement projects is available in the CIP Fund M&O and SSD Contingency Accounts. The Board may also consider transfers of designated fund balance from the General Fund and the Special Service District to provide additional resources.

POLICY ANALYSIS: In their October 2005 bond ratings, the rating agencies encouraged the County to provide consistent funding for its capital project needs. Adopted financial policies encourage funding to maintain asset quality and service levels.

ALTERNATIVES: N/A

RECOMMENDATION: For Board Consideration.

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4. REQUEST BOARD APPROVAL TO CREATE NINE (9) POSITIONS IN THE TAX ASSESSOR’S BUDGET: SIX APPRAISAL POSITIONS, ONE GIS TECHNICIAN AND TWO CLERICAL ASSISTANT III POSITIONS; AND ONE CIVILIAN EVIDENCE CUSTODIAN POSITION IN THE COUNTER NARCOTICS TEAM BUDGET.

County Manager Abolt said, and again to explain the sequence, Mr. Chairman, before any motions are made, and this is purely required by budget law dictum, last time — the last meeting you had approximately a month ago there was consensus given to allocate additional revenue to the Board of Assessors, and you did that. There was specific instruction for us to come back with certain information, which we’ve done in the previous report number one, but also budgetarily in addition to saying this is how the money shall be spent, we are required to give to you specific action that will create positions. We cannot by generalities create any positions other than being able to say specifically where those positions are and what their job titles will be, and that’s what staff report under #4 does.

Chairman Liakakis said, and as we know that the information came to the Board that there are several hundred pieces of property that have not been appraised by the Assessors office and that’s the main reason why they’ve been requesting that for a long period of time to help them with these appraisals. And that helps us, of course, with our tax digest and able to do the necessary things. Do you want to say something, Larry [Lower]?

Mr. Larry Lower said, no, I just wanted to reiterate that, that you know last year I told you that we left undone a little over 9,000 parcels of property, which equate to about \$180,000. This year we’re going into that and that’s going to double. We have got to address the appraiser situation. This gives us that opportunity. One of the biggest problems that we have in hiring appraisers is the training curve that is necessary. By hiring these nine people — these six people now, the appraisers, we get them in the training curve ahead of time and it will put us into good shape as we go into the new tax year, and this is something we have not been able to do since I’ve been on the board for five years now. And growth is continuing. In my initial letter that we addressed to you last week, we gave you that we had on line already this year about 6,400 parcels of property. In two days it went up, we got another 300 over the weekend. We’re already at 7,000

new parcels. That's 3,000 more than we thought we were even going to have and it's not slowed down even though they say the housing market's slowed down. It's not slowed down yet. And so it's very important that we be able to address this and we appreciate the support.

Chairman Liakakis said, it's great that the economy in Chatham County is that we're not affected like some other areas of the country and we still have this surge and everything is good in our cities and County.

Chairman Liakakis recognized Commissioner Shay.

Commissioner Shay said, Mr. Chairman, when this came up the last time I voted against it and I don't want Chairman Lower to think that that was for any reason that I don't think that you have needs. I just didn't have this information in front of us at the time and I feel like it's a responsibility before we vote on especially recurring expenditures, because this is by creating these staff positions this means that the \$250,000 that I think we're transferring today is going to be reflected by at least \$500,000 in our annual budget upcoming and in all years after that. Larry [Lower], let me just ask you this. Do we have space for these people or are we going to —? Mr. Lower said, we have been in a space crunch for five years, but we're going to use inventive methods to address that space crunch and we're going to hold onto it. We've been offered to go out and rent additional space. Mr. Pat Monahan has been good about that. The board has not take that position we'd like to put money in something that we just can't get no return on. So we're looking at split shifts, we're looking at doing home at work [sic], we're looking at many options and we feel that with the vacation time that the people have got, that we'll be able to bring these people within the space we have. Commissioner Shay said, it's certainly an interesting challenge to have to manage. Also I note that one of the positions that would be created is a GIS Technician. Mr. Lower said, yes sir. Commissioner Shay asked, is that a new function or is that something we're reinforcing and —? Mr. Lower said, we're reinforcing. Our mapping section is our GSI [sic] system and we're now up to where they're doing about 300 parcels apiece and we've got to get it down and so we need somebody else in the mapping to help us with that. Commissioner Shay said, well, that GIS system is a great asset to the community in general. Having updated information, especially about valuations, is of key importance especially when we're experiencing the kind of growth that we're having. This is what those property developers and people that are interested in coming here to invest tens of millions of dollars, maybe hundreds of millions of dollars, they rely on that system to some extent for ideas about what property and land is worth. So I'm very much supportive of that. Is there any chance that in the future the system can be — those valuations can be posted on the GIS more than just once a year. A lot of times the change in ownership and the change in the valuation during the course of the year yields outdated information that is not as helpful as it could be? Mr. Lower said, we're hoping that our ACS system, the new computer system we're putting in, is going to address those problems for us. Commissioner Shay said, say no more.

Chairman Liakakis recognized Commissioner Odell.

Commissioner Odell asked, how many current appraisers do you have? Mr. Lower said, we have 17 field appraisers now. Commissioner Odell asked, and your adding six —? Mr. Lower said,

that's actually get out in the field and do appraisal work. Commissioner Odell asked, how many budgeted appraisal positions do you have? Mr. Lower said, well —. Do you mean —? Commissioner Odell said, let me rephrase the question. What I'm trying to determine, not only how many current bodies you have, but how many positions do you have for bodies known as appraisers? Is it 17? Mr. Lower said, yes. Commissioner Odell said, okay. And you are adding six new, right? Mr. Lower said, yes sir. Commissioner Odell asked, how did you arrive at the number six? Mr. Lower said, well, we felt that first of all in our original decision package we had asked for nine total people but six appraisers. The nine was to help us try to get down below about the 6,000 parcels that an individual appraiser has to do now, and we wanted to get it down to as close a standard that we could get that the Department of Revenue recommends, and that is about 2,500. We really need to go to that level, but the six we felt was sufficient. We could get down to about under 4,000 or 5,000, which would aid greatly in itself that way. Commissioner Odell asked, so basically you take the total number of parcels —. Mr. Lower said, yes sir, divide it by appraisers. Commissioner Odell said, — and divided by appraisals, and we received part information from the State of Georgia as to how many people, i.e. appraisers, you need if you have X-number of parcels. Is that a true statement? Mr. Lower said, yes sir. They recommend the 2,500. What that does is that reduces the errors that you're going to make in the appraisals that go on and even though we have not been down to that level, we have reduced our errors because we've taken a couple of the appraisers that have appraiser positions and put them in quality control and so they do a lot of checking behind what has to be done, and reduced — that has been our key to reducing the errors that are made. You know, several years ago we had most of your Commissioners on here when we had the problem at The Landings. We've never had a major problem like that since we've introduced our quality control method. So we have taken some appraisers, and it takes an appraiser to be a quality control person. Commissioner Odell said, obviously. Thank you.

Chairman Liakakis said, all right, we have —. Chairman Liakakis recognized Commissioner Stone.

Commissioner Stone said, I have one concern I guess, and it's really not a concern to you, but will the increase in the assessors cause a backlog down the line like to the Tax Commissioner because you're going to be sending so much more his way, and I just want to make sure that we cover all of our bases here. Commissioner Odell said, a rippling effect. Commissioner Stone said, yes. Mr. Lower said, yeah, and I agree. It's going to be because there's more parcels out there and so that means that we're going to deal with — you know, it ripples down. It definitely does. The end line is he's got more tax notices to send out. Commissioner Stone said, well, that's just my concern. I mean, it's one thing to get the property assessed, but to collect the money is another. So I don't want to send it downhill if we can't —. Mr. Lower said, I agree. Commissioner Stone said, — fix it up on the bottom end. Mr. Lower said, it has a ripple effect.

Chairman Liakakis said, okay. We need a motion on the floor to approve this item.

Commissioner Gellatly said, I make a motion. Chairman Liakakis asked, do we have a second? Commissioner Farrell said, second.

Chairman Liakakis said, there's a motion on the floor and a second to approve this item. Let's go on the board.

Commissioner Odell said, question. Point of order. We just heard that there will be a rippling effect and Mr. Powers will more than likely have some impact to his department and before we take a final vote on this, I'd like to hear from Danny Powers. Commissioner Thomas said, I do too. Commissioner Odell said, and I know that's —.

Chairman Liakakis said, no, we — you can't have him on the agenda unless we vote on it. So let's make a motion on the floor to hear Danny Powers, the Tax Commissioner, discuss what he needs in his department. The Clerk said, we have a motion on the floor.

Commissioner Odell said, okay, you've got a motion on the floor.

Chairman Liakakis said, let's go with — we can come back to that. Let's — we have a motion on the floor to approve the Tax Assessors, let's finish that and then we can ask for a motion on the floor to listen to Danny Powers. It's a separate item.

Commissioner Odell said, it's the same thing and I'd ask for a point of parliamentary procedure that you allow me the opportunity to hear from Mr. Powers as to what he believes the rippling effect of these six new positions will be to him, which I think — I don't need to have that as a separate item, that I can hear that as a part of this item.

Chairman Liakakis asked, Mr. Attorney, what's the status? County Attorney Hart said, if the Commission chooses to hear from the Tax Commissioner as part of this item, that could be done but it needs to be addressed as to this item. If Mr. Powers, the Tax Commissioner, wishes to be heard today in his own right about another matter, then he needs to appear before the Commission and request that it be added to the agenda and if there's a motion, a second and is voted upon, it will be added to the agenda and he can be heard.

Commissioner Stone said, Mr. Chairman, I brought it up as a part of this discussion.

Mr. Lower asked, Jon [Hart], can I invite the Tax Commissioner to explain the ripple effect?

Chairman Liakakis said, hold it just a minute. Jon [Hart], we already started to vote on this motion right now. What do we do — we've already started this and Harris [Odell] was asking for a point of order, but I don't know if that point of order is right now. How can we address this? County Attorney Hart said, well, you can decide not to vote and have more discussion, number one; number two, you can call the question which cuts off discussion and vote up or down.

Commissioner Odell said, I have the floor. Mr. Danny Powers said, I just want to talk about the ripple effect. I'm not asking for employees today. I will be back to do that. Commissioner Stone said, this is just a question. Mr. Powers said, but it does have a ripple effect. Chairman Liakakis said, okay. Mr. Powers said, I don't want to stop these folks from getting what they need.

Chairman Liakakis said, all right, then come on up to the podium. Mr. Lower said, I'm asking him to come up.

Mr. Powers said, all right. Does it have a ripple effect? Commissioner Shay asked, who are you, sir? Mr. Powers said, Mortimer Snerd. Daniel Powers, Tax Commissioner. Commissioner Shay said, thank you. Mr. Powers said, back when the budget items were submitted last year we requested six positions for the tag office and at that time that was handle situations that were being passed down from the State regarding vehicle abandonment, out-of-state T-17 Forms which the State stopped doing, issuing handicap permits to go on numerous things that had been passed down. We were told it couldn't be done at that time because there were decision packages that weren't followed through with yet because of the situation we had at the Jail was my understanding, and that issue and public safety had to be addressed. But, you know, folks, it goes beyond public safety. There are other departments in this County that do have problems with the growth that their experiencing and we feel the same growth. When you have 7,000 homes added to an area and they continue to get added, the ripple effect comes down in the fact that I think the stats out there are every home carries an average of 2.5 vehicles or something — some crazy number like that. Well, coupled with what we already do and the State-mandated situations that have not been addressed for not just this past year but several years because of budget situations, I'm still stuck in the same situation that I'm not getting the staff that I need to get the job done. Is six enough? No. Six was put in there trying to be realistically of trying to get some additional employees out there to release the burden. We're getting kicked in the teeth every single day with the number of people that we deal with. So, yes, when the digest grows and the number of houses are built, certainly it does have a trickle down effect. I do collect it. I have to collect it. I have to disperse it. Not only do I have to collect and disperse to you, but each one of these tag transactions has a title document to it that has to go to the State of Georgia. It's not just come in, hand you a document and you're done. It's a very complex duty that these folks have to perform. So it does have a trickle down effect, and when I saw this on the agenda today I felt like I needed to come down here and explain this to you that I do intend to come back, and I have to come back.

Commissioner Odell asked, may I ask a question, Mr. Chairman? Chairman Liakakis said, yes. Commissioner Odell said, what I'd like to do, and I'll have this placed on — under my name on the Commission's Items at the next Chatham County Commission meeting, that if the Tax — if Danny [Powers] can be prepared at the next meeting, to give us a thumbnail overview of the positions that you feel will be a direct result of — growth is good, but you've got to be able to handle growth. Mr. Powers said, we do and we're not accomplishing that mission right now at the tag operation. Commissioner Odell said, and what I don't want us to do is to acknowledge it in my one department and not acknowledge it in another department, and your department will have an impact from this growth as the other department. So if that will suffice, I am now ready to vote on this item.

County Attorney Hart said, Mr. Chairman. Chairman Liakakis said, yes. County Attorney Hart said, for purpose of clarification, is the motion to vote numbers 4 and number (1)(c). Chairman Liakakis said, we already did (1)(c). County Manager Abolt said, no, you didn't. Chairman Liakakis said, oh, I'm sorry. Yeah, that's — we added — what the motion was to transfer that Item

(1)(c) down to Item 4 and to vote on it at the same time. County Attorney Hart said, clarification. Both items are being voted on? Chairman Liakakis said, right.

Chairman Liakakis said, okay, we have a motion on the floor and a second to vote on Item 4, including Item (1)(c) that made a previous motion. Let's go on the board. Chairman Liakakis and Commissioners Stone, Holmes, Shay, Farrell, Gellatly and Thomas voted in favor of the motion. Commissioner Odell voted in opposition. The motion carried by a vote of seven to one. [NOTE: Commissioner Kicklighter was not present when this vote was taken.]

