

MINUTES OF THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF CHATHAM COUNTY, GEORGIA, HELD ON FRIDAY, NOVEMBER 7, 2008, IN THE COMMISSION MEETING ROOM ON THE SECOND FLOOR OF THE CHATHAM COUNTY COURTHOUSE, LEGISLATIVE AND ADMINISTRATIVE BUILDING, 124 BULL STREET, SAVANNAH, GEORGIA.

I. CALL TO ORDER

Chairman Pete Liakakis called the meeting to order at 9:30 a.m., Friday, November 7, 2008.

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II. INVOCATION

Commissioner Holmes called upon Joe Murray Rivers who gave the Invocation.

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III. PLEDGE OF ALLEGIANCE

The colors were presented by the Color Guard, United States Marine Corps.

Chairman Liakakis requested Major Gilbert F. DMeza, USMC, from Parris Island, SC, to lead the Pledge of Allegiance to the Flag of the United States.

The Pledge of Allegiance was followed by a short video as follows:

There are those who dedicate themselves to a sense of honor, to a life of courage and a commitment to something greater than themselves. They have always defended this Nation and each other. They still do — the few, the proud, the Marines.

Chairman Liakakis said, before I present this proclamation, I would like to recognize all the Marines that are here today because everybody knows once a Marine, always a Marine. So we don't have any ex-Marines today. We have all Marines, and what I'm going to do, I really appreciate this contingent of Marines that came today. They are members of the Veterans Council and come to those meetings every month and have supported not only the Marine Corps, but the veterans of our area also, and we're really proud of that. And what I'd like to do now is read this proclamation:



WHEREAS, the United States Marine Corps was created on the 10th of November, 1775, in Philadelphia, Pennsylvania, by resolution of the Continental Congress, which "raised two battalions of Marines;" and

WHEREAS, Marines have been "first to fight" in the forefront of every American war since their founding, and

WHEREAS, they have carried out over 300 landings on foreign shores, always embodying a force in readiness reflecting "uncommon valor," and

WHEREAS, this County Commission repeatedly expresses gratitude for all who defend our country in the most dangerous of situations, and

WHEREAS, over the decades “the few, the proud” include many citizens from Chatham County.

NOW, THEREFORE, I, Pete Liakakis, Chairman, on behalf of the Chatham County Board of Commissioners, do hereby express appreciation and pride as the Marine Corps celebrates its 233rd birthday this Monday, the 10th of November 2008, and declare that day something very special in the lives of Chatham County citizens.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of Chatham County, Georgia, to be affixed this, the 7th day of November, 2008.

Semper Fidelis!

Pete Liakakis, Chairman
Chatham County Commission

ATTEST:

Sybil E. Tillman, Clerk

Major Gilbert F. Dmeza said, thank you, sir. Good morning, ladies and gentlemen. To be brief, thank you all for having us here. We very much appreciate the opportunity any chance we get to see America, the Americans that love us, that demand the Marine Corps, we jump at the opportunity, and I say that because Lieutenant General Krulack a couple of decades ago: “America doesn’t need a Marine Corps, America wants a Marine Corps,” and that’s why we’re here, that’s why we take our oath so seriously is because you demand it. I appreciate it very much personally, professionally, and I speak on behalf of all of us, on active duty, in the reserves, those of us that have hung up the uniform in a closet, we all appreciate the support that we get. Thank you very much.

Chairman Liakakis said, thanks again, Major.

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NOTE: Following the presentation of the above proclamation, proclamations for the Veteran of the Year and the 2008 Veterans Day Parade Grand Marshal were taken out of order and were presented at this point on the agenda.

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IV. ROLL CALL

The Clerk called the roll.

- Present: Pete Liakakis, Chairman
- Dr. Priscilla D. Thomas, Vice Chairman, District Eight
- 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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CHATHAM COUNTY YOUTH COMMISSION

Chairman Liakakis introduced and welcomed the members of the Youth Commission that were present as follows: Steven Carver, a Senior at Benedictine Military Academy, Brandi Chaney, a Senior at St. Vincent’s Academy, and Angela Coleman, a Senior at St. Vincent’s Academy.

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V. PROCLAMATIONS AND SPECIAL PRESENTATIONS

1. PROCLAMATION FOR THE 2008 VETERAN OF THE YEAR, DONALD KENT SHOCKEY.

Chairman Liakakis said, I’m honored again to present another proclamation for the Veteran of the Year, and he is a Marine, Retired Marine from his area working here in our Chatham County, and that is none other than Donald Kent Shockey. Would you come forth? And, of course, we have the Chairman of the Veterans Council also, Billy Quinan and Jimmy Ray, who is a member of the Veterans Council also.



WHEREAS, thousands of veterans of America’s armed forces have served this nation in times of peace and war and, in so doing, have thereby assured the safety and prosperity of all Americans. In the eyes of veterans, the Veteran of the Year is a special person that has demonstrated a willingness to sacrifice time and energy on behalf of veterans and today we salute that special person, the Veteran of the Year 2008 Donald Kent Shockey; and

WHEREAS, on November 8, 1958, while still a student in college, Donald Shockey joined the United States Marine Corps Reserve and Platoon Leaders Class. He was commissioned a Second Lieutenant in January 1962 and graduated as Class Honor Graduate of this basic class; and

WHEREAS, his first assignment was Platoon leader, 1st Battalion, 4th Marine Regiment located at Kanahoe Bay, Hawaii. This unit deployed to the Republic of Vietnam in March 1965 and it was there he received the Bronze Star Medal with Combat V. After a tour at Headquarters Marine Corps in Washington, DC, Captain Shockey returned to RVN (Republic of Vietnam) where he served as Commanding Officer of Company E, 2nd Battalion, 9th Marines, and a Combined Action Company near Hue, RVN. He served at the 4th Marine Corps District in Philadelphia, PA, Marine Barracks in Yorktown, VA, the 3rd Marine Division in Okinawa, Japan, and the Marine Corps Recruit Depot in Parris Island, SC. In 1985, he retired at the rank of Lieutenant Colonel as Commanding Officer, Marine Barracks Naval Air Station, Cecil Field, FL, after also receiving a Meritorious Service Medal, Navy Commendation Medal, Navy Achievement Medal and eight other Marine and Vietnamese awards; and

WHEREAS, after his retirement, Lieutenant Colonel Shockey worked as the Naval Science Instructor at Johnson and Jenkins High Schools Naval Junior ROTC. He was an important part of the lives of hundreds of cadets upon his retirement in 2000, but remains active in the Veterans Council, American Legion, Veterans of Foreign Wars, Marine Corps League, Navy League, Military Order of World Wars, Military Officer Association, and Vietnam Veterans of America as well as the US Coast Guard Auxiliary and the USO.

NOW, THEREFORE, I, Pete Liakakis, Chairman, on behalf of the Chatham County Board of Commissioners, do hereby salute the Veteran of the Year 2008:

DONALD KENT SHOCKEY

for receiving the highest honor a veteran in Chatham County can receive and applaud his dedicated devotion to fellow veterans and for his efforts to promote the economic well-being of veterans of the US Armed Forces.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of Chatham County, Georgia to be affixed this the 7th day of November 2008.

Pete Liakakis, Chairman
Chatham County Commission

ATTEST:

Sybil E. Tillman, Clerk

Mr. Shockey said, well this is certainly an honor to be selected by your peers to be Veteran of the Year, and that's how we do it. Our fellow veterans select us, and there are many, many other very honorable veterans who would love to have this award also. I appreciate the support from the County and invite everyone to come down to the parade on Tuesday at 10:15 and we'll give you an American flag to wave if you don't have one, and join us to celebrate Veterans Day.

Chairman Liakakis said, thank you very much.

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2. PROCLAMATION FOR THE 2008 VETERANS DAY PARADE GRAND MARSHAL.



Chairman Liakakis said, veterans also — they celebrate also a Veterans Day Parade Marshal, and I have a proclamation. David [Richards], would you come forward please. Chairman Liakakis read the following proclamation:

WHEREAS, originally called Armistice Day, November 11th, now known as Veterans Day, is a declared holiday commemorating all service men and women and those killed in battle. To be named Parade Marshall of the Veterans Day Parade is a special honor and we salute the 2008 Veterans Day Parade Marshal, David F. Richards, Jr.; and

WHEREAS, CW4 David F. Richards, Jr. (U.S. Army, Retired) has distinguished himself in a military career matched by very few. He is a World War II paratrooper, having served and jumped in combat with the trail blazing 555 Parachute Infantry Regiment (known as the Triple Nickels), a unit that proved beyond doubt the ability and courage of African-American Paratroopers when such was in doubt by some during the period the military was segregated; and

WHEREAS, Dave served here at Army Airfield for seven years with the 1st Battalion of the 75th Ranger Regiment, logging over 11,000 parachute operations worldwide without incident. He also served at Fort Bragg, NC, with the Airborne Test & Evaluation Board and with the Natick R&D Labs in Massachusetts and was involved with more than 30 special projects to improve airborne operations; and

WHEREAS, before he retired after 30 years of service, Dave Richards blazed many paths, many of which were out the door of aircraft while in flight, inventing and testing the suitability of parachute equipment for men and heavy drop loads. He tested new equipment and innovations for safety, never knowing for certain if the new designs would work and whether that jump would be his last as a “guinea pig”; and

WHEREAS, in recognition of long a and distinguished career, David Richards was honored as the first African-American inducted into the Parachute Rigger Warrant Officer Hall of Fame; and

NOW, THEREFORE, I, Pete Liakakis, Chairman, on behalf of the Chatham County Board of Commissioners, do hereby salute:

DAVID F. RICHARDS, JR.

for being named Parade Marshal of the 2008 Veterans Day Parade and extend sincere appreciation for his dedication and commitment to veterans in the Chatham County community.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of Chatham County, Georgia to be affixed this the 7th day of November, 2008.

Pete Liakakis, Chairman
Chatham County Commission

ATTEST:

Sybil E. Tillman, Clerk

Mr. Richards said, Mr. Commissioner and Commissioners here for Chatham County, this is a signal honor for me to have been selected as your Marshal for the parade. I will always cherish these moments and thank you again. And congratulations on all of your reappointments and reelections. Thank you.

Chairman Liakakis said, thank you very much, and what I’d like to do now is call on the Chairman of the Veterans Council, Billy Quinan.

Mr. Quinan said, thank you, Pete [Liakakis], thank you, Commissioners. David [Richards] took the words out of my mouth. I was going to say from all of our 40,000 — over 40,000 veterans in Chatham County, we’d like to congratulate each and every one of you on your reelection. We know that you will continue to support us in every way possible and continue to support all the citizens in Chatham County. I’d like to reiterate our congratulations to the Marine Corps for their 233rd birthday and Semper Fi! Thank you.

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3. PROCLAMATION DECLARING NOVEMBER 2008 AS NATIONAL AMERICAN INDIAN HERITAGE MONTH. ELSIE E. CLARK WILL RECEIVE THE PROCLAMATION.

Chairman Liakakis said, I’d like to call on Commissioner Farrell for the proclamation declaring November 2008 as National American Indian Heritage Month. Elsie Clark will receive the proclamation. Elsie [Clark], if you have other representatives, if you’d like to come forward also.

Commissioner Farrell said, okay, I’d like to read this proclamation:

The County of Chatham
 Georgia

 Proclamation

WHEREAS, the history and culture of our great nation have been significantly influenced by American Indians and indigenous people; and

WHEREAS, the contributions of American Indians have enhanced the freedom, prosperity, and greatness of America today; and

WHEREAS, their customs and traditions are respected and celebrated as part of a rich legacy throughout the United States; and

WHEREAS, Native American Awareness Week began in 1976 and recognition was expanded by Congress and approved by President Georgia Bush in August 1990, designating the month of November as National American Indian Heritage Month; and

WHEREAS, in honor of National American Indian Heritage Month, community celebrations as well as numerous cultural, artistic, educational and historical activities have been planned.

NOW, THEREFORE, I, Pete Liakakis, Chairman, on behalf of the Chatham County Board of Commissioners, do hereby proclaim November 2008 as:

NATIONAL AMERICAN INDIAN HERITAGE MONTH

in Chatham County and urge all our citizens to observe this month with appropriate programs, ceremonies and activities.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of Chatham County, Georgia to be affixed this the 7th day of November 2008.

 Pete Liakakis, Chairman
 Chatham County Commission

ATTEST:

 Sybil E. Tillman, Clerk

Ms. Clark said, thank you. My name is Elsie Clark. I am the American Indians Committee Chairman for the Savannah Chapter, National Society Daughters of American Revolution. Standing with me today in support of this occasion is our Chapter Regent Glenda Carter. It is an honor to accept this proclamation on behalf of the Savannah Chapter. We're a service organization dedicated to promoting patriotism, preserving American history, and securing America's future through better education. Today's proclamation recognizing November as National American Indian Heritage Month in Chatham County is greatly appreciated. Thank you for assisting us and preserving the legacy of America's first true citizens, the American Indian. Thank you.

Chairman Liakakis said, thank you very much, Elsie [Clark], because we know that we should recognize the National American Heritage, the Indian Heritage Society because we know that they were the originals here in America. So we do appreciate the two of you coming up to receive that proclamation today.

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4. PROCLAMATION DECLARING NOVEMBER 2008 AS ADOPTION AWARENESS MONTH. YVONNIA BROWN, DFCS DIRECTOR, AND CLEMENTINE MANIGAULT, ADOPTIONS SUPERVISOR, WILL RECEIVE THE PROCLAMATION.

Chairman Liakakis said, now I'd like to call on Commissioner Thomas for a proclamation declaring November 2008 as Adoption Awareness Month. Yvonnia Brown, who is the Director, and Clementine Manigault, Adoption Supervisor, will receive the proclamation. And if you have anybody else with your organization that you would like, Yvonnia [Brown], to bring forth with you.

Commissioner Thomas said, thank you, Mr. Chairman. It is my pleasure to read the proclamation:



WHEREAS, the month of November 2008 has been proclaimed National Adoption Awareness Month to call attention to the needs of waiting children. As in the past, the month coincides with Thanksgiving, an appropriate time to draw focus on family building through adoption; and

WHEREAS, all children need the love, support and stability of a family. In Chatham County and the City of Savannah, 500 children are living in substitute care and many of them will not return to their birth families. Nearly all have special needs because of physical, mental or emotional disability; being placed in a sibling group, are of minority race, or because they are older; and

WHEREAS, it has been proven that there are indeed families able and willing to adopt children with special needs. Within the last year, 41 children with special needs were placed with adoptive families in Chatham County; and

WHEREAS, across the country during November, adoptive parent organizations and agencies will be hosting informational meetings for the public, speaking at schools and churches, running special newspaper, television and radio features, and trying to make the children's need for permanency and continuity more widely known; and

WHEREAS, they call upon the concerted public effort of all citizens, government and private agencies to assist in providing a brighter future for these children.

NOW, THEREFORE, I, Pete Liakakis, Chairman, on behalf of the Chatham County Board of Commissioners, do hereby proclaim the month of November, 2008 as:

"ADOPTION AWARENESS MONTH"

in Chatham County and call upon citizens to volunteer their talents and energies to support the vital role of adoptive parents in enabling these children to develop into mature, responsible, productive adults.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of Chatham County, Georgia to be affixed this the 7th day of November, 2008.

Pete Liakakis, Chairman
Chatham County Commission

ATTEST:

Sybil E. Tillman, Clerk

Commissioner Thomas said, congratulations.

Ms. Brown said, good morning, and thank you, Chairman Liakakis and any other Commissioners that are represented here today. It's truly a privilege to stand before you to accept this proclamation on behalf of DFCS and our adoptive families and children. It also gives me great pleasure to also see how the County has taken the initiative to understand the importance of providing a permanent place for our children through the venue of adoption. And I also want to take this opportunity to thank all the families that have opened their hearts and their homes to our children to provide a safe and stable placement despite some of their challenges which was previously mentioned in the proclamation. But most importantly I want to thank my staff who are represented here today that make all this possible, and I would like to have them introduce themselves as well.

The staff introduced themselves as follows:

Good morning. I'm Clementine Manigault. I supervise the Adoptions Unit.

Good morning. I'm David Bates. I am the supervisor for the Resource Development Unit, which does foster home and adoptive studies.

Good morning. I'm Oveta Smalls. I'm Adoption Case Manager.

Good morning. I'm Valerie Blunt, Case Manager with the Adoptions Unit.

Chairman Liakakis said, and for people to know that Yvonnia [Brown] is the Director of the Department of Family and Children Services here in Chatham County and other areas and has done an outstanding job, and we appreciate all of the staff members that work with you because this service that the Department of Family and Children Services provides for our community is vital, and we do appreciate what you're doing.

Ms. Brown said, thank you so much.

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5. INFORMATION ON THE CHILDREN'S BOOK FESTIVAL THAT WILL BE HELD IN FORSYTH PARK ON SATURDAY, NOVEMBER 15TH. LIVE OAK PUBLIC LIBRARY MARKETING AND DEVELOPMENT DIRECTOR, CHRISTY DIVINE, AND CHILDREN'S BOOK FESTIVAL CHAIR, JANET LANGFORD, WILL PRESENT THE INFORMATION.

Chairman Liakakis said, information on the Children's Book Festival that will be held in Forsyth Park on Saturday, November 15th, Live Oak Public Marketing and Development Director Christie Divine and Children's Book Festival Chair Janet Langford will present the information.

Ms. Langford said, good morning. Ms. Langford could not be with us today. Her mother is ill in Florida, so she is down there, but I brought two other friends with me this morning. One, John Tuggle, who is Assistant Director for Public Services for the Library System, and my very special friend Corduroy. Corduroy will be in Forsyth Park next Saturday, November 15th, from 10:00 until 4:00. I hope you will come out and join him and many other special book characters. We will have authors and illustrators from all around the country this year. We will have food vendors, arts and crafts. It really is a festival for children of all ages. It's a great family event. There isn't that much of this type of thing that is free and open to everyone in the County, and your support has made a lot of this possible. So we really thank you for that. You know, you keep the lights on every day, you keep all of us inspired to bring public library services to Chatham County, and this is a really special event each year. Next week in the library branches we will have special programming leading up to the festival. We will have some of the authors in early in the schools trying to get the children excited. It's a year long event really because in the Spring we host a poster contest for the children and the winning art is used in this promotional item for the festival and we just finished our Young Writers Contest and awarded prizes for the winning poetry, and those will be displayed at the festival along with all of the poster entries. There were 600 poems written this year for the contest, so it's really taken a life of its own, and we expect about 25,000 people in the park next Saturday. Just in case of rain, we will be in the Civic Center. I'd like to have John Tuggle add a few words about which specific national authors will be with us next Saturday.

Mr. Tuggle said, if you are aware of Author, having watched PBS, we will have Mark Brown with us, and if you're not aware of Mo Willems, he's an up and coming very bright author who has a series of books about pigeons, and we have in your packets there ballots and we've been asking folks to vote either to let the pigeon drive the bus or not drive the bus, and we ask you to participate. And please, I ask you not to let the pigeon drive the bus.

Chairman Liakakis said, Christy [sic], on behalf of the Chatham County Commission because you know that this Commission ever since they've been in office support the Library. It's an important part of our education program in our community, and if children even starting at the age of 4 or 5 years old, if they start reading, we find that they're getting that education, that they have less dropouts than the other part of the education system that we have here and around the country. So thanks again to you, all of the staff people for the Library, and hopefully in the very near future in Commissioner Gellatly's area that we will have that new Library that's out by the Savannah Mall completed and give

ability to many more of our citizens to have — to be able to come to the Library and get information and enjoy themselves.

Ms. Langford said, absolutely. We look forward to welcoming everybody to the new Library next Summer. Chairman Liakakis said, thank you. Ms. Langford said, thank you very much, and please come and join me and Corduroy next Saturday in the park.

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VI. CHAIRMAN'S ITEMS

1. REMINDER ABOUT THE ACCG 12TH DISTRICT MEETING ON WEDNESDAY, NOVEMBER 19TH, 10:00 A.M., AT THE HOLIDAY INN, RICHMOND HILL.

Chairman Liakakis said, this is just a reminder about the County Association of Georgia's 12th District Meeting on Wednesday, November 19th, at 10:00 a.m., at the Holiday Inn at Richmond Hill. This is part of the district that we have for the 159 counties in the State of Georgia and it's a very important district meeting. We'll have the Executive Director there. Jerry Griffin will help lead that particular meeting.

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VII. COMMISSIONERS' ITEMS

None.

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CHATHAM AREA TRANSIT AUTHORITY

Chairman Liakakis declared a recess in the meeting of the County Commission at 9:58 a.m., and the Board convened as the Chatham Area Transit Authority.

Following adjournment of the CAT meeting, the Board resumed its meeting at 10:35 a.m., as the County Commission.

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MOTIONS TO ADD TWO ITEMS TO AGENDA

Chairman Liakakis said, okay, let's get started now. I've got two items that I request the Board to make a motion on. One is the Coastal Georgia Regional Development Center Rural Transportation that CAT — Joe Murray Rivers requested that we put that on the agenda now.

Commissioner Shay said, Mr. Chairman, I'd like to make a motion that we add to our agenda so that we can take up the matter that was pushed forward from the CAT Board Meeting. Commissioner Thomas said, second.

Chairman Liakakis said, we have a motion on the floor and a second. All in favor, go on the board. The motion carried unanimously. [NOTE: Commissioner Farrell was not present.] Chairman Liakakis said, the motion passes.

Chairman Liakakis said, there's another item here that I'd like a motion on. It's the Georgia Employee Support of the Guard and Reserve Committee, and we just need — I need to have approval to sign this support of the Guard and Reserve Committee. They're having — they're going over with all of the employees that they can in the City, the County, the State, and around the country, so this is really important that we get this statement to them that this Chatham County Commission also supports the Guard and Reserve.

Commissioner Stone said, Mr. Chairman, I would make the motion to add that to our agenda today. Commissioner Holmes said, I second. Chairman Liakakis said, okay, let's go on the board. The motion carried unanimously. [NOTE: Commissioner Farrell was not present.] Chairman Liakakis said, the motion passes.

ACTION OF THE BOARD:

- a. Commissioner Stone made a motion to add to the agenda an item that was requested by the Chatham Area Transit Authority regarding the Coastal Georgia Regional Development Center Rural Transportation. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Farrell was not present.]

- b. Commissioner Stone made a motion to add to the agenda authorization for the Chairman to execute a statement of support for the Guard and Reserve Committee. Commissioner Holmes seconded the motion and it carried unanimously. [NOTE: Commissioner Farrell was not present.]

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GEORGIA EMPLOYEE SUPPORT OF THE GUARD AND RESERVE COMMITTEE

Chairman Liakakis said, now I'll bring up what I had received from Jerry Lupe [phonetic], who is Vice Chairman of the Georgia, Guard and Reserve Committee, stating that once you approve this, that we support the Guard and Reserve military members and their families by signing a statement of support.

Commissioner Stone said, I made the motion to approve, Mr. Chairman. Commissioner Holmes said, second.

Chairman Liakakis said, alright, I have a motion and a second. Let's go on the board. The motion carried unanimously. [NOTE: Commissioner Farrell was not present.] Chairman Liakakis said, the motion passes.

ACTION OF THE BOARD:

Commissioner Stone made a motion to authorize the Chairman to execute a statement of support that Chatham County supports Guard and Reserve Committee and that we support the members of the Guard and Reserve and their families. Commissioner Holmes seconded the motion and it carried unanimously. [NOTE: Commissioner Farrell was not present.]