Commissioner Odell asked, how then, Mr. Chairman, will my — is it appropriate now, Jonathan [Hart], to make that — or you already have it? County Manager Abolt said, I've got it down. Commissioner Odell said, okay.

Chairman Liakakis said, the motion passes.

Mr. Lower said, thank you. I want to thank the Commission for a couple of things, if I may just take a minute. I've been on the board a little over five years, been Chairman for two years. I have completed my term as Chairman of the board at this time. I still have about a year and a half on my appointment that you gave me. I want to thank y'all for the relationship that we have developed. Some of you were here five years ago and they didn't talk like this, and we've made great strides in the relationship that we have had, the board with the County Commission, and I personally want to thank you all for that. The person that you'll be dealing with now most of the time, although I understand I still will be a thorn in your side when it comes to a budget, but Art Gunter is taking over as Chairman of the Board of Assessors from now on. And again, we do appreciate what you've done for us.

Chairman Liakakis said, well, let me say this, you know, Larry [Lower]. You know, we made proclamations for employees who — and we recognized them for the service and the retirement that they had with us, but I'd also like to recognize you for your five years of service, working together, bringing the board together. That's a very important position. Unfortunately, there — a lot of people make negatives towards the Assessors office and the Assessors Board and all, but you have worked hard, you know, and you deserve recognition from this Commission and from the citizens for the hard work that you have done, you know, in the Assessors Board itself. Mr. Lower said, thank you very much.

Commissioner Odell asked, can we have a suitable plaque or something drawn up. I'm not talking about having Russ [Abolt] to go in and have a Xerox copy made and put it in one of those 59¢ frames and give it to somebody. I'm talking about — Mr. Lower, it is — yours has not been an easy position. It is something that government needs but it's difficult to get people to take the position, but it's absolutely necessary for government to sustain itself, and I would like — I think it's very befitting for the Chairman at the expiration of your term for this Commission to give you a suitable plaque and have you to come back to receive this plaque from our Chairman because we appreciate what you do. The fact that we don't always agree with you don't mean that we don't appreciate it. It's a little bit different. We do appreciate what you do and I'd like to see us have an appropriate plaque to be awarded.

Chairman Liakakis said, Mr. Manager took note of that. Mr. Lower said, thank you very much.

Chairman Liakakis recognized Commissioner Thomas.

Commissioner Thomas said, yeah, I, too, I just want to say thank you very much. We have come a long, long way, a long, long way, and you have made tremendous progress and we certainly thank you so very much for that. Mr. Lower said, thank you very much.

Mr. Art Gunter said, Mr. Chairman and members of the Commission, I'd like to take a moment to personally thank Mr. Lower for his diligence and the job he's done for the board. I wanted to thank you all for passing the motion that would allow us to hire more personnel for our office. It is something we definitely need and I certainly appreciate — I know the office will appreciate it, and I personally look forward to working with all of y'all in the future and Mr. Abolt and everybody else associated with the Commission. We appreciate it, we appreciate what you've done for us today.

Chairman Liakakis said, thank you, Art [Gunter].

ACTION OF THE BOARD:

Commissioner Gellatly moved to transfer \$250,000 from Contingency to the Board of Assessors for staffing and equipment, and create nine (9) positions in the Tax Assessor's budget: six (6) appraisal positions, one (1) GIS Technician and two (2) Clerical Assistant III positions; and one (1) civilian Evidence Custodian position in the Counter Narcotics Team budget. Commissioner Farrell seconded the motion. Chairman Liakakis and Commissioners Stone, Holmes, Shay, Farrell, Gellatly and Thomas voted in favor of the motion. Commissioner Odell voted in opposition. The motion carried by a vote of seven to one. [NOTE: Commissioner Kicklighter was not present when this vote was taken.]

AGENDA ITEM: IX-4

AGENDA DATE: January 12, 2007

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

Issue:

To request Board approval to create nine positions in the Assessors budget (six Appraiser positions, one GIS Technician, and two Clerical Assistant III positions); and one civilian Evidence Custodian position in the Counter Narcotics Team budget.

Background:

At the January 2, 2007, Board of Assessors meeting, the Board discussed the spending plan for the \$250,000 budget amendment approved by the Board of Commissioners on December 15, 2006. Per the Commissioners request to address a spending plan, the Board of Assessors discussed the most efficient way to maximize the allocation of funds approved by the Commissioners.

Officer James Williams, a former County Police Officer assigned to CNT, was injured in the line of duty in April, 2003. Due to his injuries he is unable to meet the physical requirements for a certified Police Officer. Officer Williams has certain skills that are beneficial to CNT as an Evidence Custodian.

Facts and Findings:

1. The Board of Assessors requested in their FY 2006-2007 budget the addition of six Appraiser positions, one GIS Technician, and two Clerical Assistant III positions. It was estimated that the cost would be approximately \$193,372 (6 month cost figure) to fund the nine positions and an additional \$56,628 in equipment cost for a total of \$250,000.
2. The request for additional positions was based on projected growth in West Chatham County. The Assessors Office indicated that with the addition of six Appraiser positions the work load per Appraiser will drop from approximately 6,229 parcel per Appraiser to 4,603 parcel per Appraiser.
3. The growth in new parcels and the new State of Georgia exemption for citizens 65 years old has had a ripple effect in which the Department now has a need for one GIS Technician in the mapping division and two Clerical Assistant III positions in the Support Services Division (ownership, homesteads, and returns) to handle the present workload.
4. Officer Williams has undergone several surgeries due to an on the job injury and has undergone extensive rehabilitation. His treating physician indicated that he has reached his optimal rehabilitation point. Officer Williams has completed a functional capacity assessment and based on the report received he will be unable to perform the physical requirements of a Certified Peace Officer.
5. There are a number of tasks at CNT such as Evidence Custodian that have been done by a CNT Agents who are also certified Peace Officers. Several of these jobs do not require that the person performing this task be a certified Peace Officer in the State of Georgia. Officer Williams has performed these duties in the past and in order to accommodate his physical limitations staff is requesting that a civilian Evidence Custodian position be created in the CNT budget.

Funding:

Funding for the nine positions, \$193,372 (six Appraiser positions, one GIS Technician, and two Clerical Assistant III positions) in the Assessors Office will come from the Assessors budget pending approval to transfer funds. Funding for the civilian Evidence Custodian in CNT \$43,915 will come from the CNT budget pending approval of funds.

Alternatives:

1. Approve the request to create nine positions in the Assessors budget (six Appraiser positions, one GIS Technician, and two Clerical Assistant III positions) and one position in the CNT budget.
2. Provide staff with other directions.

Policy Analysis:

State law and the Enabling Act provide that only the Board can authorize additional personnel positions and provide funding. In the past, the Board of Commissioners has approved resource enhancements to departments where a need has been demonstrated and these enhancements maintain the delivery of services to the citizens of Chatham County at adequate and efficient levels.

Recommendation:

That the Board adopt Alternative #1.



Chatham County Board of Assessors

Memo To: Chairman and Members of the Board of County Commissioners

From: Sheryl K. Snider, Chief Appraiser

Date: January 5, 2007

Subject: \$250,000 Budget Amendment, FY2006/2007, Use of Funds

At the January 2, 2007 Board of Assessor meeting, the Board discussed the spending plan for the \$250,000 budget amendment approved by the Board of Commissioners on December 15, 2006.

Per the Commissioners request to address a spending plan, the Board of Assessors discussed the most efficient way to maximize the allocation of funds approved by the Commissioners.

The Board discussed two spending plans. The first and preferred plan is to hire the positions requested in the FY2006/2007 decision package. This will consist of six (6) appraisal positions, one (1) GIS technician position and two (2) clerical assistant III positions. The cost associated with the staff positions will be \$193,372, with \$56,628 used for related equipment, for a total of \$250,000.

This will allow the office of the Board of Assessors to address the unprecedented growth in west Chatham and allow for training of personnel for the most effective use of time and money for TY2008 and beyond. The Board highly recommends this approach. It also means that no new personnel positions will be requested in the FY2007/2008 budget.

The second approach is for three (3) appraisal positions, one (1) GIS technician position and two (2) clerical assistant III positions. The cost associated with the staff positions is \$124,251, with \$125,749 for related equipment, for a total of \$250,000. This plan would not allow us to address all of our appraisal needs and requirements. It would mean requesting additional personnel for FY2007/2008.

As stated above, the Board and I feel that the first plan is the most effective method of spending the \$250,000 allocated to our FY2006/2007 budget and allow the appraisal staff to meet its assessment requirements. No additional space is required as we will use other innovative methods to assume the additional positions.

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5. REQUEST BOARD AUTHORIZE THE CHAIRMAN TO EXECUTE AN AGREEMENT WITH G. E. CAPITAL PUBLIC FINANCE, INC., TO PROVIDE CAPITAL LEASE TO FUND TURF EQUIPMENT NEEDED FOR CHARLIE BROOKS PARK.

Chairman Liakakis recognized County Manager Abolt.

County Manager Abolt said, Mr. Chairman —.

Commissioner Odell said, I move for approval. Commissioners Farrell said, second. Commissioner Thomas said, second.

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.]

ACTION OF THE BOARD:

Commissioner Odell moved to authorize the Chairman to execute an agreement with G. E. Capital Public Finance, Inc., to provide capital lease to fund turf equipment needed for Charlie Brooks Park. Commissioners Farrell and Thomas seconded the motion and it carried unanimously. [NOTE: Commissioners Holmes and Kicklighter were not present when this vote was taken.]

AGENDA ITEM: IX-5
AGENDA DATE: January 12, 2007

DATE: January 3, 2007
TO: Board of Commissioners
THRU: R.E. Abolt, County Manager
FROM: Linda Cramer, Finance Director

ISSUE: To authorize the Chairman to execute an agreement with G.E. Capital Public Finance Inc. to provide a capital lease to fund turf equipment needed for Charlie Brooks Park.

BACKGROUND: The County has funded many improvements recently at Charlie Brooks Park. To properly maintain the ball fields, Public Works & Park Services is requesting five pieces of equipment.

FACTS AND FINDINGS:

1. Public Works & Park Services have worked with the County Extension Service staff to identify equipment needed to maintain the fields at Charlie Brooks Park. Currently equipment is transported from other locations to maintain the ball fields, Public Works & Park Services is requesting five pieces of equipment.
2. Public Works & Park Services has obtained quotations from vendors for the equipment. Rather than finance purchases with each individual vendor, an administrative preference would be to finance the purchase through the County's master lease with G. E. Capital Public Finance Inc.
3. The project is ranked within the 2007 CIP Plan with a priority of 72.

- 4. G. E. Capital has provided a quotation to finance \$106,000 at a 6.87% interest rate.

FUNDING:

GE Public Finance has proposed to fund a \$106,000 lease at 6.987% over 3 years. The first payment under this lease would be July 1, 2007 with an end date of January 1, 2010.

The annual debt service for the proposed lease would be:

Fiscal 2008	\$39,701
Fiscal 2009	\$39,701
Fiscal 2010	\$39,701

Funding would be provided by the General Fund.

POLICY ANALYSIS:

Use of master lease agreements is consistent with prior actions. In addition, financing of equipment will allow the Board to use available funds in the Capital Improvement Program for other needs that can not be financed, such as maintenance needs.

ALTERNATIVES:

- 1. Authorize the Chairman to execute an agreement with G. E. Capital Public Finance, Inc. for the purchase of turf equipment as identified in the attachments.
- 2. Disapprove the project and the financing mechanism.

RECOMMENDATION:

Alternative # 1.

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~~**6. BOARD CONSIDERATION OF AN AGREEMENT WITH G. E. CAPITAL PUBLIC FINANCE, INC., TO PROVIDE A CAPITAL LEASE FOR AN E-MAIL ARCHIVING SYSTEM AND EQUIPMENT FOR SCANNING OF CRIMINAL CASE FILES. (SEE ATTACHED MEMO FROM COUNTY ATTORNEY INDICATING THAT HIS OFFICE NOT BE INCLUDED IN THIS SYSTEM.)**~~

This item was removed from the agenda.

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7. BOARD CONSIDERATION OF AN AGREEMENT WITH G. E. CAPITAL PUBLIC FINANCE, INC., TO PROVIDE A CAPITAL LEASE FOR A FIRST RESPONDER MOBILE DATA SYSTEM ON INTERSTATES 16 AND 95.

County Manager Abolt said, Mr. Chairman, members of the Board, I have Mr. Leonard in front of us right now. This is pretty exciting stuff. I know that Commissioner Gellatly received an e-mail this morning as to, you know, what might — may or may not happen relative to the coordination with other agencies. Suffice it to say, what you are doing today if you approve the staff report is conceptually telling the staff to go forth and negotiate a specific contract that would implement this. Let me explain in passing, there were three items on your agenda today, the previous one, #6, was pulled wherein reference is made to G. E. Capital. I liken this financing tool to kind of having a piece of plastic in your pocket wherein years gone by we could not come up with the initial money to pay full cost for something, we paid it over time. There were, and Mr. Leonard was the leader in this, we had a lot of archaic equipment that was devoted to data processing. That equipment we turned around, got rid of the old gear and took the maintenance money and used it to pay over time for new equipment. This is the same concept here. This is something you use complimentary to pay as you go in CIP. It's pretty exciting stuff. I do want to, as Mr. Leonard comes forward, if you're a fan of James Bond, and many of you who are a fan as I am, know the significance of a gentlemen by the name of "Q." "Q" for the untrained and unappreciative is the person that always puts in the hands of Mr. Bond the latest technology, and for the benefit of introducing Mr. Leonard properly, Mr. Leonard is the "Q" for Chatham County.