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COASTAL GEORGIA REGIONAL DEVELOPMENT CENTER RURAL TRANSPORTATION PROGRAM

Chairman Liakakis said, the first thing we'll need to do is discuss the Coastal Georgia Regional Development Rural Transportation Program. Russ [Abolt], did you want to comment on that at all?

County Manager Abolt said, the reason staff got somewhat confused was because there was a break between when you were in the CAT meeting a month ago and then when you went into your Commission. That's why we're kind of a little bit at odds at how to put this on the agenda. But at the CAT meeting you asked for certain information, which we provided. So to begin the discussion and with the permission of the Chairman, only as background I indicate to you if you look at your big book and you look at the CAT agenda, and there's a green piece of paper —, see the green piece of paper? — Immediately behind that green piece of paper there are two reports from your staff based on questions posed at the CAT Board Meeting. The one was what is the sensing from other municipalities as to how they either understand or support the program, and that is responded to in a memo or staff report authored by Mr. Monahan and he's available to expand on that if necessary, and then the other question was a question posed again, as I remember during the CAT session, as to the appropriateness and the ability to defend the cost allocation prepared by RDC staff. To respond to that, right behind Mr. Monahan's staff report, there is a memo from Mr. Thomson, who I asked, because he is our expert on census and population figures, demographics of this County and Coastal Georgia, to review the offering from the RDC, and you will note in that memorandum and based on Tom's [Thomson] analysis, he feels that the charge that they wish to forward to the County of I believe about \$57,000 may be overstated, and he feels in the justification of actual population numbers that any participation by the County should not exceed \$30,000.

Chairman Liakakis said, okay. I see Barbara Hurst is in the audience, who represents the Regional Development, and she is the person that's in charge of this particular issue and has been working on this and has been in discussion with a number of persons concerning this. Barbara [Hurst], will you make your presentation?

Ms. Hurst said, yes sir. Thank you, Mr. Chairman, for allowing me to come, members of the Commission. Were you waiting? Commissioner Stone said, I can wait until after your presentation, or I can ask the question now, whichever you prefer. Ms. Hurst said, it doesn't matter. Whatever you wish.

Commissioner Stone said, well, my question is this was all brought to the other municipalities, but none of these municipalities took a vote. Is there a reason for that?

Ms. Hurst said, yes ma'am. Whenever I met with those of you back in April of this year, the Chairman had asked me — he didn't want to bring in a system or he didn't want to commit to a system unless the municipalities were interested in having something like this in their areas. So Mr. Chairman asked me to speak with the municipalities, make them aware of the program that we were proposing and determine whether or not they were interested in having such in their area before we moved forward with this. So I did not go before them asking for a formal vote. What I went before them was to explain the program and ask that if they were interested in having such.

Commissioner Stone said, but it seems to me at the last meeting where we tabled this, wasn't there some discussion about whether a vote should be taken before we —.

Commissioner Kicklighter said, yes, if I may answer. It's here in the minutes. We actually instructed staff to contact each city and ask for a resolution as to whether or not they supported or opposed this.

Commissioner Stone said, and that's my concern. It has —.

Commissioner Farrell said, those resolutions —. County Manager Abolt said, what you have in the staff report, sir, is whether the Council will respect the cities that voted and you will note that none of the cities contacted —. Commissioner Odell asked, so we don't have the resolution.

Commissioner Farrell asked, so can we table this until we get some resolutions from the municipalities? Commissioner Stone said, that was what we asked for.

Ms. Hurst said, if I can interject something here. This program is designed to work with the counties. Any agreement by the municipalities is between the municipalities and the respective County officials. Commissioner Farrell said, right. Ms. Hurst said, it does not have any bearing on this contract. Commissioner Farrell said, that's why we asked staff to do this and I'll ask the Commission —.

Commissioner Stone said, it may have a financial bearing, and I thought we were very clear at the last meeting that we were looking at that input from the municipalities.

Ms. Hurst said, and again that's between you, the County, and the municipalities.

Commissioner Shay said, we understand that.

Commissioner Kicklighter said, in addition, I want you to know yesterday I asked staff to contact all of the municipalities again. They did so by fax and I believe by email, and basically I had them put in there that we really needed something in writing from them before the meeting and, if not, their fate may be decided by this group. I received an email back from the Garden City Administrator stating that they had no problem supporting it. They would like to review it every year, which that's covered with — I mean, it's renewed every year, but I received a phone call from the Mayor of Pooler stating, "Really not doing anything with the RDC Transit. Not addressed it yet. They have a lot on their plate right now and they're not pushing forward at this time." So that means no to me, but what I think we need is what we originally requested from every municipality. I also spoke with the Assistant City Manager of Savannah yesterday and he really was not aware of the ins and outs of the RDC plan, and with the Mayor and some Council members, he was put in a tricky position, but I believe that without trying to — I believe that they possibly saw a need for some type of workshop and they're receiving a little bit more information also.

Commissioner Stone said, Mr. Chairman, I agree with the regional approach to this, but I don't think it's fair to Chatham County to be left holding the bag if we don't know what the input is going to be financially from some of these other municipalities that this will benefit. I mean, I'm just — I'm having a hard time picking up the entire cost to benefit the other municipalities whether they may or may not contribute. I just — that's a real stumbling block to me.

Commissioner Farrell said, Mr. Chairman, I think we're a little premature on making a decision today until we get more information from our municipalities. So rather than vote it up or down, I'd like to just put it to the side until such time as we have a resolution from each of the municipalities in hand that we can go from there.

Chairman Liakakis said, Chris Morrill, the Assistant City Manager, also called me late yesterday and asked if we would postpone this at least two weeks for those City Council people that are out of the country that they can make a decision on that. And so since we have that, then does somebody want to make a motion at this time.

Commissioner Stone said, I'll make the motion to continue it until we get the appropriate information we need. Commissioner Farrell said, postpone it until that time. Commissioner Kicklighter said, amend that to say a resolution from each city stating whether they support —. Commissioner Stone said, a resolution from each city asking — whether they choose to support this or not support this. Commissioner Shay said, second.

Commissioner Thomas asked, and are we going to ask for a time line of a response or will this be an ongoing thing? I mean, just keep waiting and waiting and waiting and waiting and still not get anything back. Commissioner Stone said, I think we'll give them a deadline.

Commissioner Kicklighter said, in addition I think at this point in time it's critical that we add in the statement that goes to each city the potential disaster our — many of our handicapped citizens are facing because we had to scale back —. Commissioner Stone said, absolutely. Commissioner Kicklighter said, — the service area of Teleride. Commissioner Stone said, absolutely. Commissioner Kicklighter said, they need — actually we need a huge meeting. They need to know every detail, and it needs to be their decision. We elected them, if we live in each city, to be the representatives of the people in that city, and by not responding, they're not doing what was asked. They need to come forward and take a stand one way or another on this.

Chairman Liakakis recognized Commissioner Odell.

Commissioner Odell said, this might be something, Mr. Chairman, under your leadership we started the municipal association where the Commission would meet with all of the various municipalities and we would discuss issues that would be common to us all. What I think would be really good is this might be the greatest idea since sliced bread, but then again it may not. I would like to see this brought to the municipal association, we have it put on the agenda, we invite these good folks to come do the presentation. I think that's probably going to be helpful. Unless time is of the essence, one of my concerns is that once these people get back from China, they're going to have a lot of things on their plates other than eggrolls. They're going to have a lot of stuff to do. This may not rise to the top of the list and I'm not certain if two weeks is enough. Do we need to act within two weeks or 30 days?

Chairman Liakakis said, go ahead, Barbara [Hurst].

Ms. Hurst said, we have been working with Federal Transit Administration already in getting our application submitted, so as far as the time factor, we're at the mercy of Federal Transit as to when they issue our contract. It's not to say we can't bring you in at any given point. This fiscal year runs through June 30th, so if you opt in later, that's your prerogative.

Commissioner Odell said, I guess my question [inaudible] is that we're in November. If we were in December would that be a difference as far as our being able to opt-in or not? Ms. Hurst said, no sir, because we're going to go ahead and move forward with getting their application submitted and we'll welcome you in at any point that you can come in and move forward. Commissioner Odell said, then if that's the answer, rather than two weeks, Helen [Stone]. Commissioner Stone said, a month. Commissioner Odell said, to give the City of Savannah and to give the other municipalities, Dean [Kicklighter], time for us maybe to have a municipal association, have the joint meeting, and they get back, have their council meeting, Dr. Thomas, then they can vote on it and we'll know their sentiments after we all are versed at the same time. So I'd ask that you amend it from two weeks to 30 days.

Commissioner Stone said, I did not put a time frame in the motion, but it seems to me there might be a municipal meeting the first part of December. Is that correct, Mr. Chairman, or does anyone know?

Commissioner Shay said, well, there's actually two groups. One is kind of a club and the other one is something that the Chairman started that is much more formal, and I think Commissioner Odell — Chairman Liakakis said, it's the City/County Coalition, that's what we call it. Commissioner Shay said, that's what you want. Chairman Liakakis said, so everybody knows, City/County Coalition. It's different from the municipal association.

Commissioner Stone said, I think as soon as we can give an accurate presentation to the other municipalities and get their input and get their firm support one way or the other, and I don't know that we can put a time line on that, but I would certainly urge them to do it as quickly as possible because of the citizens that this jeopardizes.

Chairman Liakakis said, Joe [Rivers], go ahead.

Mr. Rivers said, Mr. Chairman and Commission, time is of the essence for me. We have a mandate from the FTA to rectify and pull back within our service area. A lady was in here last night complaining that she's been calling and calling and not getting the service, and that's within our core area. So that means we continue to violate the FTA regulations. In order for me to do a seamless thing, they have to come on board and then we disengage and withdraw. We don't want to disengage before they get their funding because that will leave a whole lot of people out there. We want to do a seamless transition if we can. So if we can expedite this as much as we possibly can, you know, in holding your meeting and getting things done, it will help.

Commissioner Stone said, I think it should go as a top priority for us/

Chairman Liakakis said, go ahead, Harris [Odell].

Commissioner Odell said, Joe, we took this off of CAT's agenda and put it on the County Commission. I understand that the contract is between this Commission and the — Mr. Rivers said, RDC. Commissioner Odell said, — RDC, but I'm understanding from you that we are failing to meet our obligations in part and that by doing this, this might help us meet that obligation.

Mr. Rivers said, it would help us to meet the obligation to the people that's going to be left in the non-urban areas of this County because we can only operate three-fourth of a mile away from our fixed routes. So they would come in and pick up — supplement that service. Mind you, they are a direct response service and they don't have eligibility requirements, but they can take everybody. So we've got to work out some nuances with them to allow them to cross our fixed routes with certain passengers who have disabilities.

Commissioner Odell said, see, I — you'll have to forgive me. I'm not understanding that we are not fulfilling our obligation because we can only go a certain distance from a fixed route, therefore they will fill that obligation or that service level.

Mr. Rivers said, they will pick up the void that we leave. In other words, what the Federal Transit Administration had said to us, you're not delivering timely service to the people that you serve. There was a lady in here last night that she's been calling and calling and the lady that she has is not eligible for Medicaid, so it would cost us \$75 to get to

and fro. That's how extreme some of these situations are. So what we're trying to do in order to meet our obligation to serve what the transit regulations call for without jeopardizing our total funding, because if we don't conform to with the FTA regs, then they withhold our funding.

Commissioner Odell said, I understand that, but what I don't understand is the magnitude of the problem, whereas if it costs us \$75 to go pick up this lady, some would say that's a bad expenditure. It's not a bad expenditure if you're talking about spending for the year three times that \$75, incurring that cost as opposed to spending \$60,000 through this thing. I'm sorry —.

Ms. Hurst said, I'm sorry. May I interject something? Commissioner Odell said, yes. Ms. Hurst said, we have recalculated. I've worked with the MPC and rather than — I'll go into the details after Mr. Rivers finishes and you — but we had recalculated these figures based on two different figures that were used back in 2005, so the actual cost to Chatham County right now instead of the \$57,400 that we originally had in this, it's actually around \$34,000. Now Mr. Thomson has recommended that when the County votes on this, that you vote not to exceed the \$30,000. So what we have agreed to do is if the County is agreeable to meeting the \$30,000 buy-in requirement for Section 5311, FTA Fund, then we will pick up any difference above that \$30,000 because we [inaudible] that responsibility.

Chairman Liakakis said, one of the things that's really important is that we have to do this and we can set that 30 days on there so that I can call that meeting because a lot of the riders with Teleride, especially those, you know, that have no other transportation, those that have physical and mental disabilities will not have the service because Joe [Rivers] will have to implement that three-quarters of a mile from the fixed routes of the present bus system. That's what FTA is requiring that we must do this since it hadn't been done in the past. Correct, Joe [Rivers]? Mr. Rivers said, that's correct.

Commissioner Odell said, let me just do a follow-up question, if I might, Mr. Chairman. Mr. Rivers said, because of complaints that they received from people who are not getting the service timely. Commissioner Odell said, I know, Joe [Rivers], but let me — I've got — we might be able to bring this to a head. To opt-in is \$30,000. Is that true? Ms. Hurst said, yes, for this year. Commissioner Odell said, for this year. Now, if we do not provide the services as defined by FTA, the money that is in jeopardy in our failure to do that is what amount? Mr. Rivers said, maybe \$11,000,000 or whatever we are receiving from the FTA. They will hold up on all of our grant funding. Commissioner Odell said, see, now I can try my tears because we're talking about spending \$30,000 to ensure that we keep \$11,000,000 —. Mr. Rivers said, or \$18,000,000. Commissioner Odell said, — or \$18,000,000. To me that's not a decision. If those facts are true, to me that's not a decision. I mean, is that not true? I'll yield to Dean [Kicklighter].

Commissioner Farrell said, there's a lot more information [inaudible]. If we have this 30-days, I'll spend the time —.

Commissioner Kicklighter said, to justify cutting Teleride —, cutting the Teleride service area with the implementation of a rural transportation plan, is a really brilliant political move, but it misleads people by tying them together there like acting as if the rural transit program will actually supplement the services that we're taking away from these people from Teleride, from our handicapped people that will not be able to use Teleride. With Teleride a handicapped person's round-trip cost to a doctor is \$2.40. It's \$1.20 per way. Mr. Rivers said, it's going to go up. We just haven't —. Commissioner Kicklighter said, if you'll let me finish, that would be great. I appreciate that. It's \$1.20 each trip on Teleride.

When someone, and again we're not talking about people that are blessed with the peak of healthiness. Teleride is a service we provide for the people in this society that truly need help. If the government is out there to help people, these are the people that need it. We give money to museums, this, that and the other, but this is who we are supposed to work for. \$1.20 for them to go on Teleride to the doctor. \$3 to take the rural transit thing, \$6 round-trip to a doctor versus \$2.40, a difference of \$3.60 more. That's not replacing anything. That's not to mention that those folks that's paying \$6 more actually are paying their taxes for the Teleride service in which they got cut from them. If you take just the small municipalities, only the small municipalities, and you cut the services for them, that's from the 2007 U.S.. Census, there's 36,000 people there, but again we're talking a lot more people because we're talking services from all the people living if they're outside the three-fourths mile radius of the service route, so there's a lot more, but if you take 36,000 who's losing the Teleride services and they're stating that this would kind of replace it for them, you multiply that by \$6.40 that we have — which basically every person living in this County pay for Teleride. That's how it breaks down. We have 248,000 people in the County. You divide that number into the total budget of \$1,596,000, so basically each persons in the County pays \$6 and something for Teleride. 36,000 people who we have taken that service away from, but its thousands more. It's people throughout Savannah and everything else, but just that smaller number, that's \$230,400 out of the Teleride budget that those people, which when I broke down the riding stats, the statistics of ridership, those people in the smaller cities, they only use that service 11.6% of the time, but they're paying \$230,400, which is 15% of the total budget. It's bad enough, you know, if you're paying more than you're using, but thank God we are a country, a society that we believe in looking out for our own and especially the people that we need to help. So they don't mind paying that. But now the decision has caused — excuse me — these people who are paying 15% of the cost to receive zero services. If you add in the others that were excluded, which I just don't have the capabilities to do that without the maps and everything, you're probably talking 25% of the budget or even possibly higher because this was many Savannah residents and unincorporated residents too who will receive zero service. So now by tying this together, it's easy to all of a sudden, politically pretty brilliant, forces — especially because we shouldn't make the decision. Let's put it on them. Those cities opted out of a transportation system that was for everybody, just a general transportation system, a big, big heated item if you live in those cities. They opted out, but

when you look at the tie-in that's taking place here of, oh, well, we can save the people who need the assistance by passing this Rural Transportation Plan, false right off the bat.. \$6 per round trip to a doctor versus \$2.40, you know, a lot of times elderly people that can't afford that whatsoever. They wouldn't even be able to go to the doctor. But also you're playing politics there trying to get those cities to take a general transportation plan, and — even if they didn't want that in their area.

Now one thing that never — that no one took into account obviously to me, is they really, really overlooked what this does to the residents living in Savannah and the residents that live three-fourths of a mile outside of that thick service route. By shrinking the service area and passing the Rural Transportation Plan, you effectively — you triple-taxed the residents living in the City of Savannah for public transportation services. They are paying for three transportation services at that point. Now although they're being taxed for three services, change in the service route for Teleride and opting into this rural plan will force many of the Savannah residents to pay for three separate services, three separate taxes, but many of those people will only receive one service if they live three-fourths of a mile outside that fixed route area. It's a good chance they don't walk all the way to that bus, number one, so they're not receiving the CAT service. Two, is that they won't receive — the way it's going now, they won't receive the Teleride services. They're going to just rural transportation for \$6 yet they're paying for three separate transportation services. Now Savannah and the unincorporated residents within that three-fourths of a mile fixed radius will basically receive when compared to residents of all the smaller cities and the residents of all of these surrounding counties, they're going to receive unequal treatment when compared to those smaller cities and surrounding counties. They'll be paying the most, they'll be paying for three transportation services while the people in the other counties are paying for one and many of the cities are only paying for two, but Savannah residents and all will only receive that one service if they're three-fourths of a mile outside the —. Thank you.

Commissioner Farrell asked, well, Dean [Kicklighter], what's your recommendation? Commissioner Kicklighter said, my recommendation is this rural transportation plan, personally it sounds great. It would be a good thing. Heck, I could send my daughter into school to St. Vincent's cheaper than I can drive her there. So, you know, I could have the bus pick her up possibly, but —. Mr. Rivers said, you can't. Commissioner Kicklighter asked, can't? Mr. Rivers said you can take her to the city bus route, to the fixed route —. Commissioner Kicklighter asked, oh, they won't pick her up at the house? Commissioner Kicklighter said, they will pick her up at the house —. Commissioner Farrell said, and they'll bring her to the nearest bus stop.. Mr. Rivers — but they'll take her to the nearest bus connecting fixed route. Commissioner Kicklighter asked, but if we live in another County, they'll bring that person from their house to the specific site or to —. Mr. Rivers said, no, to a fixed route. Only those that are disabled will be able to be dropped at a point, but every ordinary citizens — in other words, Dean [Kicklighter], and I understand what you're talking about.

Commissioner Kicklighter said, my point — let me finish before I lose the thought. My point is that's fine. It's a good plan. You've done a good job. It's actually, I think, a pretty good plan as far as getting people around, I mean, from surrounding counties. I don't find it fair at all that the City of Savannah pays for three services and they will receive basically one if they're outside — or actually, the ones that are living inside the area wouldn't receive — well, I won't hit that point, but it's two separate issues. We need to do whatever we have to do to help these people that need help. We cannot help them by passing a rural transit plan separate issue. If we need to find emergency funds somewhere to enhance the current system we have in place to pick up our residents who are handicapped, I am a Republican, I have never said I will do a tax increase, but on the record, I will vote to increase taxes to take disabled people to a doctor rather than removing their service and leaving them stranded while cherry-picking those who get to receive that service. All of the people in this County pay the service. Everyone who lives in this County pays for that service, but we have essentially cherry-picked which residents will receive the topnotch service, and if we pass the other thinking that that did something good, it's not equal service whatsoever.

Ms. Hurst asked, Commissioner, can I respond to that?

Commissioner Kicklighter said, we need to find money to enhance the one system for our handicapped population and address the other totally separate. I'm not opposed to that other, but that ball should be where we're sending it in their park. If the cities want it, let them have it. That's not up to us. That's why CAT was structured the way it was structured. Each city elects their representatives, let them decide that. But we charge our residents countywide for this service and, by God, everyone of them should receive it if they need it, not a certain area based on some route. And that's it.

Chairman Liakakis recognized Commissioner Shay.

Commissioner Shay said, Mr. Chairman, and Dean [Kicklighter] and Joe Murray [Rivers], do we know what the cost increment would be to the County to extend Teleride from the current three-quarters of a mile within a route — within three-quarters of a mile of a fixed route back to the boundaries of Chatham County. Do we know what that cost increment is? Mr. Rivers said, I don't know what that cost increment would be. Commissioner Shay said, I think, Joe [Rivers], then — without being rude — I think we need to know that number because what I hear from Commissioner Kicklighter is that that's something he's willing to consider, and I think in order for us to be prudent about that, then we need to know whether we're talking about \$10,000 or \$100,000 or a million dollars, but I, frankly, agree with him that the best way for us to provide this mobility service to people that are disabled in Chatham County is to do it through Teleride and do it by extending it back to the boundaries understanding that we also would then have to consider hopefully a very modest, you know, appropriation from the County's M&O funds. Now at the end of the day I don't know whether that results in a millage rate increase or not, Dean [Kicklighter]. Commissioner Kicklighter said,

hopefully not. Commissioner Shay said, hopefully not, but we just need to know to at least know what that number is, Joe [Rivers]. So I mean I'm not trying to put you on the spot right now, but I think that's a number that we would need to know in order to be able to deal with this issue.

Mr. Rivers said, to resolve the timeliness issue with the Federal Transit Administration and the way we're spread out over the County, it will take almost doubling your fleet. I can imagine that, and it would be for equipment, manpower and we're talking about \$1.20, let me tell you, folks, we just increased our employees salary over at Teleride.

Commissioner Odell said, what you're giving us is an estimate and what we need is the exact amount of money. Is that what we need, Patrick [Shay]?

Commissioner Shay said, yeah. I mean, I think what we want to know is we want to know whether we're talking about climbing a mountain here or we're talking about climbing a hill. I just — I agree with Dean [Kicklighter] and what he said and I also agree that we actually have two separate issues that are being put into one. One is do we want to have an opt-in to what's called a rural transit system that's for everybody, not just for people that are disabled, and a separate issue which is because we don't have the available resources right now, we're having to contract the area that Teleride serves because we don't have the financial resources. So I'd like to know how much additional financial resource does it take to put Teleride back to —.

Commissioner Stone asked, but if we're going to have a meeting, can we get some of this information if we're going to go ahead and table this?

Chairman Liakakis said, alright, Joe [Rivers], we're going to have to — we've got a motion on the floor, but the thing about it is the questions that's being asked right now in our discussion is how much more is it going to cost the County to go back to what was being done before so that we have some idea, so it won't conflict with the Federal Transit Authority to place us in a very compromising position that's going to, you know, cause us to lose a huge amount of federal funds.