Mr. Lewis Leonard said, Mr. Chairman and members of the Board, this project will put high speed data system on I-16 and I-95. We have had a pilot project with this equipment for over a year now and we've tested it out. We've tested it in various areas: courthouse, old courthouse, the Trade Center, and other places, and some — one on the tower at the Sheriff's Department, so we have tested this equipment and it works. It works great. It is complimentary to what the City is doing. They will be able to take advantage of it. It's also — the Port Authority has just purchased this same system to track trucks and containers for Homeland Security purposes on the Port Authority, and we will make this available for them also to track those on I-16 and I-95. Also, for purposes of evacuation during times of hurricanes, we're working with the State of Georgia and DOT will be heavily involved in this project attaching cameras to these devices, and they will help — this will help them determine when to implement the contraflow, which means turning I-16 one way heading West. So it has a lot of uses. It will also be able to be used to help the Board of Assessors with their space problem. They'll be able to download and upload their work for their appraisers on this system, obviating the necessity for some of them to come to the office at all. They can get their work and they can download their work back to the office. Also, Building Safety will be able to use it for appraisal information, improving the productivity of their staff in terms of keeping our development community informed. And I think Sheriff St. Lawrence is here to say a word about it.

Sheriff Al St. Lawrence said, just a word or two from the law enforcement standpoint. The biggest beneficiary of this is going to be Savannah-Chatham. What this does right now, we've already tested it as Mr. Leonard said, he keeps up with all the latest technology in communications as well as our communications people, but hanging a camera in the car will automatically by tag — it will

pick up the tags, it will identify stolen vehicles. I think this is very important in Savannah and Chatham County since we have so many vehicles stolen. Not only are they stolen, but they're used in armed robberies, they're used in hit-and-runs. A stolen car was used in the Ross case and if we had that information into this system and this camera — the officer don't have to watch it. If he gets a hit on it, he'll know it, but he can scan every car going down — or he can go through an apartment complex and just scan with his camera mounted in the car all the tag numbers and he'll get a hit if they're stolen. It's a great benefit to law enforcement. We're not going to be involved as much as some other agencies, but all other agencies can become involved in it. They have to buy the equipment for their vehicles, but what the County is doing is taking the lead to provide it for everybody. So I think it's a very important item, and I would certainly hope that you will approve it.

Chairman Liakakis asked, do we have a motion on the floor to approve this item? Commissioner Stone said, so moved. Commissioner Odell said, second. Chairman Liakakis said, we have a motion on the floor and a second. Let's go on the board. The motion carried unanimously. [NOTE: Commissioners Shay, Kicklighter and Thomas were not present when this vote was taken.] Chairman Liakakis said, the motion passes.

Sheriff St. Lawrence said, Mr. Chairman, just one more item and just a reminder, I think you have something in your package that on next Friday, the 19th, at 11:00 —. Chairman Liakakis said, I've already discussed that and the County Commissioners are going to be there, Al [St. Lawrence].

ACTION OF THE BOARD:

Commissioner Stone moved to approve an agreement with G. E. Capital Public Finance, Inc., to provide a capital lease for a First Responder Mobile Data System on Interstates 16 and 95. Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Commissioners Shay, Kicklighter and Thomas were not present when this vote was taken.]

AGENDA ITEM: IX-7

AGENDA DATE: January 12, 2007

DATE: January 3, 2007
TO: Board of Commissioners
THRU: R.E. Abolt, County Manager
FROM: Linda Cramer, Finance Director

ISSUE: To authorize the Chairman to execute an agreement with G.E. Capital Public Finance Inc. to provide a capital lease for a First Responder Mobile Data System on Interstates 16 and 95.

BACKGROUND: The ICS Director has requested funding for a First Responder Mobile Data System to serve Interstates 16 and 95. The technology will facilitate the mobile downloading of files for various county users including the Sheriff, Tax Assessors office and Building Safety and Regulatory Services.

FACTS AND FINDINGS:

- 1) The ICS Director is requesting funding for a First Responder Mobile Data System to serve Interstates 16 and 95. The cost of the system is estimated at \$750,000.
- 2) A memorandum is attached from the ICS Director outlining the project. The County could finance the purchase of the equipment through the County's master lease with G.E. Capital Public Finance Inc.
- 3) The project is ranked within the 2007 CIP Plan with a priority of 56. The priority score indicates a new service with a low estimated useful life.
- 4) G.E. Capital has provided a quotation to finance \$750,000 at a 5.15% interest rate.

FUNDING:

GE Public Finance has proposed to fund a \$750,000 lease at 5.15% over 5 years. The first payment under this lease would be July 2007 with an end date of January 1, 2012.

The annual debt service for the proposed lease would be:

Fiscal 2008	\$172,054
Fiscal 2009	\$172,054
Fiscal 2010	\$172,054
Fiscal 2011	\$172,054
Fiscal 2012	\$172,054

Funding would be provided by the General Fund.

POLICY ANALYSIS:

Use of master lease agreements is consistent with prior actions. In addition, financing of equipment will allow the Board to use available funds in the Capital Improvement Program for other needs that can not be financed, such as maintenance needs.

ALTERNATIVES:

1. Authorize the Chairman to execute an agreement with G. E. Capital Public Finance, Inc. for the purchase of a First Responder Mobile Data System for Interstates I-16 and I-95 as identified in the attachment,

2. Defer the funding decision on the project until after CIP Plan deliberations are completed; or
3. Disapprove the project and the financing mechanism.

RECOMMENDATION:

For Board Consideration.

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8. BOARD CONSIDERATION OF A REQUEST FOR A VARIANCE TO THE RIGHTS-OF-WAY ENCROACHMENT ORDINANCE FOR PROPERTY LOCATED AT 59 AND 63 AMANDA DRIVE. STAFF RECOMMENDS DENIAL OF THE VARIANCE REQUEST.

County Manager Abolt said, I'll defer to Mr. Drewry and then a member of the representative for the property owner.

Commissioner Odell asked, what district is that? County Manager Abolt said, Commissioner Stone's, District 1. Commissioner Odell said, okay.

Chairman Liakakis said, go ahead.

Mr. Robert Drewry said, good afternoon. Robert Drewry, Director of Public Works & Park Services. What you have before you is a request for a variance to a decision I made for the Right-of-Way Encroachment Ordinance. To give you a little historical information, a little background on this, the applicant at 63 and 59 Amanda Drive began to install a fence in the right-of-way or began to install a fence. It came to his attention he needed a building permit. They applied for a building permit, received that building permit for Building Safety and Regulatory Service, and at that time also they were advised that it's in the right-of-way and they would need a right-of-way encroachment permit from my office. They made the application for the encroachment permit. I denied the permit and asked them to move that fence out of the right-of-way within 30 days. At that time the applicant, through their attorney, Mr. Al Lewallen, applied for a variance — requested a variance to my decision. So it stands in front of you now as a request to — the variance of the Right-of-Way Encroachment Ordinance.

Chairman Liakakis asked, and this fence is right next to the curbing? Mr. Drewry said, the fence is right up against the curbing, I think 12 to 18-inches off the curve itself inside the right-of-way, plus or minus 15 feet. You have pictures in your package that show —. Chairman Liakakis said, okay. Any questions to Robert [Drewry]? Any questions? All right. Do we have anyone that would like to speak for this item?

Mr. Al Lewallen said, thank you, Mr. Chairman. My name is Al Lewallen. I represent the property owners, Continental Field Realty, Mr. Eric Christoph, President and CEO of Continental Field, Roy

Button, who is the Project Manager for the building of the fence, and Ms. Joanna Button, who was also involved in the application process in getting the permit to build the fence. Simply put, to reiterate what Mr. Drewry has said, we're asking that the fence remain because it was built pursuant to a permit that was issued by the Department of Building Safety. We — during every stage of the process we complied with what the County asked and wanted us to do. When the construction process began in September of 2006, the County asked us to get a building permit to build the fence. We then submitted the application as well as the drawings and the layout showing specifically where the fence was going to be located. During this time the posts were also set out there so when the inspectors came to the property they could see for themselves exactly where the fence was located. The department appeared to be satisfied with this process. Whenever they asked for additional information, we provided it to them, and then in September — September 28 of 2006 the County did issue a permit for the construction of the fence in accordance with the specifications that we had laid out. We then proceeded with the — resumed construction of the fence which included putting the panels up and all the other items that were necessary to complete the construction of the fence. And that proceeded for about the next month. Then in October, approximately a month after the permit had been granted, a month later a representative from the same department of Building Safety came to the site, put a Stop Work Notice out there on the property and asked us to remove the fence because it was in the public right-of-way. At that point we conferred with the department, told them that we had a permit. He then — the Department of Building Safety then referred us to Mr. Drewry's department, Department of Public Works. We started the application process over again for permission to encroach in the County's right-of-way. We submitted all the paperwork as we had done before. Mr. Drewry came out and denied our application because it was in the public right-of-way. We appealed it and that's how we got here today. We believe that, according to the ordinance we're entitled to rely upon the permit to proceed with the work, and that's what we've done in this case. We've gotten the permit. We felt like we've done everything that the County has asked us to do. We were asked to get a permit, we got a permit, we then built according to that. I have a couple of pictures of the fence just in case you want to see it. This is the fence, and as you can see, it's a state of the art fence. It is — I think Mr. Drewry will agree with us that it's on a private cul-de-sac and it does not present a traffic hazard or any kind of impediment to traffic. There's no safety issues involved with the construction of the fence. There's no obstruction to access to utility boxes, transformer boxes. The fence has already been completed with the exception of the installation of the gates. That's the only thing that remains to be done, and picking the — dismantling, taking down the fence and moving it back at this point in time would be extremely expensive as well as time consuming. The fence was constructed in accordance with the four corners of the permit [sic]. There's nothing out of line with the fence and we complied with the permit in every manner. We've also offered to the County an understanding that it is located in the right-of-way, and I've conferred with the County Attorney on this issue as well that if the fence is allowed to stand, we would be willing to indemnify the County, hold the County harmless for any expenses or any inconvenience that would result from our placement of the fence. We appreciate the Board's time to hear this matter and we appreciate the opportunity to address this.

Chairman Liakakis said, thank you. Mr. County Attorney, concerning this particular matter, if we allow this to occur, are we under obligations for other people to use the right-of-way, you know, when some mistake has been made? County Attorney Hart said, well, that's the \$64 question.

We have an awful lot of encroachment issues around town. Most of them go through the — a lot of them go through the permit process and avoid the issue by doing that. In this particular case we had a very detailed drawing of the design of the fence, but the location was not necessarily as detailed because the use of SAGIS was not exact. If you're going to make this particular fence be moved on this particular cul-de-sac, you need to be cognizant of the fact that there are other fences that have been on that cul-de-sac for awhile that are also encroaching the right-of-way, and if you're going to enforce this on this particular fence, I would think you would need to be consistent in that in your enforcement. If this were a fence located on a primary road where there was through traffic, I think without question it would have to go because it would present traffic safety issues. This is at the end of the cul-de-sac so you've sort of got a different situations than you normally have in these matters. This Board has discretion if it so chooses to overrule Mr. Drewry under the Right-of-Way Encroachment Ordinance. Mr. Drewry tries to be very consistent in his rulings insofar as protecting the public right-of-way, and in order to be consistent sometimes you have to make those hard decisions, but the variance procedure is there if this body uses to exercise their judgment in allowing that. I have told their representative that if that is going to occur, we would want an encroachment agreement that they indemnify and hold harmless the County from any acts or problems on it. The owner has been more than willing to cooperate in that.

Chairman Liakakis recognized Commissioner Stone.

Commissioner Stone said, I just have a couple of questions. I live — I have fences on my property, too, and one of the concerns that I have looking especially at the larger picture, and I had planned to get over there and look at it and I've been ill the last couple of days and I was unable to get there, but the danger of vehicles turning around and hitting that fence, it could happen, and then I want to know — I understand what the County Attorney said about that we would be held harmless, but if somebody does get hurt, the issue is going to come back to bite us, and then like I said, I have fencing on my property and I'm aware of that. My next concern is pedestrians that are walking in the area. I realize that it's a cul-de-sac. Now they're going to have to walk in the street because judging by the photograph, it's not wide enough for pedestrians to walk there. How long has your company been in business? Mr. Lewallen asked, Continental Field Systems? Mr. Roy Button said, 1974. Commissioner Stone said, okay, and I'm not trying to be insulting here, but you all didn't know that — County Attorney Hart said, they don't build fences. They're a heavy industry and fabricator, and it's my understanding that this was done by some of the members during a down period. Commissioner Stone said, I guess my concern is that somebody that's been in the fence building business that long would certainly know that there would be right-of-way that you would have to allow in building a fence. That was my question. County Attorney Hart said, I agree one hundred percent with that, and that was one of the first questions I had in my mind, and then when I met with these folks they're not in the fence building business. It's just a situation that they had some downtime. They do a lot of metal works and were able to design this and some of their employees installed it. This is their first and, based on their experience, I think probably their last fence.

Commissioner Stone said, I guess my concern is I feel very badly that this whole situation has arisen. I'm very concerned about the public safety end of it, and I know this because I live on a

dead-end dirt road and when people try to turn around in my driveway, they have hit my fence, and there's nothing I can do other than stand out there and right down tag numbers. I mean, my fence has been damaged and I know that this can be a problem. I also worry about children, bicycles, the whole business of having absolutely no right-of-way in front of your fence there, so that really does concern me, and I guess it's just a very unfortunate thing that this was not caught early on and it does concern me that the company, I understand, but whoever was responsible did not know that certainly you would have to allow for the road right-of-way and for any improvements that might be made to the road.

Mr. Lewallen said, yes ma'am, and just to address a couple of those very briefly, at some point in time I believe it was aware that the fence had gone or would go into the right-of-way; however, at the same time we thought that that would — they reasonably thought that that was covered in the approval process since there were other houses and other properties in this same neighborhood with fences up to and over the County right-of-way.

Commissioner Stone said, and I understand that. This is just very much in the right-of-way and it, as you can see by the photographs, allows very little space before you're actually in the street, and that for safety reasons is, as I've already stated, as well as pedestrians, gives me great concern.

Chairman Liakakis asked, well, if they knew it was in the right-of-way, shouldn't it have been right on their part to talk to those people to come back out there and say, hey, this is on the right-of-way, you know, on the building site? Mr. Lewallen said, well, we would have liked to have known early on in the process that that was going to be a major issue and it did not surface as an issue until the fence had been substantially completed.

Commissioner Stone asked, how much is substantially? Mr. Lewallen said, the fence — the posts, I believe the posts were installed as well as the paneling.

Mr. Roy Button said, before we — Chairman Liakakis said, come up to the microphone and identify yourself. Mr. Button said, yes, I'm Roy Button. I'm the Project Manager for Continental Field Systems. The fence itself, we had the posts already in before we realized that we even needed a permit to install a fence, and the reason we didn't frankly is because the ones in the neighborhood that had been installed a couple of months before, there had never been any permitting with those and they were installed by fencing companies. So our first thing was obviously we don't need a fence and, not having lived here that long myself — other places you don't need permits to put up a fence on your own property or even fencing in easements where you're responsible to take care of the easements, usually you're allowed to fence the easement, and that was basically the assumptions that we made when we put the posts in. At that time the inspector came and said you need a permit. Well, we went and got a permit. We went three times to fulfill all the requirements that they wanted to install this fence. So, you know, at that point in time we felt that everything we were doing was right.

Commissioner Stone asked, at what point were you informed that you needed a variance? Mr. Button said, we didn't know that we needed a variance from this Commission until the building

people said, look —. Commissioner Stone said, no, I mean the variance from the Building Inspection. Mr. Button said, no, that's what I'm saying. Everything was already up and they said, look, we can't — we've got to stop you, we've got to put a stop permit up because it's on the easement, but if you'll go to the Commission they might grant you a variance. So we started then going through the process to get a variance. Everything was already there and installed.

Chairman Liakakis asked, Robert [Drewry], would you come back up to the microphone please? Commissioner Stone was talking about the safety, you know, of somebody, especially on the cul-de-sac. What is your take on the safety of citizens hitting that, damaging their vehicle plus damaging their fence? Mr. Drewry said, well, I think the County Attorney mentioned it well. You know, it's a cul-de-sac, certainly a low volume, low speed roadway. But that doesn't preclude a trash truck or a moving van or something from coming through and damaging it. Now what kind of injury results, you know, depends on how fast they're going and how careless they are, I don't know. But, yes, that risk is there. It's minimal, but that risk is there.

Chairman Liakakis said, okay. Do you have any other questions? Any other questions? All right. A motion on the floor — Helen [Stone], this is your district and you've heard this presentation.

Commissioner Stone said, I have. Thank you, Mr. Chairman. I'm just really concerned. This is one of these really unfortunate things. I don't see how, as a representative of this County, that I in good conscience can allow this fence to stay here because of the safety issues and the pedestrian issues, and also if every person on that cul-de-sac builds a fence that close to the roadway, we're going to have problems, and if we accept this, then we're accepting it for anybody else. Now I cannot speak to the issues that you all have brought up if there are other violations on that cul-de-sac, but I feel certain now that Inspections will go out there and check those, and those that are not in violations — I mean, those that are not in compliance, would certainly be subject to the same penalties that you are. And we certainly want to treat people fairly, but I have a real concern here. I don't know how the rest of the Commission feel about safety issues and liability issues concerned with a fence being put in the right-of-way. Does anybody else have any comments before I make a motion? Well, then I would have to make a motion to deny this, Mr. Chairman. Commissioner Gellatly said, second.

Chairman Liakakis said, we have a motion on the floor to deny the request. Yes, I mean, you can speak now, sir.

Mr. Peyton Graham said, my name is Peyton Graham. I live across the street from the property in question and I have one concern that their attorney mentioned there was no problem. The cul-de-sac turnaround is real narrow anyhow and school buses, garbage trucks and other large vehicles have a very hard time making that turn without having to back up and turn around, and ever since that fence has been installed right on the edge of the curve, it's making it much more difficult. They are having to drive up onto the cul-de-sac and I've got some pictures here showing some of the problems it creates.

Commissioner Odell asked, do you recommend that it be denied? Mr. Graham said, yes, I do. Commissioner Odell said, well, that's what the motion is. Mr. Graham said, and also there's —

something came up about another fence. I think I know which one they're talking about, that encroaches. If it's this one, it was installed back in 1969 — before 1969. The gatepost, it's on a cul-de-sac and the gatepost don't make — or the fence doesn't make the curve of the cul-de-sac and it's just the gate end that's probably on the County right-of-way which the homeowner, if necessary, she's wanting to have that moved to comply with the codes.

Chairman Liakakis said, okay. Thank you, sir. We have a motion on the floor and a second to deny the variance. Let's go on the board. The motion carried unanimously.

ACTION OF THE BOARD:

Commissioner Stone moved to **deny** the request for a variance to the Right-of-Way Encroachment Ordinance for property located at 59 and 63 Amanda Drive. Commissioner Gellatly seconded the motion and it carried unanimously. [NOTE: Commissioner Kicklighter was not present when this vote was taken.]

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9. REQUEST BOARD APPROVAL TO REMOVE PORTER'S LOUNGE FROM 2003 AND 2004 TAX DIGEST.

Chairman Liakakis asked, do we have a motion?

Commissioner Thomas said, let me ask a question. Chairman Liakakis said, yes. Go ahead. The reason — I should have asked this in the pre-meeting — what are the reasons for the removal?

Chairman Liakakis asked, the removal of that? County Attorney Hart said, the property was sold. Commissioner Thomas said, oh, the property is sold. County Attorney Hart said, it's timing on sale versus the tax notice going out. Commissioner Thomas said, okay. I just wanted to find out what it was.

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

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

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

ACTION OF THE BOARD:

Commissioner Stone moved to approve the removal of Porter's Lounge from the 2003 and 2004 Tax Digest due to an error in the digest because the business was closed on September 4, 2002.

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

AGENDA ITEM: IX-9

AGENDA DATE: January 12, 2007

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

ISSUE:

To approve request to remove Porter’s Lounge from 2003 and 2004 Tax Digest.

BACKGROUND:

On September 4, 2002, Porter’s Lounge, which was owned by Gilbert McDaniels was closed. During the collection process, an error on the digest was discovered. The Tax Commissioner’s Office and Tax Assessor’s Office request that Porter’s Lounge be removed from the 2003 and 2004 Tax Digest.

FACTS & FINDINGS:

1. On September 4, 2002, Porter’s Lounge, which was owned by Gilbert McDaniels was closed.
2. During the collection process, an error on the digest was discovered.
3. The Tax Commissioner’s Office and Tax Assessor’s Office request that Porter’s Lounge be removed from the 2003 and 2004 Tax Digest.

FUNDING:

N/A

POLICY ANALYSIS:

Porter’s Lounge should be removed from the 2003 and 2004 Tax Digest, since the business was closed on September 4, 2002.

ALTERNATIVES:

1. The Commission should authorize the removal of Porter’s Lounge from the 2003 and 2004 Tax Digest.

2. The Commission should not authorize the removal of Porter’s Lounge from the 2003 and 2004 Tax Digest.

RECOMMENDATION:

Alternative 1.

/jr

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10. REQUEST BOARD APPROVAL TO REMOVE LOGGERHEADS FROM 2005 TAX DIGEST.

Commissioner Odell said, move for approval. Commissioner Thomas said, second.

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

ACTION OF THE BOARD:

Commissioner Odell moved to approve the removal of Loggerheads from the 2005 Tax Digest due to a error in the digest because the business was closed on December 31, 2004. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Kicklighter was not present when this vote was taken.]

AGENDA ITEM: IX-9
AGENDA DATE: January 12, 2007

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

ISSUE:

To approve request to remove Porter’s Lounge from 2003 and 2004 Tax Digest.

BACKGROUND:

On September 4, 2002, Porter’s Lounge, which was owned by Gilbert McDaniels was closed. During the collection process, an error on the digest was discovered.

The Tax Commissioner’s Office and Tax Assessor’s Office request that Porter’s Lounge be removed from the 2003 and 2004 Tax Digest.

FACTS & FINDINGS:

1. On September 4, 2002, Porter’s Lounge, which was owned by Gilbert McDaniels was closed.
2. During the collection process, an error on the digest was discovered.
3. The Tax Commissioner’s Office and Tax Assessor’s Office request that Porter’s Lounge be removed from the 2003 and 2004 Tax Digest.

FUNDING:

N/A

POLICY ANALYSIS:

Porter’s Lounge should be removed from the 2003 and 2004 Tax Digest, since the business was closed on September 4, 2002.

ALTERNATIVES:

1. The Commission should authorize the removal of Porter’s Lounge from the 2003 and 2004 Tax Digest.
2. The Commission should not authorize the removal of Porter’s Lounge from the 2003 and 2004 Tax Digest.

RECOMMENDATION:

Alternative 1.

/jr

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11. REQUEST BOARD APPROVAL TO REMOVE 1966 PEARSON SAILBOAT OWNED BY SCOTT A. LAWSON, WHICH WAS SOLD IN SEPTEMBER, 1996.

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

Commissioner Farrell said, so moved. Chairman Liakakis asked, do we have a second? Commissioner Odell said, second.

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

ACTION OF THE BOARD:

Commissioner Farrell moved to approve the removal of a 1966 Pearson Sailboat owned by Scott A. Lawson from the 1999, 2000, 2001, 2002 and 2003 Tax Digest, due to an error because the boat was sold in September of 1996. Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Commissioner Kicklighter was not present when this vote was taken.]

AGENDA ITEM: IX-11
AGENDA DATE: January 12, 2007

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

ISSUE:

To approve request to remove a 1966 Pearson Sailboat owned by Scott A. Lawson which was sold in September, 1996.

BACKGROUND:

On or about September, 1996, Scott A. Lawson sold his 1966 Pearson Sailboat. During the collection process, an error on the digest was discovered. The Tax Commissioner's Office and Tax Assessor's Office request that the 1966 Pearson Sailboat be removed from the 1999, 2000, 2001, 2002 and 2003 Tax Digest.

FACTS & FINDINGS:

1. On or about September, 1996, Scott A. Lawson sold his 1966 Pearson Sailboat.
2. During the collection process, an error on the digest was discovered.
3. The Tax Commissioner's Office and Tax Assessor's Office request that the 1966 Pearson Sailboat be removed from the 1999, 2000, 2001, 2002 and 2003 Tax Digest.

FUNDING:

N/A

POLICY ANALYSIS:

The 1966 Pearson Sailboat should be removed from the 1999, 2000, 2001, 2002 and 2003 Tax Digest since the boat was sold on or about September, 1996.

ALTERNATIVES:

1. The Commission should authorize the removal of the 1966 Pearson Sailboat from the 1999, 2000, 2001, 2002 and 2003 Tax Digest.

2. The Commission should not authorize the removal of the 1966 Pearson Sailboat from the 1999, 2000, 2001, 2002 and 2003 Tax Digest.

RECOMMENDATION:

Alternative 1.

/jr

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12. REQUEST BOARD APPROVAL TO REFUND TAXES FOR 2003 PAID BY MS. CATHERINE HALL IN THE AMOUNT OF \$335 FOR PROPERTY LOCATED AT 210 BROMPTON ROAD, PIN 1-0075-03-057.

Chairman Liakakis asked, do we have a motion on the floor? Commissioner Farrell said, so moved.

Commissioner Odell said, yes, who's property — which district is that? Commissioner Thomas said, it's — it's Garden City. Mr. Danny Powers said, the Fourth. Commissioner Odell asked, that's in the Fourth District? Mr. Powers said, yeah, that's on Wilmington Island. Commissioner Odell said, I just wanted to give the Commissioner from the District the opportunity to make the motion.

Commissioner Farrell said, so moved. Commissioner Odell said, second.

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

ACTION OF THE BOARD:

Commissioner Farrell moved to approve the request to refund taxes for 2003 paid by Ms. Catherine Hall in the amount of \$335 for property located at 210 Brompton Road, PIN 1-0075-03-057, due to an error in the tax office. Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Commissioner Kicklighter was not present when this vote was taken.]

AGENDA ITEM: IX-12**AGENDA DATE: January 12, 2007**

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

ISSUE:

To approve request of Catherine Hall for to refund taxes for 2003 in the amount of \$335.00 for property located at 120 Brompton Road, PIN 1-0075-03-057.

BACKGROUND:

This is a request by Catherine Hall for a refund of taxes paid for tax year 2003 in the amount of \$335.00. The property was entered as an appeal in error in 2003. A tax bill went out for the payment of 85% of the value due to the appeal. The bill was paid. When the error was discovered that there was not an appeal, an account correction was sent almost three years after the original bill was paid to the Tax Commissioner to bill for the additional 15% in taxes.

FACTS & FINDINGS:

1. Catherine Hall seeks a refund of taxes paid for tax year 2003 in the amount of \$335.00.
2. The property was entered as an appeal in error in 2003. A tax bill went out for the payment of 85% of the value due to the appeal. The bill was paid.
3. When the error was discovered that there was not an appeal, an account correction was sent almost three years after the original bill was paid to the Tax Commissioner to bill for the additional 15% in taxes.
4. O.C.G.A. § 48-5-380 (a) authorizes a refund to taxpayers of taxes which are determined to have been erroneously or illegally assessed or which have been voluntarily or involuntarily overpaid. A refund may be requested three

years after the date of the payment of the tax to the County. O.C.G.A. § 48-5-380 (b).

FUNDING:

Delinquent collections of the Tax Commissioner's office.

POLICY ANALYSIS:

The taxpayer who paid timely her taxes should not be required to pay an additional amount due to staff error.

ALTERNATIVES:

1. The Commission should authorize the refund of \$335.00.
2. The Commission should not authorize the refund of \$335.00.