Commissioner Shay said, Mr. Chairman. Chairman Liakakis said, yes. Commissioner Shay said, my understanding from the last time that we considered constricting the routes to the three-quarter mile limit was that that was the minimum we could do in order to be compliant with FTA regulations. So we're not talking about losing all of our federal funding. We're not jeopardizing that by constricting to within three-quarters of a mile of the routes. That's actually what the recommendation was because that's all we could afford to do. That was the minimum that we could do and still follow FTA guidelines. Right? Mr. Rivers said, that's the requirement of the FTA, three-quarters of a mile. As long as you do that and bring timely service within that core, you're alright. Commissioner Shay said, and nothing that we're talking about contemplating up here right now is going to jeopardize that. Mr. Rivers said, when you start going outside of that three-quarters of a mile, and the moment somebody calls FTA, then you've got problems. Commissioner Shay said, only if we're not providing the service properly. Mr. Rivers said, yeah. Commissioner Shay said, that's why we want to know what's it going to cost to extend that service to the boundaries of Chatham County and do it in a way that's compliant.

Mr. Cedric Campbell I asked, can I say something? Chairman Liakakis said, come up to the microphone. Cedric Campbell, C.J., with Teleride. Let me clarify a couple of issues that the FTA has. Geographically, what the FTA requires is that wherever the fixed route is, we need to cover a minimum of three-quarters of a mile on either side of the fixed route. The quality that we're talking about, the FTA within that three-quarters of a mile doesn't — you can't have capacity constraints for anybody that lives within that three-quarters of a mile, which means that they can call, because it's predicated on a fixed route, and they can call the day before, three o'clock or whatever, and get a ride the next morning. We also cannot make them late. The system has grown so much that we're trying to do this balancing act. We couldn't get everybody within the three-quarters of a mile so we ran into capacity constraints, which you can't have, and what the FTA came back and said was basically fix the three-quarters of a mile and get that fixed first. Let's get that fixed first. Now they didn't say you couldn't go outside of the three-quarters, but what they're saying if you go outside the three-quarters, you better make sure you haven't turned anybody down within the three-quarters and that you're not making them late.

Commissioner Shay said, I understand. What we want to know is what does it cost for us to not compromise the three-quarters in and still provide the service to the boundaries of Chatham County in such a way that we still meet federal guidelines. That's all. Mr. Campbell said, that's going to require, you know, a few days of trying to put together what would ensure you all that someone doesn't call and say you extended the service, but they couldn't get me tomorrow, and my biggest concern and fear is I might be doing the three-quarters of a mile, but the person that lives in Tybee or Port Wentworth calls and I have to turn them down a day just because we ran into capacity constraints again. So you're asking me to give you kind of a protection there. I am going to have to get with my people and consult, what is it going to take, because there's days I would just have buses sitting there because I didn't really have to use them and there's other days that I'm going to make sure I have enough employees that can meet that emergency need out there to continue what Dean [Kicklighter] would like to offer.

Commissioner Shay said, and we understand —.

Commissioner Odell asked, can you subcontract that out? Can you subcontract that out? Commissioner Kicklighter said, that's what I was wondering. Commissioner Farrell said, that's what I was wondering, too. Commissioner Odell

said, here's my only thing —. Mr. Campbell said, yeah. Commissioner Odell said, it is impossible to staff only for peak. It is cost inefficient, total opposite of effectiveness. We could beat this horse all day, the end results is it's not going to pass today and if it's a crisis, it's unfortunate. It's not going to pass today. My thought is in 30 days the requested information, if we expand the route what's that going to cost? Not a guesstimate, but a detailed professional estimate and during that time we will have whatever the group the Chairman started, and I get the names confused, we'll have a meeting with them, we'll cover the resolution, and the Commissioners who are up to date on this will talk to the Commissioners who are not up to date, and in 30 days we'll make a decision. We'll make a decision based upon the best information, but right now what we need to know is how much is it going to cost and some of the anticipated questions, C.J. [Campbell], is can we subcontract some of these things because if there's — the Federal Government is not designed to be efficient, but the amount of money that it will dole out to CAT and Teleride is limited. So if their regulations promotes inefficiency, do they also prohibit subcontracting because sometimes there are other services that provide the same service that Teleride provides. Is that a true statement? Mr. Campbell said, correct, but the ones that are doing that —. Commissioner Odell said, I know, but —. Mr. Campbell said, okay. Commissioner Odell said, when we have those peak periods, answer for us at 30 days if we could subcontract rather than us staffing at the peak level, which we're not going to be able to afford. We can't afford to do that, and if we can do an analysis between the cost of that subcontracting as to peak levels, I think there's going to be a substantial savings. That's my only point.

Chairman Liakakis said, alright, let's do this. Commissioner Stone said, I made a motion — there's a motion on the floor, and I —. Chairman Liakakis said, let's do this right now. Let's vote on that motion for that City/County Coalition Meeting —. Hey, listen — the City/County Coalition Meeting that we'll have, you know, within this 30-day period of time, and you said it would take you a few days, but you have that information for us about the cost factors so all of the Commissioners will understand it at the next County meeting. Just have a special CAT meeting and come up on the 21st of this month and so you have that information. That will give you a couple of weeks to put all of that together to let us know what the cost factors are. Okay.

Mr. Rivers said, Mr. Chairman, we don't have to have a special CAT meeting because it's your decision to make. We provide you with the information.

Chairman Liakakis said, just come up in two weeks. Mr. Campbell said, okay.

Commissioner Kicklighter said, Mr. Chairman, let me say this one thing also. Just by a quick example, and the math might be wrong because I just did it without a calculator, but according to the 2007 Teleride stats there was a total of 66,599 actual passengers for the entire County. Out of the small municipalities 7,739 passenger, you know, rides took place. If you think of privatizing, and just putting an RFP out for a contract per one way, quick math \$20 times the 7,739 trips, we're talking \$154,780. Throw in a \$2.40 contribution, and it would actually cost the County, you know, take that off, \$420 off of the \$20 or whatever. This thing can be solved without standing the people, but that's, you know, we're paying y'all to dig and not tell us why we can't do it but dig and come back and tell us why how we can do it.

Chairman Liakakis said, alright, here's what to, Dean [Kicklighter], you've got all these ideas and some good ideas, just get with them, you know, what you just said, and Patrick's [Farrell] is next.

Commissioner Farrell said, okay, just a quick comment on the previous conversion. It dawns on me that recently I was given information through the news media that there are too many taxicabs operating in Chatham County per capita versus anywhere else in the State. So it seems to me if we used an entrepreneurial abilities, we could come up with an extra list, if you will, of willing cab companies that when we run out of capacity on our CAT that we could select the riders that do not require a wheelchair or a specialized van, and we could have a long list of taxicabs that would probably like to be able to fill in some of their down time on a volunteer basis with a set rate so that we don't have to maintain these drivers and cars and all this overhead, and we just pay a certain amount, as one of the Commissioners suggested, and then our extra capacity is already there in our local taxicab fleet. So that's just food for thought on how we could be innovative and solve this problem without breaking the bank along with the same I think general ideas of what I'm hearing from my fellow Commissioners. And after saying that, I'd like to call for the question and go ahead and vote this motion that Helen [Stone] put up 45 minutes ago.

Chairman Liakakis said, okay, we have a motion on the floor, you know, that was brought out by Patrick Shay and —. Commissioner Shay said, Helen Stone. Chairman Liakakis said, and Helen [Stone]. So let's go on the board.

Commissioner Kicklighter said, alright, and that basically was to —. Commissioner Stone said, to postpone it for 30 days.

Chairman Liakakis said, and to have a meeting with the City/County Coalition. The motion carried unanimously. Chairman Liakakis said, and that basically is out of the way. Joe [Rivers], we want to make sure by the next meeting that we have the cost factors there and what was just mentioned by Patrick Farrell and Dean [Kicklighter], and if you have a situation, just call them to make sure those different suggestions that were made, they're followed through on.

ACTION OF THE BOARD:

Commissioner Stone made a motion to postpone this item for 30 days to allow time for a resolution from each municipality of whether they support or do not support the CGRDC Rural Transportation Plan and to allow time for the Chairman to call a meeting of the City/County Coalition, and that CAT present the financial data surrounding the extension to the boundaries for Teleride to at least a minimum of three-quarters of a mile on either side of the fixed route in compliance with FTA regulations. Commissioner Shay seconded the motion and it carried unanimously.

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Commissioner Kicklighter said, Mr. Chairman. Chairman Liakakis said, excuse me. Go ahead. Commissioner Kicklighter asked, with your permission could I just read into the record that while we were discussing the RDC I received two letters from two separate cities — City of Bloomingdale, actually this one says from City of Bloomingdale.

Chairman Liakakis said, wait a minute. We have to make a motion on that to accept that at this point. Isn't that right? County Attorney Hart said, he can make a reference there if he just wants to submit the documents.

Commissioner Kicklighter said, that's all I want. I was just kind of —. County Attorney Hart said, and with no discussion on it. Chairman Liakakis said, okay. Commissioner Kicklighter said, I mean, can I tell —? Chairman Liakakis said, yes. Commissioner Kicklighter said, it's from the City of Bloomingdale on their stationery, not really signed on this one, but basically it says that they do not want to participate in the Rural Transportation Plan at this time, but —. Well, I won't get into that. But this is one. City of Tybee Island responded, signed by the Mayor. He received my request yesterday regarding the Rural Transit Plan. He would be hesitant to express the City's support for such a project without having consulted with the City Council, City Manager, City Attorney. He asks for additional information about the plan and what it could offer the community, as well as provide them with sufficient time to review the proposal. Anyway I want to present that, as well as my notes to the County Clerk and I would ask her to make copies of this and send it to y'all.

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VIII. TABLED/RECONSIDERED ITEMS

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

None.

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IX. ITEMS FOR INDIVIDUAL ACTION

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

- 1. **TO REQUEST APPROVAL OF THE FOLLOWING FY2009 BUDGET AMENDMENTS AND TRANSFERS: (1) INCREASE REVENUES AND EXPENDITURES IN THE MULTIPLE GRANT FUND \$7,500 FOR A JUVENILE OFFENDERS PROGRAM GRANT, (2) INCREASE REVENUES AND EXPENDITURES IN THE EMERGENCY MANAGEMENT FUND \$28,850 FOR A VEHICLE PURCHASE, (3) TRANSFERS IN THE SALES TAX IV FUND A) BETWEEN PROJECTS WITHIN UNINCORPORATED COUNTY ROADS AS OUTLINED IN THE SCHEDULE FROM THE COUNTY ENGINEER AND B) \$50,000 FROM UNINCORPORATED COUNTY ROADS RESERVE TO THE KIM STREET PROJECT, AND (4) INCREASE REVENUES AND EXPENDITURES IN THE CONFISCATED REVENUE FUND \$65,000 FOR THE PURCHASE A BUS FOR THE SHERIFF'S DEPARTMENT.**

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

Commissioner Stone said, so moved. Chairman Liakakis asked, do we have a second? Commissioner Thomas said, second.

Chairman Liakakis said, we have a motion on the floor and a second for that request. Let's go on the board. The motion carried unanimously. [NOTE: Commissioner Holmes was not present.] Chairman Liakakis said, the motion passes.

ACTION OF THE BOARD:

Commissioner Stone made a motion to approve the following FY2009 budget amendments and transfers: (1) Increase revenues and expenditures in the Multiple Grant Fund \$7,500 for a Juvenile Offenders Program Grant, (2) increase

revenues and expenditures in the Emergency Management Fund \$28,850 for a vehicle purchase, (3) transfers in the Sales Tax IV Fund (a) between projects within unincorporated county roads as outlined in the schedule from the County Engineer, and (b) \$50,000 from Unincorporated County Roads Reserve to the Kim Street Project, and (4) increase revenues and expenditures in the Confiscated Revenue Fund \$65,000 for the purchase of a bus for the Sheriff's Department. Commissioner Thomas seconded the motion and it carried unanimously.

AGENDA ITEM: IX-1

AGENDA DATE: November 7, 2008

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

ISSUE: To request approval of the following FY2009 budget amendments and transfers: (1) increase revenues and expenditures in the Multiple Grant Fund \$7,500 for a Juvenile Offenders Program grant, (2) increase revenues and expenditures in the Emergency Management Fund \$28,850 for a vehicle purchase, (3) transfers in the Sales Tax IV Fund a) between projects within Unincorporated County Roads as outlined in the schedule from the County Engineer and b) \$50,000 from Unincorporated County Roads Reserve to the Kim Street Project, and (4) increase revenues and expenditures in the Confiscated Revenue Fund \$65,000 for the purchase a bus for the Sheriff's Department.

FACTS AND FINDINGS:

- (1) Juvenile Court has received notice of a \$7,500 grant award from the Council of Juvenile Court Judges for the Juvenile Offenders Program. A copy of the award and a resolution to amend the Multiple Grant Fund are attached.
- (2) The Chatham Emergency Management Agency has requested an additional vehicle. Funding will come from an appropriation of FY2007 audited fund balance. A staff report and a resolution are attached.
- (3) The County Engineer has submitted a schedule of transfers among projects within Various County Roads in Sales Tax IV. The schedule is attached on page seven. A request to transfer \$50,000 from Unincorporated County Roads Reserve to the Kim Street Project is also attached.
- (4) The Sheriff has received donations totaling \$20,300 toward the purchase of a bus. These funds have been combined with \$44,700 of confiscated funds to provide a total of \$65,000 for the purchase. An amendment to the Confiscated Revenue Fund is attached.

FUNDING: The budget amendments will establish funding in the Multiple Grant, Emergency Management, and Confiscated Revenue Funds. Funds are available in the Sales Tax IV Fund for the transfers.

ALTERNATIVES:

- (1) That the Board approve the following:

MULTIPLE GRANT FUND

Increase revenues and expenditures \$7,500 for a Juvenile Offenders Program grant.

EMERGENCY MANAGEMENT FUND

Increase expenditures \$28,850 for the purchase of a vehicle with a corresponding appropriation of fund balance.

SALES TAX IV FUND

- a) Transfer funds among projects as shown in the schedule on page seven.
- b) Transfer \$50,000 from Unincorporated County Roads Reserve to the Kim Street Project.

CONFISCATED REVENUE FUND

Increase revenues and expenditures \$65,000 for purchase of a bus.

- (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 approves Alternative 1.

Prepared by: Read DeHaven

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2. FIRST QUARTER FINANCIAL AND SPLOST REPORTS. FOR INFORMATION ONLY.

County Manager Abolt said, Mr. Chairman, we'll have Ms. Cramer, with your permission, to come forward as she always does on a quarterly basis. This is your first quarter report of the fiscal year. Essentially, we are in a good financial position overall, but the trends we noted in my budget message dealing with Building & Safety are reflective and a result of the downturn in construction. I had hoped that during the Fall we would see a quicker turnaround than that, but Mr. Anderson and Ms. Cramer will be coming back with what amounts to a midterm correction in that whether we can address this deficit in Building & Safety Special Revenue Fund of \$341,000.

Chairman Liakakis recognized Ms. Linda Cramer.

Ms. Cramer said, congratulations to all of you by the way on your reelection. Before I get started on this, I wanted to introduce my new Assistant Finance Director, and you already know her. She's been working for the County a number of years, Leshia Lanier. I'd ask for her to stand.

Ms. Cramer said, what we're looking for during this quarter are signs of instability. I don't know how many of you are watching the news every night, and we see a lot of issues in our nation. What we're seeing here, we're seeing — we've been pretty steady all this calendar year. We're not seeing any growth. We've just been pretty flat in most of our revenues for the County this year. Most recently in the past month we saw a dip in our sales tax that was a pretty big variance from what we've been seeing. So I don't know what that means going forward. I'm just telling you that maybe we are seeing some trends locally in consumption and consumer spending. Of course the real estate market has been slowed down here for a number of months, and we continue to see that trend in the real estate transfers and the sales and most notably in the Fund 570, which is our Building Permit Fund, and we do have a meeting with Russ [Abolt] on Monday to talk about that. Unfortunately, most of the expenses in that fund are for salaries, so we'll be coming probably — coming back to you with some tough decisions to make. Other than that, I'll be glad to answer any questions you have on the report.

Commissioner Stone said, Mr. Chairman. Chairman Liakakis recognized Commissioner Stone. Commissioner Stone said, first of all, I want to thank you, Ms. Cramer, and your department for keeping us apprised of what's going on long before we have to make decisions about our budget, but something that I brought up in the pre-meeting I'd like to go into the minutes and I'd like to follow up on, and that was the issue of the City paying us in a more timely manner for the use of our Detention Center, and I think it was our County Attorney that made a recommendation on how to go forward with that, but if they're holding up monies that belong to us and we're not receiving any interest on it, it concerns me especially with the budget looking, you know, like it could like in the next few months.

County Manager Abolt said, what I'll do, Commissioner Stone, is ask the permission of the Chairman and the rest of the Board, ask Linda [Cramer] to work with Sheriff St. Lawrence on coming up with a more definitive explanation on our billings to all municipalities as to I would refer to as late charges designed and predicated on time between billing and time in receipt of the actual payment.

Commissioner Stone said, I mean, I just think that that's the right thing to do.

Ms. Cramer said, one more thing I would like to let you know. We don't usually have information on our Pension Fund in our quarterly report, but we have had a drop in our market values in that fund since June 30th of about 10%, and this goes along with what you're seeing nationally. We do expect October to be not very good, but we're hoping by the end of the fiscal year to see some brief rebound in those market values. We'll have to keep our eye on that.

Chairman Liakakis said, Linda [Cramer]. Ms. Cramer said, yes. Chairman Liakakis asked, have we ever thought about, you know, getting with the Financial Adviser for the County — you know, we've got those investments and all — but to look at the way that some organizations have done is put money in the treasuries because they are safe, you know, and they hold that particular credit amount, I mean, the interest amount on there so that that means that it's safe and it won't be something that where we will be losing that percentage, like you're talking about, and maybe continuing to do that to do that for a period. Ms. Cramer said, yes sir, we'll look at that. We do have an investment consultant that looks overall at our portfolio and how it's structured. He just came on board with us June 1st and he has recommended a number of changes to us in our allocations in the fund. You know, I think we'll be — we'll come out of it alright. It's just we're in that for the long term, but it is disturbing when you see a big drop in your values like that and, you know, we're most concerned about sustainability of the benefits that we have. We also have the money that the County's put aside so far for the OPEB Trust, and we have not really put that into the market yet, but we're going to

be working on, you know, maybe now while the market's low we can get in and make some gains on that. So we're moving in that direction.

County Manager Abolt said, Mr. Chairman, if I may just for the benefit more for the media than anybody else, the Retirement Fund is in good shape. It's been well-managed over the years I've been associated with it, not because of me but because of the participation of so many employees and members of the County Commission and others financially, but from the standpoint of growth in the fund, it has grown extremely well over the last two decades. We've been able to do a lot of things as an organization for our retirees. I would not want any of these comments to be interpreted as if the Retirement Fund for the County is in any way suspect.

Chairman Liakakis said, and that's really good, Russ [Abolt], because of times now, and I get that financial news every Monday morning, you know, on a national basis, and I can see like on the deferred income and those kind of things, that it has hurt a number of organizations, whether it's a municipality, a county, a state or the different business and industry that have lost huge amounts of money, and we just want to make sure that we protect those retirement funds for our employees that are out there, and that's just a suggestion to look at that to make sure that we don't continue to lose those amounts. Ms. Cramer said, right, and what we try to do is position ourselves for stability. You know, in your operating budgets you're doing that, you have your reserve set aside so that if we have downturns in our revenues, we can get through those hard times. And the same thing in the Pension Fund. We're having some shortfalls right now, but we are looking long term there and we're confident that we'll get those losses back. It will just take a little while.

Chairman Liakakis said, okay, thank you.

ACTION OF THE BOARD:

No action was taken on this item.

AGENDA ITEM: IX-2

AGENDA DATE: November 7, 2008

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

ISSUE: To present the Fiscal Year 2009 First Quarter Report dated September 30, 2008 to the Board for information.

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

FACTS AND FINDINGS:

- 1) The First Quarter Report covers various county funds and activities, and presents budget-to-actual comparisons. Adopted and amended fund budgets are presented as well as variance data. Prior year numbers are presented for comparison on the General Fund and Special Service District Summary reports.
- 2) The General Fund and SSD Fund amended budgets shown herein reflect approved budget adjustments through September 30 for all funds. Audited fund balance carryforwards from fiscal 2008 are not included in this report. Expenditures and project balances shown do not include open encumbrances unless otherwise noted.
- 3) Items noted during the review include the following:

General Fund M&O

- The General Fund received revenues of \$13.9 million during the first quarter or 9.23% of budgeted revenues. This was \$3.4 million above fiscal 2008 revenues of \$10.5 million. Remember that for the first quarter 2008, tax collections were low due to billing delays.
- Almost \$39 million in expenditures were incurred in the first quarter, approximately 26% of budget. As a percentage of budget, this expenditure level was comparable to the prior year.

- During the first quarter general property taxes of \$7.3 million were received. Almost 60% of this category consisted of real property tax collections. 25% was for motor vehicle tax collections.
- For the first quarter, local option sales and use taxes were on target with budgeted amounts. However, the category showed a decrease of \$134,258 from the prior year. September revenue was the main reason for the decline. Revenues collections averaged \$940,000 in July and August, but decreased in September to \$830,659.
- Investment income was favourable as almost 40% of the amount budgeted was realized through the first quarter.
- Housing prisoner billings were below budget. There is a significant time lag in the billing process for the City of Savannah's use of the detention center.
- On the expenditure side, variances in the Other Financing Uses category were caused by transfers out to other county funds. Departmental year-to-date expenditures over 30% were examined. No on-going trends were noted that would preclude these departments from staying within their budget allocations this fiscal year.

Special Service District (SSD)

- In the first quarter the SSD Fund showed revenues of \$1.8 million or 6.9% of budgeted revenues. This was a slight increase over fiscal 2008 revenue of \$1.7 million. Expenditures of \$8.5 million were recorded. The largest expenditure variance was in Other Financing Uses category, caused by interfund transfers made at the beginning of the fiscal year.
- The Recorders Court budget is showing 34.5 percent utilization through the first quarter. A portion of the variance is attributable to the court assignment of panel attorneys for misdemeanour cases upon a citizen's appearance in court. This process circumvents the Public Defender's attorneys assigned to the court who represent felony defendants. A budget adjustment may be required at mid-year to more accurately reflect the expenditures of the court.

Multiple Grant Fund

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

Hotel/Motel Tax Fund

- Hotels and motels have until the 20th of each month to remit their tax returns and checks to the County. Activity in the first quarter of the year has historically lagged budgeted amounts.

Building Safety & Regulatory Services Fund

- During the fiscal 2009 budget process, concern was expressed about the sustainability of this fund on a going-forward basis. The fund's outlook has not improved during the first quarter. The fund is showing an overall deficit of \$340,763. A cost reduction plan will be presented to the Board for action within the next month.

Capital Project Funds

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

Health Insurance Fund

- Medical costs are within budget parameters. Year-to-date claims in the fund are \$3.3 million. Retiree health costs, which are not recorded in the Health Insurance Fund, were \$1.275 million through September.

FUNDING:

N/A

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

ALTERNATIVES:

N/A

RECOMMENDATION: For information only.

**Chatham County, Georgia
First Quarter Report
September 30, 2008**

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3. BOARD DENIAL OF APPEAL OF JAMES AND GAYNOR DUNLOP TO REFUND PENALTIES AND INTEREST IN THE AMOUNT OF \$2,889.50 FOR 2007 TAXES PAID ON 330 ABERCORN STREET.

Chairman Liakakis said, also the County Tax Commissioner has also given a statement for the denial of that, and he gave the reasons for that.

County Attorney Hart said, this is a request for a refund of penalties and interest in the amount of \$2,889.50 for the Hamilton-Turner Inn acquired in the year 2007. There is a long history as to the acquisition of property and various attempts to give notices to the folks that pay their bills. Part of this was due to the Sellers changing addresses and [inaudible] and the inability to catch up with them. Later on the second installment the Landlord that had been receiving them passed away, so the bills were not forwarded. If you look at this thing, you will see that a number of people assisted them in getting their bills forwarded. At one point they did go to the City of Savannah where they registered with the City of Savannah, thinking if they registered with the City of Savannah that accounted for the for

the County bills, but obviously that is not part of the system. O.C.G.A. § 48-5-242 provides that the Tax Commissioner may make a recommendation if the Tax Collector or Tax Commissioner reasonably determines that the default giving rise to the penalty was due to reasonable cause, and he can make a recommendation to you folks. His recommendation is not to accept this. Quite candidly, every year we have folks that are late in paying and, quite candidly, there are things that are pretty good excuses, but this is a situation where the tax bill did not catch up with the owner. We have waived those issues where we can show that an address was in error or the Board of Assessors made an error. I don't think we have any of those here other than they lived in a rental house and moved to another house. If we had any of those here, the recommendation would be to refund the money, but what we have is a case of someone moving from one house to another. The recommendation of the Tax Commissioner is to deny it. Quite candidly, when you read § 48-5-482, the case law of this, it looks to me like you should follow the recommendation of the Tax Commissioner, which is to deny. Therefore, my recommendation is that you should deny it.

Commissioner Kicklighter said, we have no voice but to deny it.

Chairman Liakakis recognized Commissioner Odell.

Commissioner Odell said, that's how I read it. This is the tax commissioner's bailiwick, and my reading of the tax Commissioners' conclusion is failure to timely file the taxes at issue was not due to reasonable causes. Despite the change of address forms from the Tax Commissioner's office in May 2007 and June 2008. I am not prepared to substitute my opinion for that of the Tax Commissioner, and I don't think we should.

Chairman Liakakis said, James and Gaynor Dunlop. Would you come forth please.

Ms. Donna Chisholm said, I'm Donna Chisholm. I represent Mr. Dunlop. I handled his closing with the Hamilton-Turner Inn. We agree with what you're saying about the statute and what Mr. Powers is saying, but we do disagree and refute his — and the report that Mr. Hart provided us that he provided the tax — the change of address form to Mr. Dunlop because he's never received those. Because my client has recently moved to Savannah, he's a citizen who's now paying over \$40,000 to the County in taxes, in personal property taxes and real property taxes. He moved here, bought the house in March of 2006. Of course, the record doesn't change as to where you sent it. The seller was receiving the taxes and forwarded them on. He paid them promptly. Every time he received something, he paid it promptly. Then the next year when they did change it from the New Hampshire address, he had moved here. He was renting and then bought a house on 65th Street. They eventually got to him and he paid it immediately. The second installment in 2007, he did not receive, it obviously did not get forwarded to him. Prior to — right after the first installment, he wrote to the City and said please change my address, and did not realize that that would not then take care of it, thinking it was the same digest. I did speak with Buddy Clay at the City and he did say that normally his office when they receive something like that forward it on to the County to change, but for some reason that did not happen, and you do have a copy in your packet of the letter that he wrote to the City. So he has not been grossly negligent. He has been proactive in trying to get things straight. It's just unfortunate that he didn't realize that you don't just send to the business. The business is 330 Abercorn and that's where he's been receiving all of his inventory taxes and they've been paid promptly. They've come to the business. He acquired after the original purchase a piece of property right behind the Hamilton Turner House. He was getting taxes on those. So it just didn't occur to him that everything had no changed, and when he did write to the City, he did think that he was doing what he was supposed to do. So I don't think it's gross negligence, it's reasonable cause, and he is contributing to our County and I just feel that this would be very inappropriate for someone who is trying very hard to contribute to our City and our County. And he can say, if you'd like him to on the record, that he's not received these change of address forms, and if they sent them, they must have gone to New Hampshire to begin with because he never got the bill. So I don't know how he could get the change of address forms.

Mr. Dunlop said, if I might speak, I'd like to agree with Ms. Chisholm's comments, but we did not receive either of the two dated, I believe it's April and July, statements requesting address change or the billing. I actually pay close to \$200,000 a year of taxes to the City, County and State. I employ 15 people in this town. We are successful, and we pay everything absolutely on time. There is no way that these would not be paid if they were received, and I simply feel it's grossly unfair at this point trying to do my part in this County that I be penalized for being a very good citizen.

Ms. Chisholm said, I had one other thing, I'm sorry. The Fi Fa Notice went to New Hampshire, but the — and this was this past Summer, but in May the Chatham County records shows that his address was 10 West Jones Street. So it all seems so confused and that's why we're asking for you to just consider this reasonable cause. He paid everything and just refund the penalty and interest.

County Attorney Hart said, we're not disputing whether the gentleman did or did not receive the forms. We just made a note in our staff report that the Tax Commissioner noted in his finding his office did provide the Dunlops change of address for tax bill 2007-2008, which I assume means mailed but not received. You know, there has been a number of changes of address and apparently the bill didn't catch up with them in the mail. The Tax Commissioner has made a recommendation to deny the claim and he has not made a recommendation to refund the money. The statue is pretty clear on that.

Commissioner Kicklighter said, Mr. Chairman, basically by law you as our attorney, by your legal opinion you're saying we have no legal option other than denying because of the way the law is structured because if he is not recommending approval, then we can't approve. Is that your interpretation of the law? County Attorney Hart said, my

interpretation of the law you can't make a decision until the Tax Commissioner tells you his recommends it. He hasn't recommended it. Commissioner Kicklighter said, so we take no action is what has to by law in your opinion take place. County Attorney Hart said, a firm decision of the Tax Commissioner —. Commissioner Kicklighter said, because I feel bad for the gentleman. Clearly, he's a good guy and I don't think he purposely didn't, but we have to follow the law and I feel like Danny's [Powers] office sent the things where they were supposed to, just some mixup took place, and it's unfortunate, you know.

Ms. Chisholm said, I understand, but the law, I've got the copy of the code section and it does say the waiver of penalties or interest in accordance with this code section shall be subject to written approval of the county governing authority either on a case by case basis or by resolution delegating the authority to the tax collector or tax commission to make final determination. That's under subsection (c), so I think it does give you authority on a case by case basis.

Chairman Liakakis asked, what did you say Jon [Hart]? County Attorney Hart said, not, it doesn't. Subsection (c) is something that if y'all pass a resolution to provide that y'all want to delegate [inaudible], well, you can't. Subsection (c) does not apply in this case. That is not an accurate statement.

Commissioner Kicklighter said, based on the opinion of our attorney, who I have great confidence in as far as the county laws according to this, I believe we need to go with our County Attorney's opinion and vote as recommended. I make a motion to vote as recommended.

Chairman Liakakis asked, we need a second?

Commissioner Odell said, I'll second, but I'm going to second and clarify. The clarification on the second is that we vote to affirm the decision of the Tax Commissioner. Commissioner Kicklighter said, right. Commissioner Odell said, that is the gist of your motion. I'll second that motion because I don't think we have an option. Commissioner Kicklighter said, that's the reason — me, too.

Commissioner Thomas said, I just agree.

Commissioner Stone said, I think this is a real shame and our hands are tied and I don't know what else we can do if this is what our Tax Commissioner is saying, but I just think it is a very unfortunate thing and I would hope that in the future that something could be done, that these bills need to get where they need to get and we can do a better job and not penalize people that are willing to do what they're supposed to do. This is very concerning to me as a citizen and as an elected official.

Commissioner Kicklighter said, yeah, and I just want him to know that we give money back to —.

Chairman Liakakis said, he's called for the question. Commissioner Kicklighter said, oh, I'm sorry. Chairman Liakakis said, he's called for the question. Let's go on the board. The motion carried unanimously. Chairman Liakakis and Commissioners Stone, Holmes, Farrell, Odell, Gellatly, Kicklighter and Thomas voted in favor of the motion. Commissioner Shay voted in opposition. The motion carried by a vote of eight to one.

Commissioner Kicklighter said, we've given money back to plenty of people, and I'm sorry that that's the way it's interpreted that we couldn't act.

Mr. Dunlop said, I have to agree with Ms. Stone. There should be some kind of a letter sent to a new business person in the County to understand that — how they need to be sure these things don't happen. It's very difficult to try and do the right thing as a good businessman and citizen. Commissioner Stone said, right. Mr. Dunlop said, as it now stands. Commissioner Stone said, I agree.

Chairman Liakakis said, alright. Thank you, Mr. Dunlop. Sorry.

ACTION OF THE BOARD:

Commissioner Kicklighter made a motion to deny the appeal of James and Gaynor Dunlop to refund penalties and interest for 2007 taxes paid on 330 Abercorn Street. Commissioner Odell seconded the motion. Chairman Liakakis and Commissioners Stone, Holmes, Farrell, Odell, Gellatly, Kicklighter, and Thomas voted in favor of the motion to deny. Commissioner Shay voted in opposition. The motion carried by a vote of eight to one.

AGENDA ITEM: IX-4

AGENDA DATE: November 7, 2008

TO: Board of Commissioners

THRU: R.E. Abolt, County Manager

FROM: R. Jonathan Hart, County Attorney

ISSUE:

To request the final determination of James and Gaynor Dunlop's request waiver and refund of interest and penalties \$2,889.50 for tax 2007.

BACKGROUND:

On October 20, 2008, the Dunlops petitioned the Board of Commissioners for refund of taxes and interest paid on their property, known as the Hamilton Turner Inn, located at 330 Abercorn Street, PIN, 2-0032-04-001.

The Dunlops purchased the subject property in March, 2006. At the time the Dunlops purchased the property, they resided in Ashland New Hampshire. In 2006, the tax bills for the first and second installments were sent to the sellers' address of record — 330 Abercorn Street. The sellers forwarded the bill to the Dunlops.

In 2007, the Board of Assessors' office updated the records for the subject property based upon the information contained in the real estate transfer record. Based upon this update, the 2007 first installment bill was sent to the Dunlops' New Hampshire address. However, the Dunlops had already moved to Savannah. The 2007 first installment bill was forwarded to the Dunlops' Savannah address at 10 West Jones Street where the Dunlops had been renting. However, by that time, the Dunlops had moved to a permanent home in Savannah. The landlord from the West Jones Street property forwarded the bill to the Dunlops.

After paying the first installment for the 2007 taxes, Mr. Dunlop sent a letter to the City of Savannah asking that his address be corrected. (See attached) The Dunlops' attorney contends that Mr. Dunlop was unaware that the City and County maintained separate address databases.

The 2007 second installment tax bill was also sent to the Dunlops' prior New Hampshire address and again forwarded to the Dunlops' former Savannah residence at 10 West Jones Street. However, the landlord, now deceased, resulted in the bill not being forwarded to the Dunlops at their permanent Savannah residence. In the meantime, the Dunlops indicate that their 2007 bills for personal property taxes was sent to their current Savannah address and were timely paid.

Due to the Dunlops' failure to timely pay the second installment for the 2007 taxes, a Fi fa. was issued on July 24, 2008, in the amount of \$18,462.63 which included interest and penalties in the amount of \$2,889.50. Upon becoming aware of the Fi fa., the Dunlops paid the amount due in full.

Subsequently, the Dunlops sought a refund of the interest and penalties.

O.C.G.A. § 48-5-242 provides that upon written approval by the governing authority, the tax commissioner may waive, in whole or in part, the collection of penalties and interest assessed the tax commissioner "reasonably determines that the default giving rise to the penalty and interest was due to reasonable cause and not due to gross or willful neglect or disregard of the law...."

After investigating the matter at issue, the Chatham County Tax Commissioner was unable to make the requisite finding to support a waiver of the penalty and interest. The Tax Commissioner noted in its findings that his office provide the Dunlops with change of address forms and copies of the tax bill in May, 2007 and in June, 2008.

Based on the foregoing, a waiver of the interest and penalties at issue not warranted.

FACTS & FINDINGS:

1. O.C.G.A. § 48-5-242 authorizes the Tax Commissioner, upon written approval of the County governing authority, where the Tax Commissioner reasonably determines that the default giving rise to the penalty and interest was due to reasonable cause.

2. The Tax Commissioner found that Dunlops' failure to timely file the taxes at issue was not due to reasonable cause. Despite being provided with change of address forms from the Tax Commissioner's office in May, 2007 and in June, 2008.

3. The Dunlops failed to provide the Tax Commissioner's office with their current Savannah address until after a Fi fa. For the second installment 2007 taxes was issued on July 24, 2008.

4. There is no support under Georgia law for a refund of taxes or penalties and interest.

FUNDING:

Delinquent collections in the Tax Commissioner's Office.

POLICY ANALYSIS:

The law does not support the waiver/refund request of Mr. and Mrs. Dunlop for penalties and interest paid on their 2007 taxes.

ALTERNATIVES:

1. Do not grant the Dunlops' request to waive penalties and interest in the amount of \$2,889.50.

2. Grant the Dunlops' request to waive penalties and interest in the amount of \$2,889.50.

RECOMMENDATION:

That the Board adopt Alternative 1.

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4. APPEAL FROM SUPERIOR JANITORIAL ENTERPRISE REGARDING AWARD OF BID FOR JANITORIAL SERVICES AT THE MONTGOMERY STREET COURTHOUSE AND THE AQUATIC CENTER.

Chairman Liakakis recognized County Manager Abolt.

County Manager Abolt said, Mr. Chairman, ladies and gentlemen, this is a most unique item to be before you. In my tenure as Manager, I cannot recall the last time something like this has occurred, but it is allowed and what it means is that in our solicitation for a bid, in this case for janitorial services, we made a recommendation to you based on lowest responsible bid. You acted upon that recommendation. Subsequently, we received what amounts to an appeal from one of the contractors not receiving the bid. The way that is processed, and by Purchasing Manual dictum, the appellant comes to my office, presents the case, I make a decision, and from there in the event that my decision is not satisfactory to the appellant, then they have the entrée to come before you. That's what today is about. You have a very extensive file in the agenda packet, and I will summarize my response, my decision, but I want to predicate my response by telling you upfront that I was most impressed by Ms. Nichols, who is the Manager, the owner of Superior Janitorial Service — Enterprises, and the participation of her husband. In both meetings with them I found them to be extremely professional and extremely well-steeped in their business. But that aside, we have a bid document that's asked for certain things. In this particular case the focus was on janitorial custodial services focusing on the Montgomery Street Courthouse, a very high profile facility, that if we have any problems I'll guarantee you about five minutes after there's a problem we'll get a call from one of the constitutional officers in the courthouse saying do something about it. Obviously, we are very sensitive to all areas of custodial responsibility, but this is at the top of the list. With that as background, then we analyzed the bid and my response, my letter to Ms. Nichols dated the 25th of October, the basic issue was not the bid submitted but the hours that would be committed to doing the maintenance, and if you look at the hours to be committed under the bid price offered, they are less than the bidder — the contractor we made the recommendation to do the work. And if you would extend the number of hours we believe necessary to provide the custodial services than the bid from Superior Janitorial, they would not be the low bid from the standpoint of actual dollar costs. This is one in which in which in no way does my decision have any reflection on the ability of Nichols to manage their company. I believe it's very well run and they are very concerned from the standpoint of being responsive to the needs of a public entity, namely Chatham County, and I would certainly encourage them to bid going forward, but in this particular case it's a bid situation. We made a recommendation I believe is totally justified, but again it's no reflection at all

Chairman Liakakis said, so, Russ [Abolt], just one more time now, the reason — the hours, go over that just one more time. County Manager Abolt said, the issue was the hours, frequency expected for custodial services, in this case the Montgomery Street Courthouse. And when you looked at what we recommended to you from the standpoint of lowest response, low bidder, there were more hours committed to that work than submitted by Superior Janitorial. And I would

like — you'll certainly want to hear from the Nichols. I also want Mr. Thompson and Mr. Kaigler to be more expansive than I on the specifics of what I've just given you.

Commissioner Odell said, but if you take their hours and multiply it out —. County Manager Abolt said, it's greater, yes sir.

Chairman Liakakis asked, did we have someone that wants to speak for Superior Janitorial?

Ms. Charlene Nichols said, my name is —, I'm a little nervous here. I'm not use to how to address the Commission. Chairman Liakakis said, just be at ease. It's just like you're talking to one other person. Ms. Nichols said, okay. I'd like to thank you all for actually listening to me. I thank you, Mr. Kicklighter. Again, my name is Charlene Nichols and I am the owner of Superior Janitorial. We're a minority, woman-owned company. Back in July we bid [sic] a bid for various Chatham County buildings. Before I get to that, let me tell you a little bit about our company. We've been in business for about 10 years and basically primarily we did Department of Defense contracts, State, City and just governmental contracts. This is my first time ever having to appeal a decision of this nature actually ever happening, and we've done 80, 90 contracts, probably bid at least 500 or better, maybe even more. But anyway we did the bid and we came up — I have these recap sheets that we were actually low bid on the Aquatic Center and we were second low on your Judicial Courthouse, and when I received the recap sheet, you'll don't have to read this because I know what happened, I received the recap sheet and I went to your Purchasing Office and she said well it's a low bidder recommendation. I go, low bid recommendation, why is that? She said, well, it's an end user, whomever is recommended for the job will get it but we're the low bidder. How can that be, we're Chatham County, we're the low bidder, and after I couldn't get any understanding about it, there was another company — I have all the recap sheets if you would like one — there's another company from Atlanta, Georgia, or that area, that were low bid on the Judicial Courthouse, and we were next low so with them being out-of-towners, of course, we would have first choice of refusal. That didn't happen.

Ms. Nichols said, after about three weeks I couldn't get any — have to tell anything. I called my district commissioner, Mr. Kicklighter, and he arranged a meeting with our County Manager. After meeting with our County Manager, we did go over a number of ways to bid a building, the type of buildings we do — we do several courthouses. At present we are doing Department of Driver Safety buildings all over the State of Georgia. We actually do one of the busiest Driver Safety buildings in Georgia. They service 7,000-8,000 people per week. We actually do one of the largest HIV Clinics in South Georgia. So when he talked about intensive work and how many work hours, we've done over 16 Army Reserve Centers in Georgia and Florida. We actually do Federal Courthouses in Albany, Georgia, post offices and we have letters of recommendation from most of those agencies that we've performed work. That is why I come — the Manager said we do come with high recommendations and letters of reference. Then after we got to the meeting we discussed with the County Manager and Mr. Fred [Thompson] how much time it would take and what it would take to do the building, and I told him that we do high security buildings, we're doing the University of Georgia and a [inaudible] college. We have a vast amount of experience with high security buildings, with high tech buildings, because in the University of Georgia building, it is actually a laboratory, they actually do testing there. We do high performance buildings where there are 7,000-8,000 people traffic. We also went through a lot of the — and I have that whole thing here — how do you benchmark, how do you price a contract, and that kind of thing. I did receive the letter that he sent to us that says about the hours. You know, the actual contract, and I don't know how they are doing their figures, but on here it says that because of the intense cleaning at your Aquatic Center, your Aquatic Center is 6,000 square feet. That's clinical space. There are other buildings that they are giving contracts that had to be waxed, stripped and other things done to them that are three times larger. If you look at the bid, the recap sheet, it seems they are just picking who they want to have for contracts. Above that, the company that they actually pick, according to their hours, according to their hours, \$96,000. If you would do the math on the 200 hours for a week, even our minimum wage standards will tell you that they cannot do that building at 200 hours. The minimum wage, not even talking about the wage we'll be increased next year, at \$7 — not even \$6 or \$7 an hour plus the 21-plus that they are going to pay for supplies. They're surely not going to do the building for free. So if he will look at his figures and look at what is there, then he will know that they can't do the building for \$96,000 bid and the amount of hours that he says is the reason he gave them the bid, and with the Aquatic Center, surely if we know how to clean that HIV Aids Clinic, Army Reserve Centers, laboratories, we surely know what intense work is, and that was the reason for them not giving us the job at the Aquatic Center, whereas there was a building, the CNT Center and other buildings, that has three times more space that has to be stripped, waxed and a number of other things.

Ms. Nichols said, they let to people that bid less than we did for 6,000 square feet. So I'm wondering in our bid when we went to the pre-bid conference we were told, and I said I just have to come before you, we were told well this is how it's going to be done and their decision is their decision and, of course, we have a right to appeal it, but nine times out of ten the Commission would side with Mr. Thompson. So I did make note of that and all the other vendors heard it, so I was like, well, I'm going to take that one-tenth chance with the Commission to let them know what is going on to look at that square footage and who's getting what. I really don't think it's legal, but I wanted to bring this to you first and let you know about our company, our experiences, our letters of reference with the government, with others. We do labor departments. We do the driver safety buildings. They are high security buildings. We've done over 16 Army Reserve Centers in the past with letters of recommendation, so surely we've discussed and brought it to their attention of how to bid a building. Surely we know what we're doing and surely if you look at the way they calculated the company's hours, they're not going to do the building free. I ask you to really look at this and correct what is wrong with this situation.

Chairman Liakakis said, Fred [Thompson], would you come up, you and Michael [Kaigler] and give us information please.

Mr. Thompson said, Fred Thompson, Superintendent, Facility Maintenance & Operations. Basically, sir, we have 100,000 square foot building that cannot be cleaned in 26 hours – man-hours per day. Point blank. You cannot do it. I say that because, gentlemen, I've cleaned that building myself. I started off cleaning that building. I mean, physically mopping, sweeping and dusting. Commissioner Farrell asked, which building was that? Mr. Thompson said, the Judicial Courthouse. You can't clean it with 26 hours. If you take the amount of hours that Superior wants to put in and then the company that I say is the company, the lowest bid that can possibly succeed in there is the company I recommended based on what I know to be the number of hours it takes to do that building. They will put 3,000 more hours a year. That's a fantastic amount of hours, but you're going to need that in that building. You cannot do that building 26 hours a day. It is impossible to do it satisfactorily. Now you can do a bum-up job, and that's what we've been having for a little while there. Because of all the traffic in there, the building is tight, the office spaces are tight, you can have an under-cleaned building, and that's what we will have if we don't accept at least the minimum amount of hours we need to clean it.

Commissioner Odell asked, may I ask a question. Chairman Liakakis said, go ahead. Commissioner Odell asked, Fred [Thompson], do we use community service people to do work in that building? Mr. Thompson said, yes sir, during daylight hours we can, but we cannot use them in courtrooms, et cetera, et cetera. Commissioner Odell said, I'm not recommending that, but in the public areas, we use community service people, and we have a ton of community service people in the high traffic areas. I see them over there carting off stuff. Was those hours included in this or excluded in this? Mr. Thompson said, it really is not a factor. What we ask these contractors to do and what we can require community service workers to do is hallways and restrooms only for touch-up purposes. The company that we are hiring at night is for deep heavy cleaning — carpet cleaning, floor extraction, heavy restroom cleanings. They can't do that with community service workers during the day hours. We cannot use them at night because it's illegal to let them work with a contractor.

Commissioner Odell said, no, no, I'm not suggesting that we do. I'm just saying that we do have them over there. They're doing something. If they're not doing something, then why do we have them over there? Mr. Thompson said, we have them over there. Commissioner Odell said, that's my point. I'm not saying that, I'm simply saying how many hours do we have. That obviously figures into the contract, at least to me it appears to. Mr. Thompson said, yes sir, but we can't —. Commissioner Odell said, to me it appears to. Mr. Thompson said, but you can't tell when you're getting them. In other words you might get five today and none tomorrow. Commissioner Odell said, we've got a steady flow of criminals in this community. Mr. Thompson said, yes sir, we do and a steady flow you won't see on a Monday and a Friday. Commissioner Odell said, you go over to DUI Court, you have your hands full of people every day. Mr. Thompson said, yes sir, we get them as they send them to us. Commissioner Odell said, I believe you.