RECOMMENDATION:

Alternative 1.

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13. SIX-MONTH REVIEW OF LAND USE HISTORY IN ACCORDANCE WITH SECTION 11-3 OF THE COUNTY ZONING ORDINANCE. (INFORMATION REPORT.)

Chairman Liakakis said, we have that in the information report. Does anybody have any questions or can we move on from there? Okay.

ACTION OF THE BOARD:

A report was furnished as information only.

AGENDA ITEM: IX-13
AGENDA DATE: January 12, 2007

TO: BOARD OF COMMISSIONERS

THROUGH: R. E. ABOLT, COUNTY MANAGER

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

ISSUE

List of properties which received a Map Amendment with 24 months.

BACKGROUND:

Section 11-3 of the County Zoning Ordinance was adopted in 1987. The Zoning Administrators is responsible to report the status of subject properties for development activity within 24 months of the zoning approval date.

FACTS AND FINDINGS:

1. The listed property obtained a map amendment through the MPC between January 1, 2005 and June 30, 2005.
2. The listed properties have shown no development activity since the date of the map amendment.

ACTION

For Information Only

Property Rezoning From January 1, 2005 Through June 30, 2005

<u>MPC FILE NO.</u>	<u>ADDRESS</u>	<u>PIN</u>	<u>ZONING CHANGE</u>	<u>PERMIT ISSUED</u>
Z-041222-37053-15651	Ogeechee Rd	1-0991-07-024	A-T/R-A to P-B	To allow existing use
Z-41217-50141-1	0 Ogeechee Rd.	1-1029B-01-003A	R-A to P-B-C	No permits
Z-050222-63781456	Johnny Mercer Blvd.	1-0059-01-002	R-2-A to PUD-IS-B	No permits
Z-050323-3647968	Red Gate Farms Trail	1-0838-01-004	R-A to PD-R-SM	No permits
Z-050422-56959-7840	Highway 80 East	1-0046-01-016	TB/EO to P-I-P/EO	No permits

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14. LEGAL OPINION REGARDING CURRENT SPLOST ELECTION AND REQUEST TO ADOPT STATUTORY RESOLUTION TO COLLECT THE 2003-2008 SPLOST FOR THE FULL FIVE-YEAR TERM.

County Attorney Hart said, this is a matter of change in State law. It is the intention on the part of the Commission that if there are funds above the estimated amount set in the Intergovernmental Agreement that the intention is to collect the SPLOST for the full term that it was passed in in the referendum. There's been about three or four major amendments to the

SPLOST law over the years. This is one that kind of falls between one and the other and one of the mechanisms by which you can handle this is to send this resolution to the Revenue Commissioner and ask him to adopt it, and it outlines within the resolution the various reasons for us doing that. We also have outstanding right now a — the County Attorney's Office has reached the conclusion that it's perfectly acceptable for the County to collect five years here and — or the maximum term that the SPLOST was composed, but we have asked the Attorney General's Office to also try to concur in that opinion due to the fact that there's so many amendments to the statute it's very difficult. Simple question, technical answer. But it needs to be answered.

Chairman Liakakis asked, do I have a motion on the floor to adopt a resolution?

Commissioner Farrell said, so moved. Commissioner Thomas said, second.

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

ACTION OF THE BOARD:

Commissioner Farrell moved to adopt a statutory resolution to collect the 2003-2008 SPLOST for the full fire-year term. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Kicklighter was not present when this vote was taken.]

Related to AGENDA ITEM: IX-14

AGENDA DATE: January 12, 2007

INTER-OFFICE CORRESPONDENCE

DATE: January 9, 2007

TO: R. E. Abolt, County Manager

FROM: R. Jonathan Hart, County Attorney

SUBJECT: Letter to Attorney General regarding Additional Collections In Current SPLOST

Russ,

Pursuant to instructions of the County Commission, I am enclosing a copy of my letter to the Attorney General's Office requesting his concurrence in the conclusions we reached that Chatham County may collect SPLOST for a period of five years and obtain revenue in excess of the estimated \$276 million. Although this is an

extremely complex and technical interpretation of three comprehensive amendments to the SPLOST statutes, and we are without benefit of definitive case law, we are in hopes that we will obtain concurrence with our opinion from the Attorney General.

As you are aware, should we proceed with the exemption as contained in the 2004 version of O.C.G.A. 48-8-12(d) it will be necessary for the Commission, at a regularly scheduled meeting to adopt the Resolution outlined in this subpart for submission to the Department of Revenue. This is on the agenda for Friday, January 12, 2007. Obviously, if we receive an adverse opinion from the Attorney General's Office, this may have impact on the effectiveness of the Resolution. Nevertheless, since there are time constraints within which the Commission must act, I believe it is in our best interest to proceed expeditiously to avoid unnecessary time challenges.

RJH:dkm

County\SPLOST\abolt-10\attorney general opinion

CHATHAM COUNTY ATTORNEY

R. JONATHAN HART
COUNTY ATTORNEY

124 BULL STREET
ROOM 240

PLEASE REPLY TO:
P.O. BOX 8161

EMILY E. GARRARD
ASSISTANT COUNTY ATTORNEY

SAVANNAH, GEORGIA 31401

SAVANNAH, GEORGIA 31412
912/652-7881
FAX 912/652-7887

January 9, 2007

Mr. Thurbert E. Baker
Attorney General of Georgia
40 Capital Square, SW
Atlanta, GA 30334

Re: SPLOST

Dear Attorney General Baker:

I have been directed, as the County Attorney, by the Board of Commissioners of Chatham County, to seek your concurrence in an opinion rendered by the County Attorney's Office, that Chatham County may continue to collect Special Purpose Local Options Sales Tax (SPLOST) proceeds for the full five-year term stated in the approved Intergovernmental Agreement and Referendum, even though there is the probability that the collection of funds for SPLOST projects will exceed the estimated \$276 million amount contained in the Resolution and Intergovernmental Agreement. Chatham County has a currently

and properly imposed SPLOST 2003-2008 for county-wide capital outlay projects that are in excess of 54 in number.

The Intergovernmental Agreement between the County and municipalities provide for the then maximum five-year period imposition of SPLOST and the projected collected of \$276 million. All county-wide projects are in some phase of development and remain feasible. In accordance with Dickey v. Storey, 262 Ga. 452 (1992), the county is bound by the SPLOST Referendum to complete all projects listed in the referendum unless circumstances arise to make projects which were initially deemed to be feasible no longer feasible. While the county may exercise discretion in making adjustments to the projects, it may not abandon the project altogether.

At the time of preparation and the passage of the Referendum and Intergovernmental Agreement, the county made a good faith estimate of the projected cost for each capital outlay project. The estimated projections were educated projections based on past experience, but without the benefit of detailed construction plans to develop an accurate cost projection. While all of these projects remain feasible and capable of completion, the cost of completion has arisen over a time above the \$276 million estimate with cost escalations driven by changes in the economy. Fortunately, the sales tax revenues are ahead of projections and hence, should the SPLOST be collected from the full five years as stated in the Referendum, the revenue above \$276 million estimate may be available to complete the projects. The county will only use the funds above the \$276 million for referendum approved SPLOST projects.

Due to three major statutory amendments since the original enactment of SPLOST, it was necessary to review the impact of the various amended language as applied to the appropriate time frame SPLOST was passed (2003-2008). Additionally, the most recent amendments (July 4, 2004) contained various new sub-provisions and "reach back language" which would, in effect, retroactively modify portions of previous amendments to SPLOST. I am enclosing for your review our Memorandum of Analysis to the County Commission in which we conclude that Chatham County may collection for the maximum period of five years, revenue in excess of \$276,000 for referendum approved SPLOST capital outlay projects. We have also attached to this memorandum the various versions of the SPLOST statute.

We would appreciate your review of this issue and the rendering of an opinion of concurrence with the conclusions

contained in our memorandum. Should you require any additional information, please do not hesitate to contact me.

Respectfully submitted,

R. Jonathan Hart
Chatham County Attorney

RJH/dc
enclosures

AGENDA ITEM: IX-14

AGENDA DATE: January 12, 2007

RESOLUTION

BE IT RESOLVED, that the Board of Commissioners of Chatham County in their regular meeting of January 12, 2007, did upon a motion being made and properly seconded did adopt this Resolution. **WHEREAS**, this Resolution shall be directed to the Georgia Revenue Commissioner ("Commissioner") for purposes of insuring that Chatham County may collect Special Local Option Sales Tax "SPLOST" revenues for the full 5 year term pursuant to its Intergovernmental Agreement with the municipalities and in accordance with the approved referendum by the voters of Chatham County; and,

WHEREAS, Chatham County and municipalities entered into an Intergovernmental Agreement for various SPLOST capital outlay programs executed on February 14, 2003, to collect SPLOST from the years 2003 - 2008; and

WHEREAS, on or about March 18, 2003, the voters of Chatham County, in its referendum, did approve the imposition of the one percent SPLOST sales tax pursuant to the Intergovernmental Agreement; and,

WHEREAS, O.C.G.A. §48-8-112(d) provides that upon the passage of a resolution containing the appropriate conditions,

the County shall be allowed to collect SPLOST proceeds in excess of the amount estimated in the Intergovernmental Agreement for the maximum period of time specified for the imposition of tax; and,

WHEREAS, the County and westside municipalities have experienced unanticipated retail development as evidenced by an increase in business permits in some municipalities by 320 percent;

NOW THEREFORE, be it RESOLVED that the Chatham County Board of Commissioner's pass this resolution and find that;

Pursuant to O.C.G.A. §48-8-112(d) the Board of Commissioners of Chatham County did, through an Intergovernmental Agreement and voter referendum, the SPLOST tax became effective in the calendar quarter beginning October 2, 2003, said SPLOST being for road, street and bridge purposes, courthouse capital repair and other purposes, and the municipalities of Chatham County incurred unanticipated retail development prior to the 4th year of said tax having been in place, and this resolution is adopted in contemplation of the provisions of paragraph (3) of subsection (b) of this code section and that;

O.C.G.A. §48-8-112(d) shall apply upon the adoption of this resolution and the tax shall continue to be imposed for the same period of time as was originally authorized without regard to the amount of revenue collected and the Commissioner shall notify the county governing authority as of the end of the calendar quarter in which the Commissioner makes the determination required by the appropriate Code section, and from the beginning of the immediately following calendar quarter until the final date of the maximum period of time specified for the imposition of the tax, the County shall be authorized to use proceeds collected for county-wide

project(s) or for recreational facility project(s) and only pursuant to an Intergovernmental Agreement between the County and all municipalities which were originally to receive the share of the proceeds of SPLOST revenues for the full 5 year term pursuant to its Intergovernmental Agreement and approved referendum by the voters of Chatham County;

The County Attorney's Office is hereby directed to forward this Resolution to the Revenue Commissioner of the State of Georgia for action.

ADOPTED AND APPROVED, this _____ day of _____, 2007.

CHATHAM COUNTY, GEORGIA

By: _____
Pete Liakakis, Chairman
Chatham County Commission

Attest: _____
Sybil Tillman, Clerk
Chatham County Commission

[SEAL]

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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 8 and then Items A through H. Do we have any particular items that you want to withhold so that we might, if the Board decides to vote on all items.

Commissioner Stone said, I don't want to withhold anything, Mr. Chairman, but Item #6, I believe the land acquired for Truman Parkway Phase IV, I believe that's District 1, just for clarification.

Commissioner Odell said, I've just got a question if I could. On Item C, the District Attorney, we're buying another vehicle. Mr. Stuart Chatham said, Stuart Chatham, Fleet Management. Yes sir.

This I was told is part of a staff expansion that has already been approved and this is to get the vehicle to go with the investigator. Commissioner Odell said, so this — okay. Mr. Chatham said, it's an addition to the Fleet. Commissioner Odell asked, can I have a list of all of the vehicles that are owned by Chatham County? And who in fact uses those vehicles? Not the person, but the title. And if they are take home —, we ought to have this in a computer system, Lewis [Leonard]. Mr. Chatham said, we do this periodically. County Manager Abolt said, we do it every now and then. Mr. Chatham asked, do you want a list of the take-home cars? Commissioner Odell said, I want a list of all the cars, but I also want it noted the take-homes. All — I want some way to distinguish whether or not this is a take-home or non take-home. Mr. Chatham said, so what we would do would be the entire fleet broken out by department and then off to the side who's assigned to ones that are assigned for take-homes. Commissioner Odell said, right. And can we also match that take-homes to cost? Mr. Chatham said, if you define the cost. I mean you have to have a period. Commissioner Odell said, yeah, for this budget year. Mr. Chatham asked, to date? Commissioner Odell said, to date. Mr. Chatham said, yes. Commissioner Odell said, I guess my question is if I have a take-home County vehicle and I go by — I go out to the depot and get gas, that earmarked for that vehicle, is it not? Mr. Chatham said, yes. All — our system assigns the fuel specifically to the vehicle. Commissioner Odell said, I'd like to have that for take-home and, last but not least, I'd like to have a listing of all vehicles that are being taken outside of Chatham County. Mr. Chatham said, that I can't — we don't have that in our system. That's a department level issue. Commissioner Gellatly said, it shouldn't be any. Mr. Chatham said, that's something that — well, it wouldn't come from us. Commissioner Odell said, yeah, and I've been saying this. The best track is to do an audit and if you don't audit, then there's no way staff can tell me that there shouldn't be any because y'all really don't know. Commissioner Gellatly said, well, then you need the person and you need the address to.

Chairman Liakakis said, well, one thing that you might be able to do that is request the department, whoever's the Director of that department should know because somebody would not be driving the car out of the County unless it has permission from a supervisor. Mr. Chatham said, exactly. Chairman Liakakis asked, isn't that right? Mr. Chatham said, yes, the policy —. Chairman Liakakis said, so that way you could just — what he's requesting just to find out from the department heads who is taking the vehicles out of the County. Mr. Chatham said, right.

Commissioner Odell said, yeah. With fuel being what it is and, you know, there just appears to me that we need to make certain that those vehicles, that they are Chatham County vehicles. And if it's going to be time prohibitive, let me know. County Manager Abolt said, no, no. Commissioner Odell asked, it won't be? County Manager Abolt said, we'll do it. Commissioner Odell said, okay.

Chairman Liakakis said, okay, thank you very much.

Commissioner Farrell asked, can I be copied on that? Commissioner Odell said, everyone is going to be copied, but don't put this down as a Harris Odell request. This is a request from the Chairman. Everything comes through the Chairman.

Chairman Liakakis said, yeah, just like the smoking things. Somebody complained they had an illness and all of the County employees that went outside think I'm the one that stopped them from smoking coming in the entrance. It wasn't me, it was a citizen who had a chest problem and they said, hey, they ran into that smoke screen over there. I want all the employees to know that I just mentioned to the County Manager what that individual said. County Manager Abolt said, blame me. Chairman Liakakis said, okay.

Chairman Liakakis said, on Item 6, is that alright with you to go into that, Patrick [Farrell], that Item 6 right here on the agenda, to go for the sealed bid, just to proceed with that. Commissioner Farrell said, yes. All right, fine. I need a motion on the floor for Items 1 through 8 and A through H.

Commissioner Stone said, so moved, Mr. Chairman. Chairman Liakakis said, we have a motion on the floor and — did you second? Commissioner Gellatly said, second. Chairman Liakakis said, and it's been seconded. Let's go on the board. The motion carried unanimously. [NOTE: Commissioner Kicklighter was not present when this vote was taken.]

ACTION OF THE BOARD:

Commissioner Stone moved to approve Items 1 through 8-H, both inclusive, and Item VI-4. Commissioner Gellatly seconded the motion and it carried unanimously. [NOTE: Commissioner Kicklighter was not present when this vote was taken.]

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

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1. APPROVAL OF THE MINUTES FOR THE REGULAR MEETING OF DECEMBER 15, 2007, AS MAILED.

ACTION OF THE BOARD:

Commission Stone moved to approve the minutes of the regular meeting of December 15, 2006. Commissioner Gellatly seconded the motion and it carried unanimously. [NOTE: Commissioner Kicklighter was not present when this vote was taken.]

=====

2. CLAIMS VS. CHATHAM COUNTY FOR THE PERIOD DECEMBER 7, 2006, THROUGH JANUARY 3, 2007.

ACTION OF THE BOARD:

Commissioner Stone moved to authorize the Finance Director to pay the claims against the County for the period December 7, 2007, through January 3, 2007, in the amount of \$16,364,662. Commissioner Gellatly seconded the motion and it carried unanimously. [NOTE: Commissioner Kicklighter was not present when this vote was taken.]

=====

3. REQUEST BOARD CONFIRM MEETING DATES FOR 2007 WITH THE FOLLOWING AMENDMENT: OMIT THE MEETING OF JANUARY 26, 2007, AS IT CONFLICTS WITH SAVANNAH DAY IN ATLANTA. THE TENTATIVE WAS SCHEDULE ADOPTED AT THE LAST MEETING IN DECEMBER.

ACTION OF THE BOARD:

Commissioner Stone moved to confirm setting the Commission meeting time to immediately follow a 9:30 a.m., pre-meeting and set the following dates in 2007: The second Friday in January, the second and fourth Fridays in February through June and August, and the first and third Fridays in July and September through December. Commissioner Gellatly seconded the motion and it carried unanimously. [NOTE: Commissioner Kicklighter was not present when this vote was taken.]

Revised

AGENDA ITEM: X-3
AGENDA DATE: January 12, 2007

TO: Board of Commissioners
FROM: R. E. Abolt, County Manager

ISSUE:

To tentatively set the days and time for regular Commission meetings for 2007. The Board will be asked to confirm adoption of the calendar at the first meeting in January. ***The Board adopted a tentative calendar at the meeting of December 15, 2006. An amendment to the schedule is needed to avoid conflict with Savannah Day in Atlanta. See new "Facts and Findings" #10 and revised "Alternative 1."***

BACKGROUND:

The County's Enabling Act requires the action be taken during the first meeting of the Board each year.

FACTS AND FINDINGS:

1. The Enabling Act states:

The Board of Commissioners shall hold two regular meetings each month except as may otherwise be determined by the Board of Commissioners, at the County seat for all matters requiring action of an administrative or policy nature, and for all matters advertised or scheduled for hearing in which the public will be asked to speak for or against the items under consideration, which meetings shall be open to the public. At the first meeting of the Board of Commissioners in January of each year, the Board of Commissioners shall set the days and the time when it will hold its regular meetings. Meeting hours for the public hearings may be changed by action of the Board of Commissioners and may be held at such hour as stated in the public notice of the date and time of such hearing. Special or additional meetings may be held as necessary upon call of the Chairman or any five members of the Board of Commissioners, provided all members of the Board of Commissioners have been notified at least 24 hours in advance of such special or additional meeting, and such notice shall specify the subject matter to be considered.

2. The Commission has met on the second and fourth Fridays of the month in the past except for November and December (Thanksgiving and Christmas). The meetings in November and December are usually held on the first and third Fridays to allow for the holidays. There are five Fridays in August 2007. Changing to first and third Fridays in September will allow two weeks between meetings for the remainder of the year.
3. The NACo Legislative Conference will be March 3 through March 7, 2007, in Washington, D.C. This will not conflict with the second and fourth Friday schedule.
4. In 1998 the Board asked that in future years meetings not be scheduled on Good Friday. Good Friday will be April 6, 2007. This will not conflict with the second and fourth Friday schedule.
5. The ACCG Annual Meeting will be April 21 through 24, 2007, in Chatham County. This will not conflict with the second and fourth Friday schedule.
6. The NACo Annual Conference will be July 13 through 17, 2007, in Richmond, Virginia. This does conflict with the second and fourth Friday schedule. Because June 2007 has five Fridays, changing to first and third Fridays in July will allow two weeks between meetings.
7. The ACCG Fall Policy Conference will be October 1 through 3, 2007, in Atlanta. This will not conflict with the first and third Friday schedule (see item 2 above).

8. Currently the pre-meeting is scheduled for 9:00 a.m. to be followed immediately by the regular meeting, generally at 9:30 a.m.
9. A calendar is attached showing County holidays for 2007 and tentative Commission meeting dates.
10. ***Savannah Day in Atlanta is January 25, 2007. This will conflict with the second meeting date in January.***

ALTERNATIVES:

1. Set meeting time to immediately follow 9:00 a.m. pre-meeting and set dates for ***the second Friday in January***, second and fourth Fridays in ~~January~~ **February** through June and August; first and third Fridays in July and September through December, schedule to be confirmed ***adopted*** at first meeting in January 2007.
2. Set meeting time and dates as designated by Commissioners, schedule to be confirmed at first meeting in January 2007.

POLICY ANALYSIS:

Compliance with the Enabling Act.

FUNDING:

Not applicable.

RECOMMENDATION:

Alternative #1.

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- 4. REQUEST FROM SOUTHEAST ENGINEERING & ENVIRONMENTAL, ENGINEER FOR THE DEVELOPER, REGAL BUILDERS, FOR THE COUNTY TO APPROVE THE CONSTRUCTED IMPROVEMENTS, INITIATE THE TWELVE-MONTH WARRANTY PERIOD AND REDUCE THE FINANCIAL GUARANTEE FOR GLENWOOD GROVE (AKA BERWICK TRACT A-3). [DISTRICT 7.]**

ACTION OF THE BOARD:

Commissioner Stone moved to approve the request from Southeast Engineering & Environmental, engineer for the developer Regal Builders, for the County to approve the constructed improvements, initiate the 12-month warranty period and reduce the financial guarantee for

Glenwood Grove (aka Berwick Tract A-3). Commissioner Gellatly seconded the motion and it carried unanimously. [NOTE: Commissioner Kicklighter was not present when this vote was taken.]

AGENDA ITEM: X-4

AGENDA DATE: January 12, 2007

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

ISSUE: To approve the constructed improvements, initiate the twelve-month warranty period and reduce the financial guarantee for Glenwood Grove (aka Berwick Tract A-3).

BACKGROUND: The engineer, Southeast Engineering & Environmental, for the developer, Regal Builders, requests that the County approve the constructed improvements, initiate the twelve-month warranty period and reduce the financial guarantee for Glenwood Grove.

FACTS AND FINDINGS:

1. Glenwood Grove is a private townhome community in Berwick Plantation. The development consists of 132 townhome lots on 15 acres. All common area, paving and drainage will be owned and maintained by the Glenwood Grove Homeowners Association. Water and sewer service are maintained by Consolidated Utilities.
2. The required site improvements are complete. They have been inspected and found to be without fault.
3. The developer previously submitted a letter of credit issued by Darby Bank & Trust in the amount of \$688,459.50. The developer is requesting that the letter of credit be reduced to \$221,487.50, which is 50% of the cost of paving, drainage and landscaping improvements.

ALTERNATIVES:

1. To approve the constructed improvements, initiate the twelve-month warranty period and reduce the financial guarantee.
2. Do not approve the request.

POLICY ANALYSIS: This action is consistent with the subdivision regulation regarding warranty of dedicated improvements.

RECOMMENDATION: That the Commissioners adopt Alternative No. 1.

District 7

PREPARED BY: Nathaniel Panther

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**5. REQUEST BOARD APPROVE A UTILITY RELOCATION AGREEMENT WITH BELL SOUTH FOR THE RELOCATION OF ITS FACILITIES FOR THE CONSTRUCTION OF ABERCORN INTERSECTION IMPROVEMENTS AT TIBET AVENUE.
[DISTRICTS 5 AND 6.]**

ACTION OF THE BOARD:

Commissioner Stone moved to approve a Utility Relocation Agreement with Bell South for the relocation of its facilities for the construction of Abercorn Intersection Improvements at Tibet Avenue. Commissioner Gellatly seconded the motion and it carried unanimously. [NOTE: Commissioner Kicklighter was not present when this vote was taken.]

AGENDA ITEM: X-5
AGENDA DATE: January 12, 2007

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

ISSUE: To approve a Utility Relocation Contract Agreement with Bell South for the relocation of its facilities for the construction of Abercorn Intersection Improvements at Tibet Avenue.

BACKGROUND: The construction plans for the project are complete and right-of-way acquisition is in progress. The Georgia Department of Transportation will schedule the bidding of the construction contract. All utility relocation agreements must be approved before the GDOT will bid the contract.

FACTS AND FINDINGS:

1. Bell South facilities are located on its own easement adjacent to the intersection. The facilities (e.g. cabinet, cables) must be relocated to construct the project.
2. Bell South anticipated the roadway project when it constructed additional facilities in 2002. They acquired an additional easement for the new work. They

must now relocate the portion of their facilities that existed prior to 2002 in order to clear the proposed right-of-way. Estimated cost for the relocations is \$162,724.

ALTERNATIVES:

1. That the Board approve a Utility Relocation Contract Agreement with Bell South for the relocation of its facilities for the construction of the Abercorn/Tibet Intersection Improvement.
2. That the Board not approve the agreement.

FUNDING: Funds are available in the 1993-1998 SPLOST, Abercorn/Tibet Intersection Improvements (Fund 321, Project 11.27314).

POLICY ANALYSIS: It is the policy of the Board to approve agreements.

RECOMMENDATION: That the Board approve Alternative No. 1.

Districts 5, 6

Prepared by Allan R. Black

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6. REQUEST BOARD DECLARE SURPLUS REMNANT PARCEL 21R CONTAINING 0.38 ACRES WHICH WAS ACQUIRED FOR TRUMAN PARKWAY PHASE 4 AND PROCEED WITH THE SEALED BID PROCESS. [DISTRICT ~~6~~ 1.]

ACTION OF THE BOARD:

Commissioner Stone moved to approve a request to declare surplus remnant parcel 21R (PIN 1-0500-01-042), containing 0.38 acres which was acquired for Truman Parkway Phase 4, and proceed with the sealed bid process. Commissioner Gellatly seconded the motion and it carried unanimously. [NOTE: Commissioner Kicklighter was not present when this vote was taken.]

AGENDA ITEM: X-6
AGENDA DATE: January 12, 2007

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

ISSUE: To declare surplus remnant parcel 21R containing 0.38 acres which was acquired for Truman Parkway Phase 4 and proceed with the sealed bid process.

BACKGROUND: The County acquired the remnant parcel as a part of the acquisition for the right-of-way for Truman Parkway Phase 4. The parcel (P.I.No. 1-0500-01-042) is located on Whitfield Court (formerly 9301 Whitfield Avenue).

FACTS AND FINDINGS:

1. The property can be declared surplus since there is no known County need for the property and the Truman Parkway Phase 4 project is complete. The property is presently zoned R-1-B/EO.
2. The property will be sold in accordance with Georgia law through a sealed bid process to the highest bidder. The property should not be sold for less than fair market value.
3. Chatham County’s right-of-way acquisition agent in 2005 advised that in their opinion the fair market value of the property is from \$27,000 to \$30,000. Staff believes the Fair Market Value is \$30,000.

ALTERNATIVES:

1. That the Board declare surplus remnant parcel 21R containing 0.38 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 1985-1993 SPLOST (Fund/Department 3204220, Project 32050475, Account 54.11001).

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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7. REQUEST APPROVAL FOR NEW BEER AND WINE POURING AND SUNDAY SALES FOR 2007. PETITIONER: DAVID TIMOTHY WALKER, FOR

**HERSCHEL WALKER'S PIZZERIA AND SMOKEHOUSE, LOCATED AT 7 GATEWAY BOULEVARD.
[DISTRICT 7.]**

ACTION OF THE BOARD:

Commissioner Stone moved to approve the petition of David Timothy Walker, for Herschel Walker's Pizzeria and Smokehouse, located at 7 Gateway Boulevard, for new beer and wine pouring and Sunday sales license for 2007. Commissioner Gellatly seconded the motion and it carried unanimously. [NOTE: Commissioner Kicklighter was not present when this vote was taken.]