Chairman Liakakis said, Michael [Kaigler], go ahead.

Mr. Kaigler said, yes sir. We presented this issue to you on the 5th of September for recommendation to award the contract for janitorial services. At that meeting you approved staff recommendation to award the contract. Ms. Nichols subsequent to that, she came in and filed an appeal to that recommendation. Mr. Thompson has done an excellent job of analyzing the bids. Based on his experiences, his recommendation, we looked at the man-hours that each company was going to provide, we looked at supplies, different cleaning materials, and based on his analysis, we don't think that we can get the type of work, type of job on that facility that we need based on the hours and the resources that they're going to put into it. That's no reflection on their firm, but we feel that in order to get the level of service, that's required, these amount of man-hours are going to be needed in order to give that.

Chairman Liakakis asked, Ms. Nichols, you want to come back up. Stand by, Fred [Thompson] and Michael [Kaigler].

Ms. Nichols said, I'd like to let the Commission know that there was a \$500 difference per month in our — in the bid, alright, \$500 a month, but if you would just look at the letter. Just do the figures. What he is saying is \$96,000 and the amount of man-hours they're saying they are going to do, if you do the math — and I've done it for you — they're not going to do the building free. It's over the bid price that they're talking about. It's \$98,000 and some. If you do it at \$7, there's a minimum wage is going up, so how were they giving a contract to someone to do it for free. They're not going to make a dime according to the hours they're giving them and the amount of supplies. And the figures are here to say that they can't —, and if you look at benchmarking and a whole lot of other things that goes into bidding a building, then it will tell you that there are different ways to clean a building, the amount of man-hours that it takes to do the building, and we were told that we were bidding on a building for lowest bidder. Well, we were the lowest bidder. We are qualified to do the building and I just really ask of you to give an opportunity to do what we do best. I mean, just do the figures yourself and you'll see exactly, just look at them and they're saying that they're going to do \$2,100 in supplies and the man-hours, if you do the math on it and look into the next year because this contract runs from 4 to 5 years, look at what the minimum wage will be next year and tell me the figures you come up with. It's over \$96,000. So there has to be something in that they're not going to produce the hours or they're not going to produce the supplies.

Chairman Liakakis recognized Commissioner Shay.

Commissioner Shay asked, is the point of this that you want us to overturn the bid of somebody else or the point of this —. Ms. Nichols said, no, our bid should be accepted because we were the lowest bid. Commissioner Shay said, well, let me finish my sentence at least, okay. You made two arguments. One is that you are qualified and that your bid was, you know, responsive and got passed over and I understand that argument. The other argument that somebody else's bid is non-responsive or inaccurate doesn't really seem to me like what we're here to hear today.

Ms. Nichols said, well, I'm thinking the reasoning for them not giving our awarding our company the bid was we did not have enough man-hours that we actually said and the other company said they would have more. Commissioner Shay said, yes. Ms. Nichols said, well, with the numbers — and that was the reason they told us they didn't give us the bid. We believed we had enough hours to do what we needed to do in that time frame to do the work. From their letter they're telling me that they didn't [inaudible] the information, the company is saying they're going to put in all these hours can't do it for what you have to pay your employees and the stuff they were bidding.

Commissioner Stone said, I understand what you presented. What I'm pointing out is that whether or not the other company, your opinion is that they can perform within that time or your definition of the math behind it, is not what we are really here to decide today. We're hear to decide that you are the company that should be hired. Right? Ms. Nichols said, yes. Commissioner Shay said, I just wanted to let you know, to clarify.

Chairman Liakakis recognized Mr. Kaigler.

Mr. Kaigler said, just one other point. Mr. Thompson and his analysis, we had two firms that he deemed that he deemed were non-responsive due to the fact that they didn't have the — what he felt the necessary resources to invest in it. Ms. Nichols, her firm was about \$900 higher than the absolute low bidder who responded. So there were two firms that Mr. Thompson felt didn't provide adequate resources to clean that facility the way we wanted it.

Ms. Nichols asked, do we actually go on lowest bid [inaudible]? County Attorney Hart said, lowest responsive bid and the thing you've got to remember here is that you are the consumer here and you have a gentleman that is your facilities maintenance manager and that's what he does for a living, and he has made a recommendation for what he not only believes is a fair estimate of how much time it will take to clean the building, he's actually done it and he has made a recommendation based on his knowledge that the number of hours made here does not meet what the consumer, the elected officials, think you need to clean that building. In that regard, you've made a decision though you know it's not a true luck responsive bid if we say we need 40 eggs but you only want to sell me 20.

Commissioner Kicklighter said, Mr. Chairman, it won't do anything to make anyone feel better in this moment that's here, but maybe in the future on jobs that bid when you're bidding them out, maybe we could just simply include a minimum number of hours in there that you believe would be necessary, and that could just solve anything —. In other words, if you know there's a minimum amount, let's just put that out there to start with and that way we could solve any misunder — hopefully there won't be any misunderstandings in the future.

County Attorney Hart said, we have a tendency in some of our contracts to make estimates, okay, and we have to be careful about that because we have a claim right now where we provided estimates of what we thought perhaps the parameters of something might be, but we did not warrant that and we said we don't know, you go out there and tell us what you need. After the dust cleared, we now have a request because they say it took a lot more than your estimate. Well, our estimates are that just that, estimates. You are not rely on them, but I understand what we can do. We can set parameters as to what you wish to do.

Commissioner Kicklighter said, in other words — yeah. I mean, if you know it's a huge job and you know there has to be a minimum number of hours, we could stick that in there and tell them we're not stating that's what you would do but we know it's going to take at least this amount of hours.

Chairman Liakakis recognized Commissioner Shay.

Commissioner Shay said, Mr. Chairman, based on the testimony that we've heard today, I'd like to make a motion that we affirm staff's recommendation for award of the contract for janitorial services as previously voted on by this Board at the September 5th, 2008, Commission meeting.

Chairman Liakakis asked, do we have a second? Commissioner Gellatly said, second. Chairman Liakakis asked, any other discussion by the Commissioners?

Commissioner Kicklighter asked, is that the type of action we need to take?

Chairman Liakakis said, okay, we have a motion on the floor and a second. Let's go on the board. Chairman Liakakis and Commissioners Stone, Shay, Farrell, Gellatly, Kicklighter and Thomas. Commissioners Holmes and Odell voted in opposition.

Commissioner Kicklighter said, thank y'all. It didn't help this situation, but in the future maybe it will help any confusion in the future so thanks for bringing it forward.

ACTION OF THE BOARD:

Commissioner Shay made a motion to affirm staff's recommendation for award of contracts for janitorial services as voted on by the Board at the September 5, 2008, Commission meeting, and denying the appeal from Superior Janitorial Enterprise regarding award of a bid for janitorial services at the Montgomery Street Courthouse and the Aquatic Center. Chairman Liakakis and Commissioners Stone, Shay, Farrell, Gellatly, Kicklighter and Thomas voted in favor of the motion. Commissioners Holmes and Odell voted in opposition. The motion carried by a vote of seven to two.

AGENDA ITEM: IX-4

AGENDA DATE: November 7, 2008

TO: Board of Commissioners

THRU: R. E. Abolt, County Manager

FROM: Michael A. Kaigler, Director
Human Resources and Services

Issue: Appeal of award of bid to provide janitorial services to the Montgomery Street Courthouse and Aquatic Center

Background: A solicitation for janitorial service for various County facilities was publicly advertised and mailed to fourteen firms. The County received seven responses to the bid solicitation. The Board approved the award of a contract to provide janitorial services for the Montgomery Street Courthouse to Imagann Cleaning Company and Quality Cleaning for the Aquatic Center. Attached is a copy of the agenda item from that meeting. The bids were reviewed and analyzed by county staff. Several bids received were deemed non-responsive due to lack of resources devoted to the project.

Facts and Findings:

1. Staff's analysis of the bids received was that the two lowest bids for the Montgomery Street Courthouse were deemed inadequate to provide the level of service required. These bids were rendered not responsive by Fred Thompson, Facilities Maintenance Superintendent and Bill Parson, Purchasing Agent, due to the lack of resources which would be devoted to the project. The two low non-responsive bids received were from American Facilities (\$88,800) and Superior Janitorial Incorporated (\$89,760). The bid was awarded to Imagann Cleaning Company (\$96,000).
2. Staff received bids for janitorial services at the Aquatic Center from four vendors. The contract amount the county has paid over the last four years was \$21,600. There has been a need to increase the level of cleanliness in the locker room and facilities at the Aquatic Center. Superior Janitorial Incorporated and Imagann Cleaning Company both submitted bids for the Aquatic Center for approximately \$16,800. Based on the previous contract amount, Staff rejected those bids and awarded the contract to Quality Cleaning for \$20,244.
3. Ms. Nichols, of Superior Janitorial, contacted staff to protest the award of this contract. As per the Purchasing Ordinance and Procedures Manual, a meeting was held with the County Manager to hear Ms. Nichols appeal. Ms. Nichols met with the County Manager on October 13, 2008 and presented her appeal. Based on the information provided and the testimony from Ms. Nichols, the County Manager upheld staff's recommendation (see attached).
4. Ms. Nichols has notified County staff that she wishes to appeal the award of this contract to the Board of Commissioners, as per the Chatham County Personnel Ordinance and Procedures Manual (please see attached letter from Ms. Nichols).

Funding: No additional funding required.

Alternatives:

1. Affirm staff's recommendation for award of contracts for janitorial services as voted on by the Board at the September 5, 2008 Commission meeting.
2. Rescind the previous award and provide staff with other direction.

Policy Analysis: It is the policy of the Board of Commissioners to procure quality goods and services at the most economical cost. It is consistent with Board policy that any actual

or prospective bidder or contractor who is aggrieved in connection with the solicitation or award of a contract may protest to Chatham County.

Recommendation: The Board adopt alternative 1.

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X. ACTION CALENDAR

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

Chairman Liakakis said, we have items 1 through 12 and under 12, it goes through X. Do we have any items in that Action Calendar that you would like to be held out.

Commissioner Farrell said, I would like to hold out R, 12-R.

Chairman Liakakis asked, do we have a motion on the floor to approve everything except 12-R?

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

Chairman Liakakis said, alright, let's go on the board, folks. The motion carried unanimously. [NOTE: Commissioner Thomas was not present.] Chairman Liakakis said, the motion passes.

ACTION OF THE BOARD:

Commissioner Shay moved to approve Items 1 through 12-X, except Item 12-R. Commissioner Farrell seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present.]

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

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1. APPROVAL OF THE MINUTES FOR THE REGULAR MEETING OF OCTOBER 17, 2008, AS MAILED.

ACTION OF THE BOARD:

Commissioner Shay moved to approve the minutes of the regular meeting of October 17, 2008. Commissioner Farrell seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present.]

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2. CLAIMS VS. CHATHAM COUNTY FOR THE PERIOD OCTOBER 9, 2008, THROUGH OCTOBER 29, 2008.

ACTION OF THE BOARD:

Commissioner Shay moved to authorize the Finance Director to pay the claims against the County for the period October 9, 2008, through October 29, 2008, in the amount of \$7,157,095. Commissioner Farrell seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present.]

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**3. REQUEST BOARD APPROVE A QUITCLAIM AGREEMENT FOR TWO PARCELS ON ABERCORN STREET (SR 204) RIGHT-OF-WAY ACQUIRED AS PART OF THE HARRY S TRUMAN PARKWAY, PHASE 5 PROJECT, TO THE GEORGIA DEPARTMENT OF TRANSPORTATION.
[DISTRICTS 5 AND 6.]**

ACTION OF THE BOARD:

Commissioner Shay moved to approve the request for approval of a quitclaim agreement for two parcels on Abercorn Street (SR 204) right-of-way acquired as part of the Harry S. Truman Parkway, Phase 5 Project, to the Georgia Department of Transportation.. Commissioner Farrell seconded the motion and it carried unanimously. {NOTE: Commissioner Thomas was not present.]

AGENDA ITEM: X-3
AGENDA DATE: November 7, 2008

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

ISSUE: To approve a Quitclaim Agreement for two parcels on the Abercorn Street (SR 204) right-of-way acquired as part of the Harry S. Truman Parkway, Phase 5 project, to the Georgia Department of Transportation (GDOT).

BACKGROUND: As part of the Local Government Project Agreement (LGPA) with the GDOT, they agreed to reimburse the County for right-of-way acquired along SR 204.

FACTS AND FINDINGS:

1. The County must convey these parcels to the GDOT to claim reimbursement for their purchase price.
2. Parcel #16 (aka "Southchase") was acquired in 1995. The right of way to be conveyed to the GDOT consists of that portion of the "Southchase Tract" needed to construct Phase 5 [4.158 acres in fee, 4,391.62 sq. ft. of permanent slope easement and 12,060.11 sq. ft. of permanent drainage easement]. The 16.032 acre remainder will remain Chatham County's.
3. Parcel #29 (fka Dewitt and Kelly) was acquired in 2001. The right of way to be conveyed to the GDOT consists of 1.476 acres in fee with no remainder.

ALTERNATIVES:

1. To approve a Quitclaim Agreement for two parcels on the Abercorn Street (SR 204) right-of-way, acquired as part of the Harry S. Truman Parkway, Phase 5 project, to the Georgia Department of Transportation (GDOT).
2. To not approve the Quitclaim Agreement.

FUNDING: No funds are required to approve the quitclaim.

POLICY ANALYSIS: That the Board must authorize quitclaims of County property.

RECOMMENDATION: That the Board approve Alternative No. 1.

Districts 5, 6

Prepared by Leon Davenport

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4. **REQUEST BOARD APPROVE A RESOLUTION WITH COLONY BANK ON OGEECHEE ROAD TO REQUIRE REMOVAL OF ALL VEHICLES IN THE PARKING SPACES HIGHLIGHTED ON EXHIBIT A AS NEEDED TO ALLOW FOR MAINTENANCE OF THE ADJACENT CANAL BY THE COUNTY.**
[DISTRICT 6.]

ACTION OF THE BOARD:

Commissioner Shay moved to approve a resolution with Colony Bank on Ogeechee Road to require removal of all vehicles in the parking spaces highlighted on Exhibit A as needed to allow for maintenance of the adjacent canal by Chatham County. Commissioner Farrell seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present.]

AGENDA ITEM: X-4
AGENDA DATE: November 7, 2008

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

ISSUE: To approve a Resolution with Colony Bank to require removal of all vehicles in the parking spaces highlighted on Exhibit A as needed to allow for maintenance of the adjacent canal by the County.

BACKGROUND: Colony Bank constructed a new bank and parking lot at 5987 Ogeechee Road. Construction of the new bank is adjacent to a County canal that is within a drainage right of way. Chatham County must periodically utilize the right of way for routine and emergency maintenance of the canal with large equipment. This equipment may pose a threat to cars parked in the spaces that are highlighted on Exhibit A. Based on this, the bank has agreed to the attached Resolution to remove vehicles parked in these spaces and block the spaces off during times of routine and emergency canal maintenance.

FACTS AND FINDINGS:

1. The County must perform routine and emergency maintenance of the canal. This activity could pose a threat to cars parked in the highlighted spaces.
2. A Resolution with Exhibit A is attached that describes the agreement and shows the parking spaces that will be blocked off during canal maintenance.
3. Colony Bank has approved and signed the Resolution.

ALTERNATIVES:

1. That the Board approve the Resolution with Colony Bank to remove all vehicles in the parking spaces highlighted in Exhibit A and block the spaces off to allow the County to maintain the adjacent canal.
2. That the Board not approve the Resolution.

POLICY ANALYSIS: Approval of the resolution will allow for safe maintenance of the County canal and will protect the adjacent, private development.

RECOMMENDATION: That the Commissioners adopt Alternative No. 1.

District 6

PREPARED BY: Nathaniel Panther

STATE OF GEORGIA

COUNTY OF CHATHAM

RESOLUTION

WHEREAS, Colony Bank has constructed a new building and parking lot at 5987 Ogeechee Road (PIN: 1-1029B-01-036) and,

WHEREAS, construction of the new bank is adjacent to a County Canal that is within a Chatham County Drainage right of way and,

WHEREAS, Chatham County must utilize the drainage right of way to adequately maintain the canal and,

WHEREAS, maintenance of said canal with large equipment could pose a threat to cars parked adjacent to the canal during normal and emergency maintenance operations and,

NOW, THEREFORE, BE IT HEREBY RESOLVED that Colony Bank does hereby agree to immediately remove all vehicles in said parking spaces and block off the parking spaces shown on Exhibit A, at any time, as requested by staff from the Chatham County Department of Engineering or Chatham County Department of Public Works and Park Services, to allow maintenance equipment to utilize the drainage right of way for maintenance purposes.

This the _____ day of _____, 2008.

BOARD OF COMMISSIONERS

Witness

BY _____
Chairman

Notary Public

ATTEST _____
Clerk

APPROVED AND ACCEPTED

This _____ day of _____, 2008.

BY _____
Colony Bank

ATTEST _____
Title:

=====

- 5. **REQUEST BOARD CONFIRM AGREEMENT SIGNED BY THE ASSISTANT COUNTY MANAGER TO ACCEPT THE FEMA APPROVED GEORGIA EMERGENCY MANAGEMENT AGENCY, PRE-DISASTER MITIGATION GRANT FOR THE MITIGATION OF THE CHATHAM COUNTY DEPARTMENT OF PUBLIC WORKS AND FLEET MAINTENANCE FACILITIES LOCATED AT 7235 SALLIE MOOD DRIVE, WHICH REQUIRES 25% MATCHING FUNDING IN THE AMOUNT OF \$555,377. [DISTRICT 1.]**

ACTION OF THE BOARD:

Commissioner Shay moved to confirm an agreement signed by the Assistant County Manager to accept the FEMA approved Georgia Emergency Management Agency, Pre-Disaster Mitigation (PDM) Competitive Grant Program for the mitigation of the Chatham County Department of Public Works and Fleet Maintenance facilities located at 7235 Sallie Mood Drive which requires 25% matching funding in the amount of \$555,377. Commissioner Farrell seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present.]

AGENDA ITEM: X-5
AGENDA DATE: November 7, 2008

TO: Board of Commissioners
THRU: R. E. Abolt, County Manager
FROM: L. Davenport, Assistant County Engineer

ISSUE: To have the Board of Commissioners confirm agreement signed by Assistant County Manager to accept the FEMA approved Georgia Emergency Management Agency, Pre-Disaster Mitigation Grant (PDM) for the mitigation of the Chatham County Department of Public Works and Fleet Maintenance facilities located at 7235 Sallie Mood Drive which requires 25% matching funding in the amount of \$555,377.

BACKGROUND: The Federal Emergency Management Agency (FEMA), Pre-Disaster Mitigation (PDM) Competitive Grant Program makes funding available to local governments for the purpose of mitigating repetitive flood loss properties. The Chatham County Department of Engineering received notice of the grant program on June 6, 2008 via a letter from the Georgia Emergency Management Agency (GEMA). This notice stated that Chatham County has been awarded a PDM competitive grant to mitigate repetitive flood loss properties within the county to reduce or eliminate damage from potential flood disasters.

FACTS AND FINDINGS:

1. The Grantee-Subgrantee Agreement requires the signature of the Chatham County Engineer. Chatham County received Notice to Proceed (NTP) on this project on June 30, 2008.
2. The grant provides for \$2,218,569 in Federal funds which must be spent within 520 days from the date the NTP is given by GEMA.
3. The PDM Grant Program requires that there be a 25% local match to the Federal funds in the form of cash. The match required by the grant legislation means that Chatham County must obligate \$555,377 in cash as the match to the federal grant of \$1,663,192 for a grant total of \$2,218,569.

FUNDING: Funding in the amount of \$555,377 is available in the 2003-2008 SPLOST, Drainage/Hazard Flood Mitigation (Fund/Dept 3234980, Project No. 32360433, Account No. 52.12003).

ALTERNATIVES:

1. The the Board of Commissioners confirm agreement signed by Assistant County Manager to accept the FEMA approved GEMA, PDM Competitive Grant Program and to commit \$555,377 in funding from the Special Local Option Sales Tax.
2. To not authorize the grant application.

POLICY ANALYSIS: In the past the Board of Commissioners has authorized the Chatham County Department of Engineering to apply for various Federal grants. Through the years the Chatham County Department of Engineering has mitigated numerous flood damaged properties using grant funds from similar grant programs.

RECOMMENDATION: That the Commissioners adopt Alternative 1.

Districts: 1

PREPARED BY: Michael B. Blakely

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- 6. REQUEST BOARD APPROVE AN INTERGOVERNMENTAL AGREEMENT FOR THE DISTRIBUTION OF SPECIAL PURPOSE SALES AND USE TAX PROCEEDS BY CHATHAM COUNTY TO THE CHATHAM COUNTY-SAVANNAH METROPOLITAN PLANNING COMMISSION FOR THE PURPOSE OF ACQUIRING LIGHT DETECTION AND RANGING (LIDAR) DATA TO SUPPORT THE DEVELOPMENT OF COUNTY-WIDE TOPOGRAPHIC MAPPING.
[ALL DISTRICTS.]**

ACTION OF THE BOARD:

Commissioner Shay moved to approve an Intergovernmental Agreement for the distribution of Special Purpose Sales and Use Tax Proceeds by Chatham County to the Chatham County-Savannah Metropolitan Planning Commission for the purpose of acquiring Light Detection and Ranging (LIDAR) Data to support the development of countywide topographic mapping. Commissioner Farrell seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present.]

AGENDA ITEM: X-6

AGENDA DATE: November 7, 2008

TO: Board of Commissioners

THRU: R. E. Abolt, County Manager

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

ISSUE: To approve an Intergovernmental Agreement for the Distribution of Special Purpose Sales and Use Tax Proceeds by Chatham County to the Chatham County - Savannah Metropolitan Planning Commission for the purpose of acquiring Light Detection and Ranging (LiDAR) data to support the development of County-wide topographic mapping

BACKGROUND: The 1998 - 2003 SPLOST approved by referendum on June 17, 1997, specifically provided for using SPLOST funds to obtain topographic mapping:

"The Chatham County Engineering Department in cooperation with the Metropolitan Planning Commission shall utilize a portion of the SPLOST funds allocated to the County by this section to conduct a county-wide topographical mapping survey suitable for use for making detailed drainage engineering evaluations for use in design of drainage improvements."

FACTS AND FINDINGS:

1. By intergovernmental agreement with the MPC on March 28, 1998, the Board authorized the first County-wide digitized topographic mapping survey [then referred to as Airborne Laser Terrain Mapping] in 1998. The survey data has been used to support drainage studies and construction plans for various road and drainage improvement projects. The data has also since been widely used for drainage planning by consultants and by local governments for regulatory purposes (development plan review).

2. The MPC will issue and administer a contract for acquisition of new County-wide LiDAR data. Due to significant advancements in LiDAR sensor equipment, the new data will be more accurate than the 1998 data (+/- 3.6" vertical accuracy).

3. A Request for Proposals (RFP) was sent out last September. Responses were received from six firms. Staff from MPC and the Department of Engineering evaluated the proposals and selected The Sanborn Map Company, Inc. as having the best combination of qualification, RFP responsiveness and price. The price is \$408,544.

4. The MPC will administer the contract in close cooperation with Department of Engineering staff. The large volume of the LiDAR data products being acquired will necessitate purchase of special software programs to support a rigorous QA/QC process being conducted by MPC and Engineering staff. Also required for QA/QC purposes are survey task orders for fieldwork to validate the accuracy of the data.

5. The LiDAR data will be made available by the County and the MPC on SAGIS for use by the public.

6. The MPC is expected to approve the contract at their December 2, 2008, meeting. The data is scheduled to be collected in late December and January with delivery during the second quarter of 2009.

ALTERNATIVES:

1. To approve an Intergovernmental Agreement for the Distribution of Special Purpose Sales and Use Tax Proceeds by Chatham County to the Chatham County - Savannah Metropolitan Planning Commission for the purpose of acquiring Light Detection and Ranging (LiDAR) data to support the development of County-wide topographic mapping.

2. To not approve the Agreement.

FUNDING: Funding in the amount of \$438,044 is available in the 1998 - 2003 SPLOST, Topographic Mapping (Fund/Dept 3224250 /Account Code 54.14021/ Project 32280433).

POLICY ANALYSIS: The Board must approve intergovernmental agreements.

RECOMMENDATION: To approve Alternative 1.

Districts: All

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7. REQUEST FOR NEW BEER AND WINE RETAIL LICENSE FOR 2008. PETITIONER: RAJINIKANT V. PATEL, D/B/A EL CHEAPO #41, LOCATED AT 1 GATEWAY BOULEVARD. [DISTRICT 6.]

ACTION OF THE BOARD:

Commissioner Shay moved to approve the request of Rajinikant V. Patel, d/b/a El Cheapo #41, located at 1 Gateway Boulevard, for a new beer and wine retail license for 2008. Commissioner Farrell seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present.]

AGENDA ITEM: X-7
AGENDA DATE: November 7, 2008

TO: BOARD OF COMMISSIONERS
THROUGH: R.E. ABOLT, COUNTY MANAGER
FROM: GREGORIS. ANDERSON, DIRECTOR OF BUILDING SAFETY AND REGULATORY SERVICES
WILLIE LOVETT, ASSISTANT CHIEF OF POLICE

ISSUE:
Request approval for new beer and wine retail license for 2008, Rajinikant V. Patel d/b/a El Cheapo #41, located at 1 Gateway Boulevard, Savannah, GA 31417.

BACKGROUND:
Mr./Ms. Patel requests approval for new beer and wine retail license in connection with an existing convenience store.

- 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 Regulatory Services. The County Fire Marshall inspected the site for compliance to the fire code.
 3. The applicant and business meets the requirements of the Chatham County Alcoholic Beverage.
 4. The applicant has been notified in writing of the date and time of the hearing.

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

District 6

We verify that the attached report and attachments are complete and correct as to form.

Gregori S. Anderson

Assistant Chief Willie Lovett

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8. REQUEST FOR NEW BEER, WINE AND LIQUOR POURING AND SUNDAY SALES POURING LICENSE FOR 2008. PETITIONER: KIMBERLY Z. BULLUCK, D/B/A RANDY'S RENDEZVOUS, INC., LOCATED AT 216 JOHNNY MERCER BOULEVARD. [DISTRICT 4.]

ACTION OF THE BOARD:

Commissioner Shay moved to approve the petition of Kimberly Z. Bulluck, d/b/a Randy's Rendezvous, Inc., located at 216 Johnny Mercer Boulevard, for a new beer, wine and liquor pouring and Sunday sales pouring license for 2008. Commissioner Farrell seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present.]

AGENDA ITEM: X-8
AGENDA DATE: November 7, 2008

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 a new beer, wine and liquor pouring and Sunday Sales pouring license for 2008, Kimberly Z. Bulluck d/b/a Randy's Rendezvous, Inc., located at 216 Johnny Mercer Blvd.

BACKGROUND

Mrs. Bulluck requests approval for a new beer, wine and liquor pouring and Sunday Sales license in connection with a new Restaurant.

FACTS AND FINDINGS

1. The application was reviewed by the Police Department for compliance of the applicant and site distance requirements and approved.
2. The returned application was reviewed by Building Safety. The County Fire Marshall inspected the site for compliance with the commercial kitchen requirements and approved the facility. Photographic documentation is in the file.
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 Regulatory Services recommend approval.

District 4

We verify that the attached report and attachments are complete and correct as to form.

Gregori S. Anderson, CBO

Assistant Chief Willie Lovett

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9. REQUEST FOR NEW BEER AND WINE POURING AND SUNDAY SALES LICENSE FOR 2008. PETITIONER: JOSEPH DANIEL BROOKS AND SUSAN MARIE BROOKS D/B/A FAT JOEY'S PIZZERIA, LOCATED AT 101 LITTLE NECK ROAD, BUILDING 8, SUITE A. [DISTRICT 7.]

ACTION OF THE BOARD:

Commissioner Shay moved to approve the petition of Joseph Daniel Brooks and Susan Marie Brooks, d/b/a Fat Joey's Pizzeria, located at 101 Little Neck Road, Building 8, Suite 8, for a new beer and wine pouring and Sunday sales license for 2008. Commissioner Farrell seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present.]

AGENDA ITEM: X-9
AGENDA DATE: November 7, 2008

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 a new beer and wine pouring and Sunday Sales license for 2008, Joseph Daniel Brooks and Susan Marie Brooks d/b/a Fat Joey's Pizzeria, located at 101 Little Neck Road, Building 8, Suite A, Savannah, Georgia 31419.

BACKGROUND

Mr. and Mrs. Brooks requests approval for a new beer and wine pouring and Sunday Sales license in connection with a new restaurant.

FACTS AND FINDINGS

1. The application was reviewed by the Police Department for compliance of the applicant and site distance requirements and approved.
 2. The returned application was reviewed by Building Safety. The County Fire Marshall inspected the site for compliance with the commercial kitchen requirements and approved the facility.
- The applicant and business meets the requirements of the Chatham County Alcoholic Beverage and Sunday sales Ordinance.
 - The applicant has been notified in writing of the date and time of the hearing.

RECOMMENDATION

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

District 7

We verify that the attached report and attachments are complete and correct as to form.

Gregori S. Anderson, CBO

Assistant Chief Willie Lovett

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10. REQUEST BOARD CONFIRM SUBMITTAL BY CEMA OF A GRANT APPLICATION FOR EXPANSION OF THE EMERGENCY WARNING SYSTEM AND, IF AWARDED, APPROVE THE EXPENDITURE OF FUNDS (33% MATCH) SUFFICIENT TO MEET THE CONDITIONS OF THE GRANT.

ACTION OF THE BOARD:

Commissioner Shay moved to confirm the submittal by CEMA of a grant application for expansion of the Emergency Warning System and approval of the expenditure of funds (33% match) sufficient to meeting the conditions of the grant. Commissioner Farrell seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present.]

AGENDA ITEM: X-10
AGENDA DATE: November 7, 2008

TO: Board of Commissioners

THRU: Russ Abolt, County Manager

FROM: Clayton Scott, CEMA Director

ISSUE: To request the Board approve CEMA submission of a Grant Application for expansion of the Emergency Warning System and, if awarded, approve the expenditure of funds sufficient to meet the conditions of the grant.

BACKGROUND:

The Department of Homeland Security recently made available a special funding opportunity to local communities through the Emergency Management Performance Grant (EMPG) Program. This funding was reserved to allow an opportunity for local governments to secure or expand local warning systems to mitigate the potential of harm to citizens.

FACTS AND FINDINGS:

1. This opportunity is only available to local governments having an approved Emergency Operations Plan; an approved county based Hazard Mitigation Plan; and those in compliance with the National Flood Insurance Program.
2. Qualified applicants can request the expansion of their jurisdiction's current emergency warning program.
3. This grant award is subject to a local government match of 33% of the original EMPG request up to a maximum of \$25,000.

4. Due to an immediate suspense deadline, this grant application was mailed to the Georgia Emergency Management Agency on Friday, October 31, 2008.
5. This grant will expand the County's Emergency (siren) Warning Program to include the use of indoor warning devices. These devices will network with the current system and will be placed in heavily populated areas such as administration centers, courthouses, schools, assisted living facilities, etc.

ALTERNATIVES:

1. Authorize CEMA to submit a grant request to expand the Emergency Warning System and, if awarded, authorize CEMA to allocate funds sufficient to meet the conditions of the grant.
2. Do not authorize CEMA to submit a grant request and allocate funds. If this Alternative is selected, CEMA will withdraw the grant application.

FUNDING:

This grant opportunity requires a 33% match from local government. CEMA has two older CIP accounts related to the Siren Program. Matching funding will be drawn from these two CIP accounts.

POLICY ANALYSIS:

It is the policy of the Commission to place the highest priority on the safety of its residents. The CEMA mission is to assure this safety and to coordinate response to major emergencies within our community.

RECOMMENDATIONS:

Adopt Alternative #1.

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11. REQUEST BOARD ADOPT THE 2009 HOLIDAY SCHEDULE.**ACTION OF THE BOARD:**

Commissioner Shay moved to approve the 2009 Holiday Schedule as follows: New Year's Day - January 1, Martin Luther King, Jr. Day - January 19, George Washington's Birthday (President's Day) - February 16, Memorial Day - May 25, Independence Day (Observed) - July 3, Labor Day - September 7, Veterans Day - November 11, Thanksgiving (two days) - November 26 & 27, Christmas Eve - December 24, and Christmas Day - December 25. Commissioner Farrell seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present.]

AGENDA ITEM: X-11

AGENDA DATE: November 7, 2008

TO: Board of Commissioners

THRU: R. E. Abolt, County Manager

FROM: Michael A. Kaigler, Director
Human Resources & Services

Issue:

To adopt the 2009 holiday schedule.

Background:

The Chatham County Board of Commissioners recognize eleven holidays each year on which County offices are authorized to close. Each year the Board of Commissioners set the holiday calendar in order to allow departments to schedule business activities.

Facts and Findings

1. As per the Personnel Ordinance and Procedures Manual, employees appointed to full-time regular, part-time regular and seasonal positions shall receive regular compensation for eleven holidays per year, or any other day proclaimed by the Board of Commissioners as a holiday.

2. Attached is the proposed holiday schedule for January 2009 through December 2009. These holidays are recognized nationally and are not chosen based upon any religious uniqueness.

Funding:

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

Alternatives:

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

Policy Analysis:

Each year the Board of Commissioners authorize eleven holidays on which offices are to be closed. It is the policy of the Board to provide paid holidays as an employee benefit. This practice is consistent with other major employers in the local and regional labor market areas.

Recommendation: That the Board adopt Alternative One.

**CHATHAM COUNTY
2009 HOLIDAY SCHEDULE**

New Year's Day	January 1
Martin Luther King, Jr. Day	January 19
George Washington's Birthday (President's Day)	February 16
Memorial Day	May 25
Independence Day (Observed)	July 3
Labor Day	September 7
Veterans Day	November 11
Thanksgiving (two days)	November 26 & 27
Christmas Eve	December 24
Christmas Day	December 25

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

<u>ITEM</u>	<u>DEPT.</u>	<u>SOURCE</u>	<u>AMOUNT</u>	<u>FUNDING</u>
A. Contract for the construction of the new pump house at Whitefield Avenue and Riverbend Subdivision	Public Works Water & Sewer	Kerby Enterprises, Inc.	\$26,341	Water and Sewer Fund
B. Professional auditing services for the fiscal year ending 20 June 2008	Tax Commissioner	Karp, Ronning & Tindol, PC	\$12,000	General Fund/M&O - Tax Commissioner
C. Contract to further market and implement an integrated recycling marketing and communications campaign	Public Works Solid Waste	Designation Advertising and Design (WBE) (Sole Source)	\$24,418	Solid Waste Restricted
D. Purchase and installation of an automated stand alone diesel generator at the Lehigh well site	Public Works Water & Sewer	Cummins Power South, LLC (Sole Source)	\$41,944	Water and Sewer Fund

<u>ITEM</u>	<u>DEPT.</u>	<u>SOURCE</u>	<u>AMOUNT</u>	<u>FUNDING</u>
E. Change Order No. 7 to the annual contract to provide various paper and chemical supplies for the various departments to recognize a manufacturer's imposed price increase	Various	Paper Chemical (WBE)	Varies by item	•General Fund/M&O - Various •SSD - Various
F. Annual contract with automatic renewal options for four (4) additional one (1) year terms to provide grounds maintenance at well and lift/pump stations within the County	Public Works Water & Sewer	Primary: All In One Services (MBE) Secondary: Ziggy and Sons Landscape (MBE)	\$14,625 \$17,370	Water and Sewer Fund
G. Confirmation emergency repairs to a bulldozer	Public Works and Park Services	Industrial Tractor Company	\$14,330	General Fund/M&O - Fleet Operations
H. Change Order No. 1 to the contract for the purchase and installation of carpet for specific areas on the 2 nd and 3 rd floors of the "Old" Courthouse to add the installation of carpeting on the first floor	Facilities Maintenance and Operations	WBM Construction, Inc.	\$9,815	CIP - Facilities Maintenance and Operations
I. Change Order No. 1 to the annual contract to provide laser jet toner services for the various departments to recognize a manufacturer's imposed price increase	Various	Media South Computer Supplies, Inc.	Varies by item	•General Fund/M&O - Various •SSD - Various
J. Contract for the exterior waterproofing repairs to the Ralph Mark Gilbert Civil Rights Museum	Ralph Mark Gilbert Civil Rights Museum	The House Doctor	\$26,480	Land Bank Account
K. Purchase of two (2) vehicles	CEMA	J. C. Lewis Ford	\$43,405	•CIP - Vehicle Replacement - \$21,988 •Emergency Management (CEMA) - (Pending Board approval of Budget Amendment) - \$21,417
L. Professional services contract for two (2) years to provide engineering services	Engineering	Vincent Grevemberg	Not to Exceed \$65,000 per year	SSD - Engineering
M. Contract for the construction of a new restroom facility and pump house at Kings Ferry Park	Facilities Maintenance and Operations	Kerby Enterprises, Inc.	\$124,959	CIP - Parks and Recreation
N. Contract for the installation of a generator at the Mosquito Control facility	Facilities Maintenance and Operations	E & D Contracting Services, Inc.	\$119,310	CIP - Human Resources/Hurricane Preparations
O. Two (2) UPS systems	I.C.S.	Entre Solutions (MBE)	\$25,022	SPLOST (2003-2008) - Courthouse Construction

<u>ITEM</u>	<u>DEPT.</u>	<u>SOURCE</u>	<u>AMOUNT</u>	<u>FUNDING</u>
P. Professional engineering services contract for the design of the widening of Dean Forest Road from Ogeechee Road to I-16	Engineering	Thomas & Hutton Engineering	\$265,000	SPLOST (2003-2008) - Widen Dean Forest Road
Q. Change Order No. 3 to the contract for the Dundee Canal Drainage Improvement project to provide construction inspection and monitoring services	Engineering	Moffatt & Nichol Engineers, Inc.	Not to Exceed \$60,000	SPLOST (2003-2008) - Dundee Canal Drainage project
R. McQueen's Island Rails-to-Trails stabilization project (contract amount revision)	Public Works and Park Services	E & D Contracting	\$208,310	SPLOST (2003-2008) - Open Space, Green Space and Bikeways
S. Amend lease for 540 E. Oglethorpe Avenue (Public Defender) to recognize new ownership	Public Defender	SunTrust	Same terms and conditions	General Fund/M&O - Public Defender
T. Contract for electrical work on holding area, court services area and sallyport for Courthouse project	Special Projects	All Electric	\$19,756	SPLOST (2003-2008) - Courthouse Construction
U. Contract for concrete work on Courthouse basement for holding cells	Special Projects	Satoria (WBE)	\$15,900	SPLOST (2003-2008) - Courthouse Construction
V. Change Order No. 1 to the demolition contract for removal of concrete wall in holding cell area for additional work	Special Projects	B & B Demolition	\$2,941	SPLOST (2003-2008) - Courthouse Construction
W. Change Order No. 1 to the contract for mechanical work for replacing ductwork in the Courthouse basement for holding cells for additional work	Special Projects	Boaen Mechanical	\$8,722	SPLOST (2003-2008) - Courthouse Construction
X. Purchase one (1) pothole patcher truck and the installation of a truck body and safety lighting system	Public Works and Park Services	•Truck: Nalley Motor Trucks (State Contract) •Body: Stepp Manufacturing Company •Safety lights system: West Chatham Warning Devices	\$55,837 \$61,682 \$2,671	CIP - Vehicle Replacement - SSD

As to Items 12-A through 12-X, except Item 12-R:

Commissioner Shay moved to approve Items 12-A through 12-X, except Item 12-R. Commissioner Farrell seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present.]

As to Item 12-R:

Chairman Liakakis recognized Commissioner Farrell.

Commissioner Farrell said, under 12-R I'd like to make a motion to rebid that contract. Commissioner Shay said, second. Commissioner Kicklighter asked, which one is it? Commissioner Farrell said, it's 12-R, the McQueen's Island Rails-to-Trails stabilization project, the low bidder apparently came back and wanted to increase his bid by 40%, and

in fairness to the other bidders I think that we should give them all a chance to rebid their bid to whatever percent they need to rebid it so that everything works out. After the vote I'd want to make a recommendation to staff.

Chairman Liakakis said, okay, we have a motion on the floor. Do we have a second. Commissioner Gellatly said, second. Chairman Liakakis said, we have a second. Let's go on the board. The motion carried unanimously. [NOTE: Commissioner Thomas was not present.] Chairman Liakakis said, the motion passes.

Commissioner Farrell said, my follow-up to that is a staff recommendation. Because this is some new technology, new process that's being used on that project, I'd like for staff to put together a public service announcement to let the entrepreneurs know about the major component of this contract, which is the oyster bags, to just put some information out there on our cable television show that this is a component of this contract and a contact person on staff. There's some entrepreneurs out here that may want to participate in some way, shape or form in providing this material, and the second thing I'd like to ask staff to do is to come up with some sort of a public service announcement or advertisement for the newspaper, a minimum of 25 square inches, so people could actually see it. That's about a 5 by 5 inch ad, and run it a minimum of three different days in the paper so we can have those two different areas to let the entrepreneurs know about this major component of this project. Basically, it's taking washed and cleaned oysters and putting them into a certain sized bag to use as building blocks to stabilize the Rails-to-Trails. A rather large project, but very simple in concept and it should be appropriate to an energetic, enterprising individual or group of folks.

Chairman Liakakis said, and put all the requirements in that, concerning that, about they don't just take oyster shells out of the mud, put them in a bag and the requirements for that.

Chairman Liakakis said, let's go on the board. Commissioner Farrell said, no, that was just a recommendation. Chairman Liakakis said, okay.

ACTION OF THE BOARD:

- a. Commissioner Shay moved to approve Items 12-A through 12-X, except Item 12-R. Commissioner Farrell seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present.]
- b. Commissioner Farrell moved to rebid the contract for the McQueen's Island Rails-to-Trails stabilization project, Item 12-R. Commissioners Shay and Gellatly seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present.]

AGENDA ITEM: X-12 A thru X
AGENDA DATE: November 7, 2008

TO: BOARD OF COMMISSIONERS
THRU: R.E. ABOLT, COUNTY MANAGER
FROM: MICHAEL A. KAIGLER, DIRECTOR
HUMAN RESOURCES & SERVICES
SUBJECT: AWARD OF BIDS

ITEM A

ISSUE: Request Board approval to award a \$26,341 contract to Kerby Enterprises, Inc. for the construction of the new pump house at Whitefield Avenue and Riverbend Subdivision.

BACKGROUND: The Whitefield Avenue pump house is old and considered unsafe due to rotten exterior walls, framing and roof. Due to the poor existing condition, a complete tear down and rebuild is considered the most cost effective.

FACTS AND FINDINGS:

- 1. Due to the current condition that may cause a safety hazard, Water & Sewer department is requesting the construction of a new pump house.
- 2. This project was properly advertised and eight (8) bids were received and opened 8 October 2008. The bids are as follows:

Kerby Enterprises, Inc. Bloomington, GA	\$ 26,341
Ansley-Sheppard-Burgess Savannah, GA	\$ 33,398

House Doctor Savannah, GA	\$ 34,465
Savannah River Utilities Co. Springfield, GA	\$ 42,500
Keith Ray Construction, Inc. Thunderbolt, GA	\$ 47,800
Erickson Associates Savannah, GA	\$ 47,900
E&D Contracting Services, Inc.* Savannah, GA	\$ 49,680
Alloy Industrial Contractors, Inc. Savannah, GA	\$ 54,900

* WBE firm

- Staff believes the bid from Kerby Enterprises, Inc. to be fair and reasonable and within the budget for this project.

FUNDING: Water & Sewer Fund
(5054400 - 54.13009)

ALTERNATIVES:

- Board approval to award a \$26,341 contract to Kerby Enterprises, Inc. for the construction of the new pump house at Whitefield Avenue and Riverbend Subdivision.
- Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to approve the award of contracts to the low, responsive, responsible bidder.

RECOMMENDATION: Staff recommends the approval of Alternative 1.

BUDGET APPROVAL _____
READ DEHAVEN

ITEM B

ISSUE: Request Board approval of the \$12,000 payment to Karp, Ronning & Tindol, P.C. for providing professional auditing services for the fiscal year ending 30 June 2008 for the Tax Commissioner.

BACKGROUND: The Board approved at their 25 April 2008 meeting, a contract for professional audit services for Chatham County Finance with Karp, Ronning & Tindol, P.C.

FACTS AND FINDINGS:

- As auditor for Chatham County Government, Karp Ronning & Tindol, P.C. is qualified to provide auditing services for the Tax Commissioner's Office.
- Staff believes the total cost of \$12,000 to provide professional auditing services to be fair and reasonable.

FUNDING: General Fund/M & O - Tax Commissioner
(1001545 - 52.11001)

ALTERNATIVES:

- Board approval of the \$12,000 payment to Karp, Ronning & Tindol, P.C. for providing professional auditing services for the fiscal year ending June 30, 2008.
- Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to approve payment for professional auditing services.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
CHRIS MORRIS

ITEM C

ISSUE: Request Board approval to award a \$24,418 sole source contract to Designation Advertising & Design (WBE firm), to further market and implement an integrated Recycling Marketing and Communications Campaign, that includes public and media relations, creative messaging, media plans and strategies.

BACKGROUND: Chatham County Public Works & Park Services are seeking to promote the basic recycling rules, types of products to be recycled, and to educate the citizens of Chatham County on the benefits of recycling.

FACTS AND FINDINGS:

1. On 25 May 2007, the Board approved a contract with Designation Advertising to create and develop an integrated Recycling Marketing and Communications Campaign which expired on 25 May 2008. The proposed contract will be a continuation of service to further promote the campaign.
2. Designation Advertising created and developed a very successful campaign for the County and satisfied all the requirements of their previous contract. Staff recommends a sole source contract for continuity of service.
3. The proposed contract will include public and media relations, creative messaging to support Chatham County Recycles, adding used oil, Wilmington Island Drop-Off Center and the new recycling center to be located on Eisenhower Drive. Designation Advertising will utilize radio advertisements as well as a Web site designed to highlight the importance of recycling. In addition, they will monitor and expand the campaign to promote initiatives to encourage support and cooperation of the citizens.
4. Staff believes the price, \$24,418, quoted from Designation Advertising to be fair and reasonable.