AGENDA ITEM: X-7

AGENDA DATE: January 12, 2007

TO: BOARD OF COMMISSIONERS

THROUGH: R. E. ABOLT, COUNTY MANAGER

FROM: GREGORI S. ANDERSON, DIRECTOR OF BUILDING SAFETY AND REGULATORY SERVICES
WILLIE LOVETT, ASSISTANT CHIEF OF POLICE

ISSUE:

Request approval for new beer and wine pouring and Sunday Sales for 2007, David Timothy Walker, for Herschel Walker's Pizzeria and Smokehouse, located at 7 Gateway Boulevard.

BACKGROUND:

Mr. Walker requests approval for new beer and wine pouring and Sunday sales licenses in connection with a new restaurant.

FACTS AND FINDINGS:

1. The application was reviewed by the Police Department for compliance of the applicant and separation requirements and approved.
2. The returned application was reviewed by Chatham County Department of Building Safety and Regulatory Services. The County Fire Marshall inspected the site for compliance with the commercial kitchen requirements and approved the facility.
3. The applicant and business meets the requirements of the Chatham County Alcoholic Beverage and Sunday Sales Ordinance.

4. The applicant has been notified in writing of the date and time of the hearing.

RECOMMENDATION:

The Savannah-Chatham Metropolitan Police Department and Chatham County Building Safety and Regulatory Services recommend approval.

District 7

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8. 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. 35 Glock semi-automatic pistols	Detention Center	Smyrna Police Supply (State Contract)	\$13,400	General Fund/M&O - Detention Center
B. Annual contract with automatic renewals for four (4) additional one year terms to provide specialized water and sewer sampling and analysis	Water and Sewer	Spectrum Environmental Services	\$11,226	Water and Sewer Enterprise Fund
C. One (1) additional vehicle	District Attorney	J.C. Lewis Ford	\$20,668	General Fund/M&O - District Attorney
D. Work order management system	I.C.S.	Business Oriented Software Solutions (Sole Source)	\$11,950	General Fund/M&O - I.C.S.
E. Software support for the court systems	I.C.S.	Papcon (Sole Source)	\$24,500	General Fund/M&O - I.C.S.
F. Repairs and installation for fuel service and a fuel monitoring system	Mosquito Control	Petroleum Services Group	\$13,075	General Fund/M&O - Mosquito Control

<u>ITEM</u>	<u>DEPT.</u>	<u>SOURCE</u>	<u>AMOUNT</u>	<u>FUNDING</u>
G. Repairs to Skidaway Bridge	Bridges	Alloy Industrial Contractors (Sole Source)	\$16,950	General Fund/M&O - Bridges (Pending Board approval of funding)
H. Purchase and installation of a cooling tower and the installation of a new chiller and the refurbishing of three (3) cooling towers	Detention Center	Boaen Mechanical (Sole Source)	\$416,504	CIP - Detention Center

ACTION OF THE BOARD:

Commissioner Stone moved to approve Items 8-A through 8-H, both inclusive. Commissioner Gellatly seconded the motion and it carried unanimously. [NOTE: Commissioner Kicklighter was not present when this vote was taken.]

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XI. FIRST READINGS

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

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

Comments, discussion and debate from members of the public will be received only at the meeting at which a vote is to be taken on one of the following listed items.

None.

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XII. SECOND READINGS

1. THE PETITIONER JARROD M. SMITH, AGENT (FOR CHATHAM COMMERCIAL GROUP LLC, OWNER) IS REQUESTING THE REZONING OF A 10 ACRE SITE LOCATED AT 204 COTTONVALE ROAD FROM R-A (RESIDENTIAL AGRICULTURE) ZONING CLASSIFICATION TO A P-R-3-10 (PLANNED MULTI-FAMILY RESIDENTIAL-10 UNITS PER NET ACRE) CLASSIFICATION. THE MPC RECOMMENDS APPROVAL.

[DISTRICT 7.]

MPC FILE NO. Z-061005-63582-1

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

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

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

ACTION OF THE BOARD:

Commissioner Stone moved to approve the petition of Jarrod M. Smith , Agent (for Chatham Commercial Group LLC, Owner) requesting the rezoning of a 10 acre site located at 204 Cottonvale Road from R-A (Residential Agriculture) zoning classification to a P-R-3-10 (Planned Multi-Family Residential-10 units per net acre) classification. Commissioner Farrell seconded the motion and it carried unanimously. [NOTE: Commissioner Kicklighter was not present when this vote was taken.]

AGENDA ITEM: XII-1

AGENDA DATE: January 12, 2007

MPC File No. Z-061005-63582-1

MPC recommends that the following described property be rezoned from its present R-A (Residential-Agricultural) to a P-R-3-10 (Planned Multi-Family Residential-10 units per net acre)

LEGAL DESCRIPTION

Beginning at a point located on the centerline of Cottonvale Road approximately 2088 feet south of its intersection with the centerline of U S Hwy 17, thence proceeding in a southerly direction along the centerline of Cottonvale Road a distance of approximately 443 feet to a point, thence northerly along a line North 32 degrees 09 minutes East a distance of approximately 1035 feet to a point on the centerline of an unnamed canal, thence westerly along the centerline of said canal a distance of approximately 660 feet to a point, thence in a southerly direction along a line South 33 degrees 16 minutes West a distance of approximately 89 feet to a point, thence easterly along a line South 43 degrees 03 minutes East a distance of approximately 242 feet to a point, thence southerly along a line South 32 degrees 15 minutes West a distance of approximately 792 feet back to the point of beginning.

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

P.I.N.: 1-0991-07-042, 043, 044

APPROVED: This 12th day of January, 2007.

Pete Liakakis, Chairman
Board of Commissioners of
Chatham County, Georgia

ATTEST:

Sybil E. Tillman
County Clerk

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XIII. INFORMATION ITEMS

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

ACTION OF THE BOARD:

A status report was attached for review.

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

ACTION OF THE BOARD:

A status report was attached for review.

AGENDA ITEM: XIII-2**AGENDA DATE: January 12, 2007**

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>
Fire fighting bucket for the helicopter	Mosquito Control	SEI International Sales, Inc.	\$6,580	General Fund/M&O - Mosquito Control
Parts for Rhino mowers	Public Works	Miles Tractor Company	\$7,218	SSD - Public Works
Trim 144 palm trees on Shipyard Road and Burnside Island Causeway	Public Works	Sharp Tree Service	\$6,480	SSD - Public Works
Truck mounted herbicide sprayer	Public Works	Lesco, Inc.	\$3,249	CIP - Public Works
Geotechnical exploration and pavement/ utility evaluation for Tiana Circle (Sheftall Bluff Subdivision)	Land Bank	WPC	\$6,845	Land Bank Authority
Clear vegetative underbrush in "Canal D" area for wetlands mitigation near Eisenhower Drive/ Truman Parkway	SPLOST	Blankenship Landscape Company	\$9,475	SPLOST (1985-1993) - Truman Parkway Phase III
Environmental consulting services for wetlands mitigation - to include baseline survey, field assistance and documentation of mitigation activities	SPLOST	Sligh Environmental Consultants	\$9,500	SPLOST (1985-1993) - Truman Parkway Phase III
Prepare an intensive Phase I archaeological survey of the Pipemakers Canal and submit survey reports	SPLOST	Cypress Cultural Consultants	\$9,986	SPLOST (1998-2003) - Pipemakers Canal
Beaver trapping at County wetlands mitigation bank	SPLOST	Jack Douglas	\$8,200	SPLOST (1998-2003) - Hardin Canal

<u>ITEM</u>	<u>DEPT.</u>	<u>SOURCE</u>	<u>AMOUNT</u>	<u>FUNDING</u>
Provide design and construction documents for permitting and construction of County offices	SPLOST	Studio B Architects	\$6,500	SPLOST (2003-2008) - Courthouse Construction
Elevator modernization	SPLOST	Custom Metal Fabricators	\$3,177	SPLOST (2003-2008) - Courthouse Construction
Performance bond premium for Skidaway Narrows emergency access road	SPLOST	E & D Contracting, Inc.	\$4,533	SPLOST (2003-2008) - Boat Ramp Construction

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3. ROADS AND DRAINAGE REPORTS.

ACTION OF THE BOARD:

Staff reports were presented as information.

AGENDA ITEM: XIII-3 Roads
AGENDA DATE: January 12, 2007

TO: Board of Commissioners

THRU: R. E. Abolt, County Manager

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

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

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

FACTS AND FINDING:

1. Truman Parkway

a. Phase 3. Lighting project has been awarded by GDOT. Scheduled completion is the fall of 2007.

b. Phase 5. Right of way (ROW) plans were approved by the GDOT on June 30, 2005. The property acquisitions will take until April 2008 to complete (26 parcels acquired by early acquisition; 65 parcels to acquire). Design is underway.

2. US 17, Ogeechee River to SR 204: The bonding company for the GDOT project awarded a new contract to complete the job. Work is underway. The completion date is March 2007.

3. Middleground Road/Montgomery Cross Road Widening. The GDOT approved a change order with APAC to continue work setting a completion date of May 31, 2008.

4. Stephenson Avenue. Substantially complete as of April 1, 2005. Liquidated damages totaling \$54,450 were assessed from December 1, 2004 to March 31, 2005. GDOT, County, City of Savannah and APAC performed the joint final inspection on June 14, 2005. A punch list was compiled (129 items) and given to APAC on June 21, 2005. Staff recently received a letter from GDOT that enumerated the punch list items that APAC had still not corrected. The items for the water lines was compiled jointly by the City of Savannah, Chatham County and GDOT during the final inspection. APAC is handling project close-out through their attorneys. APAC has had ample time to correct deficient items. They have not had a presence on the project for many months and have effectively abandoned the project. Staff has begun the process to find them in default of the contract.

5. Whitfield Avenue Widening. The FHWA approved the EA on February 13, 2004. Preliminary design was completed in June, 2004. Staff was advised in January, 2005, however, that the widening of the median for landscaping and the proposed reduction in speed limit would require amending the previously approved Concept Report and Environmental Assessment. The wider median with landscaping causes four additional residential displacements and increases GDOT's ROW acquisition costs. The revised Concept Report was submitted to GDOT on July 6, 2005. A Public Information Open House (PIOH) was held on February 28, 2006. As a result of a meeting with the GDOT Project Manager on May 2, 2006, the GDOT provided (by email) written guidance as to an acceptable minimum landscaped median width (not less than 40 feet) and a design speed (45 mph). The consultant received additional comments from GDOT on July 19, 2006, and responded on August 17, 2006. Approval of the Concept Report (and the design) is on hold pending resolution of the median width (24 feet versus 50 feet) and the tree planting opportunities.

6. Diamond Causeway Widening. Because of issues regarding the impact of changed design criteria (width of median and design speed of high span bridge) on approval of the EA, the GDOT has taken over management of the project. In the

meantime, the County offered to do the improvements on Skidaway Island by permit. The plans and permit are pending GDOT approval. Except for the Landings Association, right-of-way acquisition is complete.

7. Bay Street Widening from I-516 to Bay Street Viaduct. The Concept Report was approved by the GDOT on February 9, 2005. The FHWA approved the Draft EA for Advancement to Public Hearing on October 20, 2006. GDOT has scheduled the public hearing for January 18, 2007.

8. Jimmy DeLoach Parkway, Phase 2 (I-16 to US 80). The FHWA approved the Final EA on March 3, 2006. On September 22, 2006, the Board approved a change order for the engineering services contract to continue the design.

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

10. Eisenhower Widening from Abercorn to Truman Parkway. The Concept Report was approved by GDOT on June 22, 2004. Because of the high estimated ROW costs (over \$22 million – local cost), the City of Savannah, County and consultant proposed reductions in the project. The proposal was sent to GDOT October 28, 2005. This project has also been transferred to the Jesup District Office to manage. City and County staffs have met to discuss further reducing the scope of the project. Decision from the City on reducing scope is pending.

11. Abercorn Widening from Largo Drive to Rio Road. The GDOT is managing a project for Abercorn Street from Truman Parkway (Phase 5) to U.S. 17. PIOHs were held November 14 at AASU and November 15 at the SW Middle School on U.S. 17.

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

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

received and the consultant submitted the Concept Report on August 8, 2006, to GDOT.

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

15. Local Roads

a. Fountain Road. Board approved the construction contract on June 12, 2006. NTP was issued July 24, 2006. Completion date of January 30, 2007, will not be met due to Georgia Power poles in the middle of the newly aligned road that have delayed the project. These poles were on private easement and Georgia Power is in the process of obtaining a new easement on which to relocate the poles. In the meantime, the contractor is working on drainage and grading on other areas of the project.

b. Mobley Street, Yucca Place, Perkins Place. The Board approved award of the construction contract on April 7, 2006. The project is substantially complete.

c. Heather Street, Shore Road. The Board authorized the award of the construction contract on April 7, 2006. NTP was issued on June 21, 2006. Utility conflicts on both streets delayed the projects. Water and gas lines have to be relocated. Shore Road is substantially complete except for some ditch regrading that remains. Clearing on Heather Street is underway. The scheduled completion date of December 28, 2006, did not happen due to the utility delays.

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

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

f. Cramer Street. On December 1, 2006, the Board directed Staff to remove Cramer Street from the list of dirt roads to be paved.

g. Palm Drive. Construction plans are near completion. ROW negotiations are underway on three parcels impacted.

h. Old Pine Barren Road. ROW negotiations are underway and construction plans should be ready in February 2007.

i. Stone Street. The Board authorized entering into a County Contract with GDOT on February 24, 2006. The request (GDOT Form 532) was sent to GDOT on March 1, 2006. GDOT authorized preparation of a County Contract by copy of letter to the Jesup District Engineer Glenn Durrence dated November 8, 2006. Contract documents are in the process of being executed. Final construction plans and plats to acquire ROW were returned to the design consultant for corrections on October 27, 2006. Two parcels are impacted.