FUNDING: Solid Waste Restricted
(5404510 - 52.33001)

ALTERNATIVES:

1. Board approval to award a \$24,418 sole source contract to Designation Advertising & Design (WBE firm), to further market and implement an integrated Recycling Marketing and Communications Campaign, that includes public and media relations, creative messaging, media plans and strategies.
2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with the Board policy to award sole source contracts when it is in the best interest of the County.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
CHRIS MORRIS

ITEM D

ISSUE: Request Board approval of the \$41,944 sole source purchase and installation of an automated stand alone Genset diesel generator at the Lehigh well site from Cummins Power South, LLC. of Savannah for Water and Sewer department.

BACKGROUND: The Lehigh well site, which is in the Montgomery Area Water System does not have a power back up system. In the event of a power loss, staff has to open a water valve connected to the Glen of Robin Hood Water system. During this time the system loses water pressure and customers are without water. The Glen of Robin Hood Water system is forced to service a larger area and can restrict proper pressure to customers connected to both systems.

FACTS AND FINDINGS:

- 1. The purchase and installation of an automated stand-alone generator and control panel will automatically engage when power is interrupted. We have installed these generators at the Central Avenue Pumping Station, Glen of Robin Hood and Modena Island water systems.
- 2. Standardizing the generator equipment provides a continuity of maintenance, service, and repairs. Staff believes this will save man hours and will be in the best interest of the County.
- 3. These generators are the product of Cummins Power South LLC., the only local distributor. Based on previous purchases, staff believes the quoted price is fair and reasonable.

FUNDING: Water and Sewer Enterprise Fund
(5054400 - 54.25001)

ALTERNATIVES:

- 1. Request Board approval of the \$41,944 sole source purchase and installation of an automated stand alone Genset diesel generator at the Lehigh well site from Cummins Power South, LLC. of Savannah for Water and Sewer department.
- 2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to approve purchases of standardized equipment when in the best interest of the County.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
READ DEHAVEN

ITEM E

ISSUE: Request Board approval to issue Change Order No. 7 to the Annual Contract with Paper Chemical Supply Company (WBE firm), of Savannah GA, to provide various paper and chemical supplies for various departments within Chatham County.

BACKGROUND: On 11 May 2007, the Board approved the award of an annual contract with automatic renewal options for four (4) additional one (1) year terms, to Paper Chemical Supply Company.

FACTS AND FINDINGS:

- 1. Paper Chemical Supply Company has recently provided a notification of price changes associated with the manufacturer imposed price increases due to the escalating costs in energy, transportation, packaging and raw material. As a result it has raised the price of the items listed below. Paper Chemical Supply Company has provided documentation to support the manufacturer imposed price increases.
- 2. Staff believes Paper Chemical Supply Company's request for the County to contractually recognize the manufacturer imposed price increases to be fair and reasonable.
- 3. New price will be as follows:

Item:	Description	Old Price	New Price
29.	Bay West White Roll Towel BWP-06308 6 x 1 / case	\$33.65	\$ 38.76

33.	Bay West 2 Ply Toilet Tissue BWP-61600	\$ 34.97	\$ 37.90
36.	Bay West Hand Soap Cartridge BWP-95105	\$ 29.98	\$ 31.80
64.	5" X 8" Zip Lock Bag WTI-2RB58, 1000 per case	\$ 13.65	\$ 16.90
65.	9" x 12" Zip Lock Bag WTI-8RB912, 1000 per case	\$ 32.37	\$ 39.70

FUNDING: General Fund/M&O - Various
SSD- Various

ALTERNATIVES:

1. Board approval to issue Change Order No. 7 to the Annual Contract with Paper Chemical Supply Company (WBE firm), of Savannah GA, to provide various paper and chemical supplies for various departments within Chatham County.
2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to approve change orders for documented material price increases when they are initiated by the manufacturer.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
READ DEHAVEN

ITEM F

ISSUE: Request Board approval to award an annual contract, with automatic renewal options for four (4) additional one (1) year terms, to All In One Services (primary contract) and Ziggy and Sons Landscape (secondary contractor) to provide grounds maintenance at well and lift/pump stations within the County.

BACKGROUND: In recent years the Water and Sewer department has not had the staff necessary to maintain the systems and keep the 25 sites free of overgrowth. Thus, grounds maintenance was limited in scope to meet minimum inspection requirements. There have been complaints about the appearance of the sties from residents as well as Public Works management. There is also input from regulators as to the need for continued grounds maintenance to avoid a Notice of Violation.

FACTS AND FINDINGS:

1. Throughout this year, grounds maintenance has been accomplished by payment of overtime staff. In addition, the department does not have the grounds maintenance equipment necessary to accomplish the work effort. Sites are serviced only when there are complaints or pending inspections. There are no sites serviced on a regular basis.
2. Having an annual contract in place in the absence of in-house capability gives the department the means necessary to meet routine grounds maintenance and remain focused on the primary responsibilities of system maintenance and customer service.
3. Bids were publicly advertised and mailed to six (6) firms, and publicly opened on 16 October 2008. The bids are as follows:

All In One Services *	\$14,625
Savannah, GA	
Ziggy & Sons Landscape*	\$17,370
Savannah, GA	
Thaddeus Heavenly Lawn*	\$19,980
Savannah, GA	

Chase Landscaping Savannah, GA	\$25,555
Basics Cleaning Services ** Savannah, GA	\$40,985
Kerby Enterprises Bloomingdale, GA	\$41,418
Mow Me Lawn Care* Savannah, GA	\$159,906
Myers & Son Pembroke, GA	NO BID

* MBE
**WBE

4. Contract specifications called for a primary and a secondary contractor. The secondary contractor is used if, for any reason, the primary contractor is unable to respond promptly to an emergency requirement.
5. Staff recommends that the contract be awarded as follows:

Primary Contractor: All In One Services (MBE)
Savannah, GA

Secondary Contractor: Ziggy and Sons Landscape (MBE)
Savannah, GA

FUNDING: Water and Sewer Fund
(5054400 - 52.39001)

ALTERNATIVES:

1. Board approval to award an annual contract, with automatic renewal options for four (4) additional one (1) year terms, to All In One Services (primary contractor) and Ziggy and Sons Landscape (secondary contractor) to provide grounds maintenance at well and lift/pump stations within the County.
2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to award contracts to the low responsive, responsible bidder.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
READ DEHAVEN

ITEM G

ISSUE: Request Board confirmation of the \$14,330 emergency repairs to a bulldozer by Industrial Tractor Company for Public Works and Park Services.

BACKGROUND: The bulldozer became so worn that it was no longer operational. Public Works considers this piece of equipment to be essential to their operation. Fleet Operations undertook priority repairs.

FACTS AND FINDINGS:

1. The repairs to this piece of equipment were too large to accomplish in house. Several vendors were contacted for repair costs but only one vendor, Industrial Tractor Company was willing to undertake the job.
2. As with all large equipment repairs, the ultimate cost depends entirely on what is found when the equipment is disassembled. This made getting prior Commission approval for the final amount impossible.

- 3. Once the repairs were completed, the final cost was \$14,330. In order to allow for payment to this small business in a timely manner, staff requested emergency approval from the Chairman. He concurred (see attached page 28) and directed staff to seek Board confirmation at their next scheduled meeting.
- 4. Staff believes the total repair cost of \$14,330 to be fair and reasonable.

FUNDING: General Fund/M & O - Fleet Operations
(1001567 - 52.22100)

ALTERNATIVES:

- 1. Board confirmation of the \$14,330 emergency repairs to a bulldozer by Industrial Tractor Company for Public Works and Park Services.
- 2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to confirm the emergency repairs to County equipment.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
RUSHEDA ADESHINA

ITEM H

ISSUE: Request Board approval to issue Change Order No. 1, in the amount of \$9,815 to the contract with WBM Construction, Inc., for the purchase and installation of carpet on the 1st floor of the "Old" Courthouse in Suite 150 due to water damage from A/C water line.

BACKGROUND: On 5 September 2008, the Board awarded a contract to WBM Construction, Inc. for purchase and installation of carpet for specific areas on the 2nd and 3rd floor of the "Old" Courthouse.

FACTS AND FINDINGS:

- 1. Suite 150 is an area of Human Resources, that has been subject to flooding due to a busted A/C water line. This area was discussed at the preconstruction walk through for the initial bid. Upon further examination, it was decided the carpet is damaged beyond repair.
- 2. Staff requested a price quotation from WBM Construction, Inc. Staff believes the cost of \$9,815 to be reasonable and fair.
- 3. Contract History is as follows:

Original Contract Amount (10-5-08)	\$27,115
Change Order No. 1 (pending)	<u>9,815</u>
Revised Contract Amount:	\$36,930

FUNDING: CIP - Facilities Maintenance & Operations
(3501565 - 54.13001 - 35030004)

ALTERNATIVES:

- 1. Request Board approval to issue Change Order No. 1, in the amount of \$9,815 to the contract with WBM Construction, Inc., for the purchase and installation of carpet on the 1st floor of the "Old" Courthouse in Suite 150 due to water damage from A/C water line.
- 2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to issue Change Orders to essential service contract to recognize changes in the scope of services.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____

READ DEHAVEN

ITEM I

ISSUE: Request Board approval to issue Change Order No. 1 to the annual contract with Media South Computer Supplies Inc., of Norcross Georgia to provide laser jet toner cartridges for various departments within Chatham County.

BACKGROUND: On 16 November 2007, the Board approved the award of an annual contract with automatic renewal options for four (4) additional one (1) year terms, to Media South Computer Supplies Inc.

FACTS AND FINDINGS:

- 1. Media South Computer Supplies Inc., recently provided staff with a notification of price changes associated with the manufacturer imposed price increases due to the escalating costs in energy, transportation, packaging and raw material. As a result it has raised the price of the items (see attached pages 29-35). Media South Computer Supplies Inc., has provided documentation to support the manufacturer imposed price increases.
- 2. Staff believes Media South Computer Supplies, Inc., request for the County to contractually recognize the manufacturer price increases to be fair and reasonable.

FUNDING: General Fund/M&O - Various
SSD- Various

ALTERNATIVES:

- 1. Board approval to issue Change Order No. 1 to the annual contract with Media South Computer Supplies Inc., of Norcross Georgia to provide laser jet toner cartridges for various departments within Chatham County.
- 2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to approve change orders for documented material price increases when they are initiated by the manufacturer.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
READ DEHAVEN

ITEM J

ISSUE: Request Board approval to award a \$26,480 contract to The House Doctor, for the exterior waterproofing repairs for the Ralph Mark Gilbert Civil Rights Museum.

BACKGROUND: The existing museum building built in 1917 was renovated and developed as the Ralph Mark Gilbert Civil Rights Museum in 1995. The building was retrofitted with new windows and new vinyl siding on the north elevation of the building in 1998-1999.

FACTS AND FINDINGS:

- 1. The building is currently experiencing water intrusion through the original mortar between the brick and cut stone. Existing masonry parapets, around the windows, roof flashing and other areas on the building exterior are also contributors to the water intrusion problem.
- 2. The building exterior masonry has had no repairs since the development of the museum. The main source of water intrusion is due to the age of the building and the lack of the exterior maintenance.
- 3. A Request for Quote was sent to several local contractors that specialize in this type of work. Two (2) quotes were received on 8 October 2008. The quotes are as follows:

The House Doctor	\$ 26,480
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Savannah, GA

Keith Ray Construction, Inc. \$ 50,600
 Thunderbolt, GA

- Staff believes the quote from The House Doctor to be fair and reasonable.

FUNDING: Land Bank Account
 (2919909 - 54.13001)

ALTERNATIVES:

- Board approval to award a \$26,480 contract to The House Doctor, for the exterior waterproofing repairs for the Ralph Mark Gilbert Civil Rights Museum.
- Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to award contracts to the low responsive, responsible bidder.

RECOMMENDATIONS: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
 READ DEHAVEN

ITEM K

ISSUE: Request Board approval of the \$ 43,405 purchase for a 2008 Ford Taurus and a 2009 Ford Taurus from J. C. Lewis Ford for CEMA.

BACKGROUND: The first vehicle will be an additional vehicle for CEMA and the second vehicle will replace one which is worn out and beyond economic repair.

FACTS AND FINDINGS:

- Request for Quotes were faxed to four (4) dealers and three (3) responses were received. Quotes are as follows:

	<u>2008 Ford Taurus</u>	<u>2009 Ford Taurus</u>
Legacy Ford, Inc. McDonough, GA	No quote	\$21,417
J. C. Lewis Ford Savannah, GA	\$21,988	\$22,171
Allan Vigil Ford	No quote	\$21,635

- On 27 March 1998, the Board approved a "local preference" policy which, when a firm from outside Chatham County submits the "lowest quote" the policy allows the lowest local vendor to match the "lowest" quote. If the local firm does match the "lowest" quote, the local firm is awarded the purchase. As indicated above, a non-Chatham County firm offered the "lowest low" quote. The Chatham County firm was asked if they would match the outside firms' quote. As indicated, J. C. Lewis did match the "lowest" quote.
- J. C. Lewis Ford of Savannah, agreed to match the "lowest" quote from Legacy Ford, Inc., of McDonough, of \$21,417 for the 2009 Ford Taurus.
- Staff believes the total cost of \$43,405 for both vehicles to be fair and reasonable.

FUNDING: CIP - Vehicle Replacement
 (3509980 - 54.22001 - 3503052Z) - \$21,988
 Emergency Management (CEMA) - (Pending Board approval of Budget Amendment)
 (2123920 - 54.22001) - \$21,417

ALTERNATIVES:

1. Request Board approval of the \$ 43,405 purchase for a 2008 Ford Taurus and a 2009 Ford Taurus from J. C. Lewis Ford for CEMA.
2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to provide vehicles for the department's use for daily operations.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
READ DEHAVEN

ITEM L

ISSUE: Request Board approval to award a professional services contract for two (2) years with Vincent Grevemberg in the amount of \$62 per hour, not to exceed \$65,000 per year, to provide Engineering Services to Chatham County.

BACKGROUND: Mr. Grevemberg is retiring as the Senior Engineer effective 30 November 2008. He has managed the Department of Engineering programs and projects for over 30 years. He has agreed to help oversee projects on a part-time basis.

FACTS AND FINDINGS:

1. Due to his unique background and experience, staff finds Mr. Grevemberg's continued services an indispensable asset to the County. Staff anticipates needing his services for two (2) years. The hourly rate is comparable to the compensation as a direct employee.
2. His services will be charged to the individual projects that he manages or to programs for which he provides consulting services. His services will involve, but not necessarily be limited to:
 - a. Assisting with quality assurance/quality control (QA/QC) on the LiDAR (Light Detection and Ranging) acquisition contract to be awarded by the MPC in November, 2008. County-wide LiDAR is used with other topographic mapping to support drainage studies for SPLOST projects and land development permitting.
 - b. Providing Geographic Information System (GIS) support and QA/QC for the Municipal Separate Storm Sewer System (MS4) inventory project.
 - c. Providing GIS support and QA/QC for the Right-of-Way inventory project that will create new GIS layers for road and drainage rights-of-way and easements.
 - d. Coordinating implementation of the new Digital Flood Insurance Rate Maps (DFIRMs) for Unincorporated Chatham County, and updating the GIS flood hazard map layer to recognize Letters of Map Changes approved by the Federal Emergency Management Agency.
 - e. Maintaining the digital plat GIS layers used by the Board of Assessors to improve the accuracy of the parcel maps.
 - f. Managing Chatham County's part of the Georgia Power street lighting inventory data sharing agreement.
 - g. Assisting with the Department of Engineering's portion of the ACCG's Record Management Pilot/Demonstration Project, and assisting with the project in the event the County decides to pursue it beyond the pilot stage.
 - h. Continuing to manage some of the 180 capital projects with a value of over \$325 million.

ALTERNATIVES:

1. Board approval to award a professional services contract for two (2) years with Vincent Grevemberg in the amount of \$62 per hour, not to exceed \$65,000 per year, to provide Engineering Services to Chatham County.
2. Provide staff other direction.

FUNDING: SSD - Engineering
(2701575 - 52.39001)

POLICY ANALYSIS: Georgia law and *The Chatham County Purchasing Ordinance and Procedures Manual* provide authority for the Board to enter into Professional Services Agreements.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
GLORIA SAUGH

ITEM M

ISSUE: Request Board approval to award a contract in the amount of \$124,959 to Kerby Enterprises, Inc. for the construction of the new restroom facility and pump house at Kings Ferry Park.

BACKGROUND: The existing restroom facility and pump house located at Kings Ferry Park is over 30 years old and in poor condition. To improve the facilities at Kings Ferry Park, the construction of a new restroom facility and pump house is necessary.

FACTS AND FINDINGS:

1. It has been determined by staff that the current restroom facility and pump house is in such poor condition that any more repairs would not be economically sound.
2. The design firm of Heitmann Associates Architects was contracted to design the new restroom facility and pump house.
3. This project was properly advertised and five bids were received and opened October 21, 2008. The bids are as follows:

Kerby Enterprises, Inc. Bloomingdale, GA	\$124,959
Keith Ray Construction, Inc. Thunderbolt, GA	\$172,900
Ansley-Sheppard-Burgess Savannah, GA	\$174,000
Erickson Associates Savannah, GA	\$189,000
E & D Contracting Services, Inc.* Savannah, GA	\$208,805

*WBE firm

4. Staff, along with the design consultant, finds the bid from Kerby Enterprises, Inc. to be fair and reasonable and well within the construction estimate.

FUNDING: CIP - Parks and Recreation
(3506100 - 52.22001 - 35030877)

ALTERNATIVES:

1. Board approval to award a contract in the amount of \$124,959 to Kerby Enterprises, Inc. for the construction of the new restroom facility and pump house at Kings Ferry Park.
2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to award contracts to the low responsive, responsible bidder.

RECOMMENDATIONS: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
CHRIS MORRIS

ITEM N

ISSUE: Request Board approval to award a \$119,310 contract to E & D Contracting Services, Inc. for the installation of a new 350kw emergency generator at the Mosquito Control Facility.

BACKGROUND: The Mosquito Control facility has been designated as the recovery point after a major hurricane for County administrative staff. The new 350kw will provide adequate power for extra equipment needed to activate this recovery point.

FACTS AND FINDINGS:

1. Due to the fact as being designated the recovery point for County administrative staff in the event of a major hurricane, it has been determined that their current 30kw emergency generator needs to be upgraded to 350kw generator. Chatham County has purchased the new 350 kw generator and it is currently being stored at the Cummins South facility. The new generator shall be delivered to the site by Cummins South to be installed by E & D Contracting Services, Inc.

2. The engineering firm of Smith Vandenbulck Engineering was contracted to engineer the installation of the new generator.

3. This project was properly advertised and two (2) bids were received and opened 16 October 2008. The bids are as follows:

E & D Contracting Services, Inc.* Savannah, GA	\$119,310
Paul S. Akins Company, Inc. Statesboro, GA	\$119,500

* WBE firm

4. Staff, along with the engineering consultant, finds the bid from E & D Contracting Services, Inc. fair and reasonable and within the construction estimate.

FUNDING: CIP - Human Resources / Hurricane Prep.-Misc.
(3501540 - 54.13001 - 3503076Z)

ALTERNATIVES:

1. Board approval to award a \$119,310 contract to E & D Contracting Services, Inc. for the installation of a new 350kw emergency generator at the Mosquito Control Facility.

2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to award contracts to the low responsive, responsible bidder.

RECOMMENDATIONS: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
CHRIS MORRIS

ITEM O

ISSUE: Request Board approval of the \$25,022 purchase of two (2) UPS systems and related hardware from Entre Solutions (MBE firm) for the I.C.S. Department.

BACKGROUND: The current UPS capability in the Data Center is maxed out. No additional equipment can be added to the existing system.

FACTS AND FINDINGS:

1. The new Public Safety Radio master site will be delivered in December. The purchase of this new equipment will ensure this radio system does not go down during a power outage. The system keeps the equipment running until the generators can provide clean power to the Data Center.
2. Staff obtained pricing from the following vendors. Responses are as follows:

Entre Solutions * Savannah, GA	\$25,022
Gruber Power Services Phoenix, AZ	\$27,535
Toshiba Services Houston, TX	\$32,710
3. Staff believes the total cost of \$25,022 for two (2) UPS systems to be fair and reasonable.

FUNDING: SPLOST (2003-2008) - Courthouse Construction
(3234980 - 54.13001 - 32360427)

ALTERNATIVES:

1. Board approval of the \$25,022 purchase of two (2) UPS systems and related hardware from Entre Solutions (MBE firm) for the I.C.S. Department.
2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to provide the necessary equipment for the using departments.

RECOMMENDATION: Staff recommends approval of Alternative 1.

I.C.S. APPROVAL _____
LEWIS LEONARD

BUDGET APPROVAL _____
CHRIS MORRIS

ITEM P

ISSUE: Request Board approval of a \$265,000 sole-source professional engineering services contract to Thomas & Hutton Engineering Company (T&H) for the design of the widening of Dean Forest Road (S.R. 307) from Ogeechee Rd (US17) to I-16.

BACKGROUND: The S.R. 307 widening project includes the construction of two (2) additional lanes along the entire length of the project to allow for two (2) traffic lanes in each direction. This engineering services contract is to design the project as a four (4) lane section, and to produce plans and specifications for the solicitation of bids for a construction project.

FACTS AND FINDINGS:

1. The engineering services consultant selected must be pre-qualified by the Georgia Department of Transportation (GDOT). There are only three (3) local engineering services firms pre-qualified to provide the services required for this project.
2. To maintain continuity and cost, State law allows contracting with the original professional engineering firm used for previous studies and plans without further competitive process when those existing studies and plans can be reused.

3. T&H Engineering Company has heretofore provided engineering services for several projects along S.R. 307. They are under contract with the County to prepare the Concept Report in accordance with the GDOT Plan Development Process for the widening of S.R. 307 from U.S. 17 to I-16. T&H has completed the surveying for the widening project. T&H is under contract with the County for the Hardin Canal drainage improvement project on S.R. 307 and was the consultant for the Raspberry Canal project adjacent to S.R. 307 at I-16. They were the consulting engineer for the project to rebuild the entrance to Southbridge at S.R. 307. All factors considered, T&H is the most qualified local consultant to provide the services required for this project and the County stands to save by using the surveys and plans already done by T&H in the vicinity of this project.

FUNDING: SPLOST (2003 - 2008) - Widen Dean Forest Road (S.R. 307)
(3234250 - 52.12003 - 32351053)

ALTERNATIVES:

1. Board approval of a professional engineering services contract in the amount of \$265,000 to Thomas & Hutton Engineering for the design of the widening of Dean Forest Road (S.R. 307) from U.S. 17 to I-16.
2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to award sole-source professional engineering contracts when it is in the best interest of the County.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
CHRIS MORRIS

ITEM Q

ISSUE: Request Board approval of Change Order 3 in the not-to-exceed amount of \$60,000 to the engineering contract with Moffatt & Nichol Engineers, Inc., for the Dundee Canal Drainage Improvement Project to provide construction inspection and monitoring services.

BACKGROUND: The Dundee Canal Outfall project is listed in the Unincorporated Chatham County Stormwater Capital Improvement Program and is a part of the 2003-2008, SPLOST, Drainage Program.

FACTS AND FINDINGS:

1. Design work was completed by Moffatt & Nichol and the Board awarded a contract for construction to L-J, Inc. at its 21 December 2007 meeting. Construction work started in March 2008.
2. During the period of March through October of 2008, the design consultant provided limited inspection as the design consultant in support of daily inspection by County staff. County staff is no longer able to routinely provide sufficient time to perform daily construction inspection and monitoring services due to other assignments. This change order is to increase the level of effort provided by the design consultant to make up for effort that cannot be provided by staff.
3. The design consultant is considered to be most qualified to perform these services by virtue of having prepared the design and construction specifications.