RECOMMENDATION: For information.

Districts: All

SUMMARY OF ROAD PROJECT STATUS
January 2007

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

Bay Street from I-516 to Viaduct	Environmental ROW Final Design Construction	Mar 2007	County County County GDOT	Draft EA approved 10/20/06. ROW (Local cost) FY 2008 CST LR
White Bluff/Coffee Bluff	Environmental	Unknown	County	CST FY 2010
Eisenhower (Abercorn to Truman Parkway)	Environmental Construction		County	Concept Report approved 6/22/04. CST FY 2010
NOTES: CST = FY in which the projects are programmed for construction in the CUTS 2007-2009 TIP.				

AGENDA ITEM: XIII-3 Drainage
AGENDA DATE: January 12, 2007

TO: Board of Commissioners

THRU: R. E. Abolt, County Manager

FROM: A. R. Black, Assistant County Engineer

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

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

FACTS AND FINDING:

1. Pipemakers Canal
 - a. Phase 1 (From the outfall at Savannah River to SR 21). Double channel size, replace bridges, replace tidegate, and provide maintenance access.
 - i. Construction work is complete and the new sluice gates function automatically. A final pay request from the contractor and a summary change order are outstanding.
 - ii. A project to make adjustments to the equipment to improve operation is underway and expected to be complete by the end of January.
 - b. Phase 2 (From SR 21 to I-95). Double channel size and provide maintenance access. The permit application documents have been submitted to the USACE for approval. The Consultant and staff are working to address preliminary comments.

- c. Kahn Mitigation Site. This site will provide the necessary wetland mitigation for the Pipemakers Canal Drainage Improvement project. The project is being reviewed by the USACE on a parallel track with the Phase 2 permit application.
 - d. Bridge Removal and Sheet Pile Wall Modifications. A project to remove an existing bridge that restricts drainage from Pipemakers Canal into the Savannah River. Design work has been temporarily suspended while options with the Georgia Ports Authority are discussed.
2. Hardin Canal
- a. Phase 1 (SR307 bridges). Widen channel and replace bridge crossings. The permit from the USACE has been obtained. Preliminary right of way drawings are under review by staff, and design work is underway.
 - b. Phase 1 (Southbridge bridges). Replace bridge crossings. The owners of the Southbridge Golf Course have offered to cooperate in a project to replace two bridge crossings with wider structures. Right of way acquisition is underway. Design work will commence after the right of way is secured.
 - c. Phase 2 (From 307 to Pine Barren Road). Widen channel and construct a detention pond. No target construction date. Staff is working to acquire canal rights of way for the future improvements on property owned by the Georgia Ports Authority.
3. Placentia Canal Phase 2 A project to correct drainage problem along Tennessee Ave. and to improve the appearance of the canal near the Bonaventure Bridge. The County has received the permit from the USACE. Construction is on hold pending acquisition of the required easements.
4. Westlake/Springfield Canal
- a. Acquisition and removal of flood-prone properties are complete. Construction of a project to improve access for maintenance of the canal is complete.
 - b. CSX railroad undercrossing. Final Design is complete. Staff is working to acquire access onto Hunter Army Airfield property which is required to facilitate project construction. Easements and environmental permits are complete. Staff is working to secure permission to enter onto HAAF property for project construction.
5. Conaway Branch Canal (tributary of Pipemakers Canal) Widen channel with road crossing improvements and a maintenance road from north of Main Street to the Pipemakers Canal.
- a. Phase 1A extends from Pipemakers Canal to Conaway Road. Right of way acquisition is underway. Coordination with GDOT for the crossing at Highway 80 is ongoing.
 - b. Phase 1B extends from Conaway Road to Main Street. There is no target date for completion.

- c. Phase 1C includes the area west of Maple Street. Construction costs are to be funded by the City of Bloomingdale. Recommended improvements have been provided to the City of Bloomingdale.
6. Little Hurst Canal Improve undercrossings at SR 21 and railroad, and widen channel downstream of SR21. A project to acquire rights of way and easements, and to acquire the required permits is underway. Work is underway to conduct preliminary geotechnical investigations to be used for final design of the improvements. The project work has been delayed, waiting on approval to enter property owned by the GPA.
 7. Wilmington Park Canal Phase 2 Widen channel and improve culvert crossings under Wilmington Island Road. The permit from USACE was received on July 5, 2002. Project is under design, incorporating changes to reduce cost while still attaining storm water goals. Review of preliminary report and recommendations is complete. Staff expects to begin acquisition of easements and rights of way in the near future.
 8. Kings Way Canal Phase 2 Widen channel and enlarge culverts from Kings Way Court to the Truman Parkway. Preliminary design is under review by staff.
 9. Romney Place Drainage Phase 2 Improve storm drains and road crossings on Romney Place and along Parkersburg Road. Final design drawings are complete. Permitting has been completed and acquisition of rights of way and easements is underway. The project will connect to the Skidaway Road Shoulder Improvement Project which will include improvements to the roadside ditch.
 10. Village Green Canal, Phase 2 A project to improve the outfall. Wetland delineation has been approved by the USACE. Staff is negotiating a final engineering scope of work and fee, to be presented to the Board for approval in the near future.
 11. Port Industrial Park Increase the capacity of the crossing under State Route 307 and improve the channel downstream to Pipemakers Canal. Design of the project to improve the canal downstream from SR307 to Pipemakers Canal is complete. Staff is working with Garden City staff and the property owner to coordinate plans for future development with the needs of the drainage improvement project.
 12. Louis Mills Canal Widen channel from Veterans Parkway downstream to outfall at Westlake Canal and improve crossing under Marshall Avenue. Design is complete. Acquisition of Easements and ROW is underway. The permit from the USACE has been obtained. Construction work will be delayed until improvements can be made to the downstream railroad

- undercrossing that is a part of the Westlake/Springfield Canal Drainage Improvement Project.
13. Redgate/Rahn Dairy A project to provide larger undercrossings at several roads, canal widening and provisions for maintenance access. This project will reduce storm water flows in the Louis Mills system as well as improve the drainage in the Rahn Dairy canal. Preliminary design is complete and the permit from the USACE has been obtained. Acquisition of easements is underway.
 14. Diggs Avenue Drainage (part of Louis Mills) This drainage improvement project involves improving drainage at the east end of Diggs Avenue. Notice to proceed with construction was issued to the contractor on June 9, 2006. Construction is complete. At the request of area residents, staff is proceeding with construction of fencing the site from unauthorized access.
 15. Ogeechee Farms Phase 2 Improve road crossings at various locations. The permit from the USACE has been received. Mitigation requirements have been met. A fee proposal from the Consultant for design of drainage improvements in additional areas identified by Public Works has been requested.
 16. Fawcett Canal Phase 2 Provide increased storm water drainage capacity in areas affecting Red Fox Drive and White Hawthorne Drive. Design is complete. Acquisition of easements from the City of Savannah is complete. Acquisition of the remaining easements is underway. To protect existing residential structures, a limited investigation of geotechnical conditions is underway.
 17. Quacco Canal Drainage Improvements East of US17 Improve Quacco Canal and associated road undercrossing capacities from US 17 to marsh, including removal of a private tidegate structure. The permit from USACE has been received and required easements have been acquired. Proposals for construction are being solicited.
 18. Quacco/Regency Park Storm collector improvements to relieve severity and frequency of flooding within community. Design work is underway.
 19. Halcyon Bluff Subdivision Storm collector improvements to relieve severity and frequency of flooding within community. Construction is approximately 65 percent complete and has been inspected. An opinion from the design engineer regarding acceptance of the completed work is pending. Construction of the second half of the project is underway.

20. Golden Isles Subdivision Phase 2 Storm collector improvements to relieve severity and frequency of flooding within community. Approval by Health Department to proceed with the project has been obtained. Right of way acquisition is complete. Options to provide access for maintenance of the outfall are being evaluated. Staff is negotiating a fee proposal with the consultant to provide surveying services.
21. Georgetown Canal Upgrading roadway undercrossings to improve drainage capacity at St. Ives Way. This project is completed.
22. Wilmington Outfall A project to correct storm sewer drainage pipes between Wilmington Road and the Wilmington River. Design work is completed and necessary easements for construction work have been obtained. The permit from the USACE has been obtained.
23. Henderson Channel and crossing improvements to alleviate flooding in the subdivision.
 - a. Brown Thrush Canal (a.k.a. Channel 1): Crossing and channel improvements on the canal parallel to Brown Thrush Road, from Al Henderson Blvd. to Little Neck Road. Design work is underway.
 - b. Little Neck Crossing: Replacement of the undersized culvert. A contract for design and permitting was approved by the Board on September 22, 2006. Design work is underway.
 - c. Henderson Canal: Provide maintenance road for canal from Gateway Blvd. to Little Neck Road through wetlands. Wetland delineation has been approved by the USACE. No target construction date.
24. Walthour Canal at Off Shore A project to improve the undersized culverts under the entrance road to the Off Shore Subdivision. Final construction documents have been received. Efforts continue to secure the necessary permits for construction of the project.

RECOMMENDATION: For information.

Districts: All

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

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

ACTION OF THE BOARD:

A staff report was presented as information.

AGENDA ITEM: XIII-4**AGENDA DATE: January 12, 2007****TO:** Board of Commissioners**THRU:** R. E. Abolt, County Manager**FROM:** Robert Drewry, Director, Public Works and Park Services**ISSUE:** Provide Board a status update on RAPO**BACKGROUND:**

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

FACTS AND FINDINGS:

1. To provide the Board with data on RAP
2. FY 06 staff was able to accomplish the following:
 - In-house renovation of Lake Mayer's Restrooms
 - Installed new infield mix for Ambuc Park, L. Scott Stell, and Charlie Brooks Park
 - Installed new backstop and foul line fencing for Ambuc Park
 - Hired nine Maintenance Workers
 - Replaced the scoreboards at Ambuc, L. Scott Stell, and Charlie Brooks Park
 - Replaced all roofs at Memorial Stadium
 - Purchased three new vehicles
 - Purchased material for the renovation of the restroom at Ambuc Park
 - Painted the exterior of the concession stand at L. Scott Stell, and Ambuc Park
 - Contracts were awarded to replace the roof on the large pavilion at Lake Mayer, and reconstruct/resurface eighteen tennis courts
3. With remaining funds allocated for FY 07, staff established a priority project list and anticipate proceeding with the following:
 - Replacement of the large pavilion roof at Lake Mayer was started on 1/2/07.
 - Work to reconstruct/resurface eighteen tennis courts is expected start prior to the end of this month.
4. Priority projects identified on previous RAP reports that are still unfunded:
 - Back stop fencing and dugouts replacement at L. Scott Stell

FUNDING:

Looking at CIP choices by Board in early 2007

RECOMMENDATION:

For Board Information Only

[All Districts]

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5. STATUS REPORT ON THE 2007 DECISION PACKAGES.**ACTION OF THE BOARD:**

A staff report was presented as information.

AGENDA ITEM: XIII-5**AGENDA DATE: January 12, 2007****TO:** Board of Commissioners**THRU:** R. E. Abolt, County Manager**FROM:** Linda B. Cramer, Finance Director**ISSUE:** To transmit a status report on the 2007 Decision Packages to the Board for information.**BACKGROUND:** In June 2006 the Board adopted the fiscal 2007 budget. A number of funding requests remained pending at budget adoption. Tax digest growth had offered an opportunity for the Board to consider future funding of the requests.**FACTS AND FINDINGS:**

1. IN June 2006, the fiscal 2007 budget was adopted. During the budget process, unfunded requests had been structured as decision packages. Each department head presented their requests to the Board for consideration. In addition, the public hearing on the budget brought forth additional requests from outside agencies.
2. Strong digest growth afforded the Board the opportunity to fund items not included in the adopted budget. Upon millage rate adoption, the Board transferred \$4.9 million to M&O Contingency and \$476,304 to SSD Contingency for future appropriation.
3. During the budget process it became apparent that a solution was needed for inmate overcrowding at the Detention Center. Expansion of the facility had not initially been brought forward as a decision package; however, the

- rising population at the facility emerged as a priority issue. During August 2006 the population at the facility the Board approved funding of \$2.7 million for detention center staff and housing expenditures. At that time it was noted that additional related costs were still not quantified and would need to be considered within the fiscal period.
4. A listing of the 2007 decision packages is attached which lists, by requesting department/agency, each package and its costs. Amounts funded are also noted.

FUNDING: The majority of the contingency funds have been depleted. Some contingency funds remain in the M&O and SSD Funds as shown on the contingency report.

POLICY ANALYSIS: Adopted Financial Policies note that recurring operational expenditures should be matched against recurring operational revenues. It is not advisable to fund recurring expenditures with one-time, nonrecurring revenues. Such a practice builds in budget constraints in future years and limits future budget flexibility.

ALTERNATIVES: N/A

RECOMMENDATION: For Information.

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EXECUTIVE SESSION

Upon motion being made by Commissioner Odell and seconded by Commissioner Farrell the board recessed at 12:55 p.m., to go into Executive Session for the purpose of discussing litigation and personnel.

Following adjournment of the Executive Session, the meeting of the Board of Commissioners was reconvened at 1:27 p.m.

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ITEMS FROM EXECUTIVE SESSION

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

ACTION OF THE BOARD:

Commissioner 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 Thomas seconded the motion and it carried unanimously.

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ADJOURNMENT

There being no further business, the Chairman declared the meeting adjourned at 1:28 p.m.

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APPROVED: THIS _____ DAY OF _____, 2007

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

SYBIL E. TILLMAN, CLERK OF COMMISSION