4. Contract history:

Original Contract (5-27-05) Analysis and Design	\$73,500
Change Order 1 (1-13-06) Additional survey for access and Nationwide Permit	25,405
Change Order 2 (3-21-08) Construction inspection, monitoring	13,995
Change Order 3 (pending)	<u>60,000</u>
Revised contract amount	\$172,900

FUNDING: SPLOST (2003 - 2008) - Dundee Canal Drainage Project
(3234250 - 54.14021 - 32380413)

ALTERNATIVES:

1. Board approval of Change Order 3 in the not-to-exceed amount of \$60,000 to the engineering services contract with Moffatt & Nichol Engineers, Inc. for the Dundee Canal Drainage Improvement Project to provide construction inspection and monitoring services.
2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to approve change orders necessary for the completion of projects.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
CHRIS MORRIS

ITEM R

ISSUE: Request Board revise contract amount for the McQueen's Island Rails-to-Trails Stabilization Project to \$208,310.

BACKGROUND: At the 5 September meeting, the Board awarded a contract to E&D Contracting Services, Inc., for the McQueen's Island Rails-to-Trails Stabilization project in the amount of \$128,310. Despite questions about the lowest bid in comparison to the project estimate and six (6) other bids, E&D believed its quote as accurate. E&D checked with its primary subcontractor, Pelican Lumber and Landscaping, which manufactures the oyster shell bags integral to this project (permit requirement by Georgia Department of Natural Resources). Pelican admitted an error in quoting the project to E&D, despite that fact it also provided pricing to the other bidders.

FACTS AND FINDINGS:

1. Pelican submitted its correct price of \$108,500 to all other contractors which competed for this contract (net of \$80,000 based on previous bid of \$28,500). The corrected amount increases E&D's bid to \$208,310.
2. The new contract amount provides only the increase in Pelican's cost and reflects no overhead nor profit by the prime contractor on the new subcontract price. This still presents E&D as the lowest bid by \$3,690 less than A.D. Williams' bid of \$212,000.
3. In consultation with Thomas & Hutton Engineering, the design engineer, and verification of pricing, staff believes that E&D provides the lowest responsible bid. While this waives an apparent error, staff believes the mistake can be attributed to the subcontractor, Pelican Construction. Because of the unique circumstances of the oyster shell product, and its lack of availability in this market, no other vendor could be substituted.

FUNDING: SPLOST (2003 - 2008) - Open Space, Green Space and Bikeways
(3234985 - 54.11011 - 32378102)

ALTERNATIVES:

1. Board revise the contract amount to E&D Contracting based on the error of the subcontractor for the McQueen's Trail Stabilization Project in the amount of \$208,310.
2. Board reject E&D's revised pricing and award the contract to the second low bidder, A.D. Williams, in the amount of \$212,000.
3. Provide staff other direction.

POLICY ANALYSIS: As a purchase in excess of \$10,000, the County's Purchasing Ordinance and Procedures Manual requires Board approval.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____

CHRIS MORRIS

ITEM S

ISSUE: Request Board approval of an amendment to lease office space for the Public Defender's Office.

BACKGROUND: In December 2004, the County entered into a lease with LAGK LLC for 540 East Oglethorpe Avenue for the Public Defender's Office. SunTrust Bank has foreclosed on the property. Under the terms of the lease, the agreement terminates, which requires an amended lease with SunTrust.

FACTS AND FINDINGS:

1. The new lease makes several changes. Chief among these:
 - 1.1 The lease term extends month-to-month with 30 days' notice of termination by either party.
 - 1.2 Lease payments will be sent to SunTrust's Office in Atlanta.
 - 1.3 The new monthly amount will be \$11,935 (same schedule as previous). At 11,068 square foot, the annual cost will be \$143,220 or \$12.94 a square foot, which is 25% below the market rate. The County also pays increased taxes and insurance over the base amount of 2004.
 - 1.4 Roof, walls and mechanical unit (heat and air) will become tenant's responsibility. Tenant may terminate agreement in lieu of repair.
2. Most troubling is the tenant's responsibility for heat and air since staff is already aware of air conditioning problems.
3. The office building at 540 East Oglethorpe offers several advantages since the County has already wired it for telephone and computer access to county systems, its arrangement of offices, 27 parking spaces and location on a bus route. Nonetheless, staff is shopping for other space to review options of a longer-term lease since it will be at least two (2) years before the Public Defender moves back to the Courthouse campus.

FUNDING: General Fund M&O/Public Defender's Office
(1002800 - 52.23101)

ALTERNATIVES:

1. That the Board approve the amended lease agreement per the terms described in "Facts & Findings."
2. That the Board send notice to terminate the lease and instruct staff to locate a new office location for the Public Defender's Office (this would include relocation expense as well as setting up the new location for County telephone and computer systems) and provide advance notice for clients.
3. Provide staff other direction.

POLICY ANALYSIS: The negotiated rate remains less than comparable rental properties of this size in the downtown market and provides reasonable space in accordance with the requirements of the Public Defender's Office.

RECOMMENDATION: Staff recommends approval of Alternative 1 (with the concurrence of Public Defender Michael Edwards).

BUDGET APPROVAL _____
ESTELLE BROWN

ITEM T

ISSUE: Request Board approval to award a \$19,756 contract for electrical work on Courthouse holding area, court services area and sallyport for Courthouse construction with All Electric.

BACKGROUND: Electrical work will be needed for components of Courthouse construction as the project continues to construct the basement into holding cells, Sheriff's Court Services Division and connection with the sallyport.

FACTS AND FINDINGS:

- 1. All Electric has provided pricing of \$19,756 based on time and materials for the scope of work. Chatham County has a previously arranged pricing agreement with All Electric.
- 2. The County’s architect and engineering have reviewed the pricing and consider it reasonable based on the market and cost of materials.

FUNDING: SPLOST (2003 - 2008) - Courthouse Project
(3234980 - 52.12003 - 32360427)

ALTERNATIVES:

- 1. That the Board award a contractor for the electrical work identified in “Background” in the amount of \$19,756 to All Electric.
- 2. That the Board direct staff to bid out the work.

POLICY ANALYSIS: Georgia law and *The Chatham County Purchasing Ordinance and Procedures Manual* provide authority for the Board to award contracts.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
CHRIS MORRIS

ITEM U

ISSUE: Request Board approval to award a \$15,900 contract to Satori Development for concrete work within the Courthouse basement as part of the Courthouse renovation project.

BACKGROUND: The County solicited quotes for two (2) sections of CMU (block) construction of 12 feet by 72 feet and 8 feet by 12 feet.

FACTS AND FINDINGS:

- 1. Three (3) bidders provided pricing based on the required work, as follows:

Satori Savannah, GA	\$15,900
Atlantic Coastal Savannah, GA	\$16,317
Jacob’s Masonry Savannah, GA	No bid
Atlantic Building Savannah, GA	No bid

- 2. Satori’s bid was considered lowest responsible bid for the scope of work.

FUNDING: SPLOST (2003 - 2008) - Courthouse Project
(3234980 - 52.12003 - 32360427)

ALTERNATIVES:

- 1. That the Board award a contract to Satori Development in the amount of \$15,900 for the scope of work described in “Background.”
- 2. That the Board not award any contract for this work.

POLICY ANALYSIS: Georgia law and *The Chatham County Purchasing Ordinance and Procedures Manual* provide authority for the Board to award contracts.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
CHRIS MORRIS

ITEM V

ISSUE: Request Board approval of Change Order 1 to the contract with B&B Demolition for removal of concrete walls as part of the Courthouse renovation project.

BACKGROUND: At the 23 May 2008 meeting, the Board awarded a contract for demolition to B&B for removal of concrete block and masonry needed to prepare holding cells and the Sheriff's Court Service Division in the amount of \$27,960. The change order request would remove a section of wall 12 feet by 82 feet which was not part of the original quote.

FACTS AND FINDINGS:

- 1. Change Order 1 to B&B Demolition would remove a section of wall in the holding cell area. The contract change would be as follows:

Original Contract Amount (5/23/08)	\$27,960
Change Order No. 1 (pending)	<u>2,941</u>
	\$30,901

- 2. Staff has reviewed the change order for labor and materials cost and finds it reasonable.

FUNDING: SPLOST (2003 - 2008) - Courthouse Project
(3234980 - 52.12003 - 32360427)

ALTERNATIVES:

- 1. Board award Change Order 1 to the contract with B&B Demolition for demolition work related to Courthouse construction.
- 2. Board not award any change order for this work.

POLICY ANALYSIS: Georgia law and *The Chatham County Purchasing Ordinance and Procedures Manual* provide authority for the Board to award contracts.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
CHRIS MORRIS

ITEM W

ISSUE: Request Board approval of Change Order 1 to the contract with Boen Mechanical for replacing ductwork in the basement as part of the Courthouse renovation project.

BACKGROUND: At the 11 July 2008 meeting, the Board awarded a contract for mechanical work (heating, cooling, humidity control) in the inmate holding cells and sallyport to Boen Mechanical in the amount of \$179,300. Since Boen continues work on the site, staff asked the company to provide a quote for needed ducting.

FACTS AND FINDINGS:

- 1. Change Order 1 to Boen Mechanical would add ductwork to the company's existing contract, as follows:

Original Contract Amount (7/1/08)	\$179,300
Change Order No. 1 (pending)	<u>8,722</u>
	\$188,022

- 2. The consulting engineer and staff have reviewed the change order for labor and materials cost and finds it reasonable.

FUNDING: SPLOST (2003 - 2008) - Courthouse Project
(3234980 - 52.12003 - 32360427)

ALTERNATIVES:

- 1. Board award Change Order 1 in the amount of \$8,722 to the contract with Boen Mechanical for ductwork in the basement related to Courthouse construction.
- 2. Board not award any change order for this work.

POLICY ANALYSIS: Georgia law and *The Chatham County Purchasing Ordinance and Procedures Manual* provide authority for the Board to award contracts.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
CHRIS MORRIS

ITEM X

ISSUE: Request Board approval of the \$120,190 purchase of a Pothole Patcher Truck with Safety Lighting off Georgia State Contract for Public Works from Nalley Motor Trucks, Atlanta, GA, Stepp Manufacturing Co., North Branch, MN and Chatham Warning Devices, Savannah, GA.

BACKGROUND: This truck is to provide a badly needed piece of equipment for road repair and maintenance for the Public Works Department.

FACTS AND FINDINGS:

- 1. This truck is an essential tool needed in order to repair potholes in a timely and efficient manner.
- 2. The unit purchase price of this vehicle is \$55,837 and is offered on Georgia State Contract (No. S020627 NIGP Code: 07051) from Nalley Motor Truck of Atlanta. The price of the body is \$61,682 Sole Source, from Stepp Manufacturing Company of North Branch, MN. The safety lighting is priced at \$2,671 from Chatham County Warning Devices of Savannah.
- 3. Staff believes the total cost of \$120,190 for the purchase of one Pothole Patcher Truck to be fair and reasonable.

FUNDING: CIP - Fleet Vehicle Purchase SSD
(3503004 - 54.22002 - 3502004B)

ALTERNATIVES:

- 1. Request Board approval of the \$120,190 purchase of a Pothole Patcher Truck with Safety Lighting off Georgia State Contract for Public Works from Nalley Motor Trucks, Atlanta, GA, Stepp Manufacturing Co., North Branch, MN and Chatham Warning Devices, Savannah, GA.
- 2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to provide essential equipment for department daily operations.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
CHRIS MORRIS

PREPARED BY _____
PURCHASING AGENT

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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 PHILLIP MCCORKLE, (AGENT FOR JOE SIKES OWNER) IS REQUESTING TO REZONE 5410 GEORGIA HIGHWAY 21 FROM A P-B-C (PLANNED COMMUNITY BUSINESS) CLASSIFICATION TO AN I-H (HEAVY INDUSTRIAL) CLASSIFICATION. THE MPC RECOMMENDS APPROVAL. MPC FILE NO. Z-080825-00103-1 [DISTRICT 7.]**

Chairman Liakakis asked, do we have a motion?

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

Commissioner Kicklighter asked, where is this now? Commissioner Shay said, it's in your area, Dean [Kicklighter]. Commissioner Odell said, 5410 Georgia Highway 21. Commissioner Kicklighter said, okay, I know this spot now.

Chairman Liakakis said, alright, let's go on the board. The motion carried unanimously. [NOTE: Commissioner Thomas was not present.] Commissioner Kicklighter said, thank you. Chairman Liakakis said, the motion passes.

ACTION OF THE BOARD:

Commissioner Shay moved to approve the petition of Phillip McCorkle (Agent for Joe Sikes, Owner) to rezone 5410 Georgia Highway 21 from a P-B-C (Planned Community Business) Classification to an I-H (Heavy Industrial) Classification. Commissioner Gellatly seconded the motion and it carried unanimously. [NOTE: Commissioner Thomas was not present.]

AGENDA ITEM: XII-1
AGENDA DATE: November 7, 2008
AGENDA ITEM: ~~XI-1~~
AGENDA DATE: ~~October 17, 2008~~

TO: BOARD OF COMMISSIONERS
THRU: R. E. ABOLT, COUNTY MANAGER
FROM: THOMAS L. THOMSON, EXECUTIVE DIRECTOR

LEGAL NOTICE/AGENDA HEADING:

The petitioner Phillip McCorkle (Agent for Joe Sikes Owner), is requesting to rezone 5410 Georgia Highway 21 from a P-B-C (Planned Community Business) classification to an I-H (Heavy Industrial) classification. The MPC recommends approval. MPC File No. Z-080825-00103-1

ISSUE: At issue is a request to rezone approximately 3.196 acres of land from an existing P-B-C (Planned Community Business) classification to an I-H (Heavy Industrial) classification.

BACKGROUND: The petitioner is seeking to rezone a portion of a larger tract of land to allow the construction and operation of industrial uses on site. The subject tract of land contains approximately 5.48 acres and is currently zoned for intense commercial usage. From this larger tract, the petitioner is seeking to rezone an area of approximately 3.20

acres to allow for industrial development on site. The remainder of the site will remain as currently zoned.

The larger parent parcel was the subject of an approved rezoning from I-H to the existing P-B-C in October 1999. Although the frontage along Highway 21 has developed commercially, the rear portion of the property has not developed, and is unlikely to develop commercially given its lack of visibility to Highway 21.

FACTS AND FINDINGS:

1. **Public Notice:** As required by Ordinance, notice of the proposed rezoning was sent to all property owners within 200 feet of the subject (larger) parcel, and postings were placed on the property. No known neighborhood association exists in the area.

2. **Existing Development Pattern:**

As indicated on the attached zoning map, most of the land in the immediate vicinity of the subject parcel is zoned for industrial use. Properties that front Highway 21 have mostly developed, but significant tracts of vacant land exist, particularly to the east of the subject site.

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

<u>Location</u>	<u>Land Use</u>	<u>Zoning</u>
North	Undeveloped	I-H
East	Industrial	I-H
South	Undeveloped (Wetland)	I-H
West	Undeveloped and Commercial	P-B-C

3. **Existing P-B-C (Planned Community Business) Zoning District:**

- a. **Intent of the P-B-C District:** The intent of the B-C district is to "...provide community shopping facilities consisting of a wide variety of sales and service facilities at locations that will be accessible to a market area containing from 35,000 to 70,000 people."
- b. **Intent of the P District:** The purpose of the P District is to "...provide areas within which comprehensive plans shall be prepared for review by the MPC or MPC staff in order to secure an orderly development pattern."
- c. **Allowed Uses:** The uses allowed in the P-B-C district appear in the attached chart.
- d. **Development Standards:** The development standards for the P-B-C district appear in the attached table (Table 1).

4. **Proposed I-H (Heavy Industrial) Zoning District:**

- a. **Intent of the I-H District:** The purpose of the I-H district is to "...create and protect areas in which industries, which are not permitted in other districts, can be permitted."
- b. **Allowed Uses:** The uses allowed in the I-H district appear in the attached chart.
- c. **Development Standards:** The development standards for the I-H district appear in the attached table (Table 1).

5. **Land Use Element:** The Chatham County - Savannah Comprehensive Plan Future Land Use Map designates the subject property for industrial development.

6. **Transportation Network:** Access to the site is from Highway 21 to the west and Bourne Avenue (Highway 307) to the north. Both roads are classified as major arterials. Transit service is available via CAT Route 2 (West Chatham) along Highway 21.

- 7. **Traffic Impacts:** No additional traffic impacts would be expected as a result of the proposed rezoning. The highest traffic generator allowed in both the existing and proposed districts is a service station. In all likelihood, the amount of traffic generated from an industrial use would be less than that generated by a commercial development. No specific traffic impact analysis is needed.
- 8. **Public Services and Facilities:** Police protection is provided by the Metropolitan Police Department. Water, sanitary sewer, and fire protection services are provided by Garden City.
- 9. **Though no specific use has been identified at this time, it is the intent of the petitioner to market the site for industrial use consistent with the comprehensive plan and with developments existing or planned in the area. Located in close proximity to the Georgia Ports Authority terminal on the Savannah River, the site, if rezoned, will retain development rights of the intense commercial uses allowed under the existing zoning, and will allow expanded development opportunities afforded by the industrial classification.**

SUMMARY OF FINDINGS

- 1. Will the proposed zoning district permit uses that would create traffic volumes, noise level, odor, airborne particulate matter, visual blight, reduce light or increased density of development that would adversely impact the livability or quality of life in the surrounding neighborhood?

Yes ___ No X
- 2. Will the proposed zoning district permit uses that would adversely impact adjacent and nearby properties by rendering such properties less desirable and therefore less marketable for the type of development permitted under the current zoning?

Yes ___ No X
- 3. Will the proposed zoning district permit uses that would generate a type or mix of vehicular traffic on a street or highway that is incompatible with the type of land use development along such street or highway?

Yes ___ No X
- 4. Will the proposed zoning district permit uses that would generate greater traffic volumes at vehicular access points and cross streets than is generated by uses permitted under the current zoning district to the detriment of maintaining acceptable or current volume capacity (V/C) ratio for the streets that provide vehicular access to the proposed zoning district and adjacent and nearby properties?

Yes ___ No X
- 5. Will the proposed zoning district permit uses or scale of development that would require a greater level of public services such as drainage facilities, utilities, or safety services above that required for uses permitted under the current zoning district such that the provision of these services will create financial burden to the public?

Yes ___ No X
- 6. Will the proposed zoning district permit uses or scale of development that would adversely impact the improvement or development of adjacent and nearby properties in accordance with existing zoning regulations and development controls deemed necessary to maintain the stability and livability of the surrounding neighborhood?

Yes ___ No X
- 7. Will the proposed zoning district permit development that is inconsistent with the comprehensive land use plan?

Yes ___ No X

ALTERNATIVES:

1. Approve the petitioner's request to rezone the property from a P-B-C classification to an I-H classification.
2. Deny the petitioner's request.

POLICY ANALYSIS:

The requested rezoning is consistent with the designation depicted on the Future Land Use Map (FLUM) of the Comprehensive Plan and is ideally suited for the proposed classification. The rezoning proposed will be placed on a specific area of a larger tract of land. The proposed zoning will not have a detrimental impact on area traffic and/or existing and proposed land uses. The proposed zoning restores the industrial classification which existed on the site several years ago.

RECOMMENDATION: The MPC and Director of Building Safety and Regulatory Services recommend **APPROVAL** of the request to rezone the subject property from a P-B-C classification to an I-H classification.

PREPARED BY: Jim Hansen, AICP, Director
Development Services

September 16, 2008

Gregori Anderson, Director
BUILDING SAFETY AND REGULATORY SERVICES

Table 1: Comparison of Development Standards for the Existing P-B-C and Proposed I-H Zoning Districts		
	P-B-C District	I-H District
Minimum Lot Area	None	None
Minimum Lot Width	None	None
Front Yard Setback	85 feet from centerline of arterial	85 feet from centerline of arterial
Minimum Side Yard Setback	None	None
Minimum Rear Yard Setback	None	40 feet
Maximum Height	None	None
Maximum Building Coverage	None	None
Maximum Density	N/A	N/A

DATE: SEPTEMBER 16, 2008
TO: CHATHAM COUNTY COMMISSION
FROM METROPOLITAN PLANNING COMMISSION
SUBJECT: MPC ZONING RECOMMENDATION

PETITION REFERENCED:

Phillip McCorkle, Agent
Joe Sikes, Lee Sikes and Joseph Sikes, Owners
5410 Georgia Highway 21
MPC File No. Z-080825-00103-1

MPC ACTION:

Approval of the request to rezone the subject property from P-B-C classification to an I-H classification.

MPC STAFF RECOMMENDATION:

Approval of the request to rezone the subject property from P-B-C classification to an I-H classification.

MEMBERS PRESENT: 9 + Chairman

Jon Todd, Chairman
Susan Myers, Treasurer
Douglas Bean
Stephen R. Lufburrow
Lacy Manigault
Shedrick Coleman, Secretary
Michael Brown
David Hoover
Timothy Mackey
Adam Ragsdale

VOTING FOR MOTION

VOTING AGAINST MOTION

***ABSENT OR **FAILING TO VOTE**

Jon Todd
Shedrick Coleman
Susan Myers
Douglas Bean
Michael Brown
David Hoover
Stephen Lufburrow
Lacy Manigault
Timothy Mackey
Adam Ragsdale

*Robert Ray
*Russ Abolt
*Ben Farmer

FOR APPROVAL: 10 FOR DENIAL: 0 ABSTAINING: 0

Respectfully submitted,

Thomas L. Thomson
Executive Director

/cbm

Enclosure

**Petition of Phillip McCorkle, Agent
MPC File No. Z-080825-00103-1**

MPC recommends that the following described property be rezoned from its present P-B-C (Planned Community Business) to an I-H (Heavy Industrial) zoning classification.

LEGAL DESCRIPTION

Starting at a point located on the centerline of Hwy 21 approximately 521 feet south of its intersection with the centerline of Bourne Avenue, thence proceeding easterly along a line North 75 degrees 15 minutes 23 seconds East for a distance of approximately 526 feet to a point, said point being the point of beginning; thence proceeding southerly along a line South 14 degrees 02 minutes 10 seconds East a distance of approximately 498 feet to a point, thence easterly along a line North 77 degrees 29 minutes 51 seconds East for a distance of approximately 304 feet to a point, thence northerly along a line North 16 degrees 35 minutes 14 seconds West a distance of approximately 504 feet to a point, thence southwesterly along a line South 75 degrees 15 minutes 23 seconds West a distance of approximately 378 feet back to the point of beginning.

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

P.I.N 1-0818 -01-019 part

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XIII. INFORMATION ITEMS

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

ACTION OF THE BOARD:

A status report was attached for review.

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

ACTION OF THE BOARD:

A status report was attached for review.

AGENDA ITEM: XIII-2
AGENDA DATE: November 7, 2008

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>
Printing of 5,500 Civil 2009 file folders	State Court Clerk	VIP Printing & Office Supply (WBE)	\$5,200	General Fund/M&O - State Court Clerk
Programming of 65 portable radios, 47 mobile radios, 7 bases for Public Works	I.C.S.	Savannah Communication & Electronic	\$6,590	General Fund/M&O - Communications
Furnish and install 3M solar film on windows	Mosquito Control	Coastal Applied Systems	\$9,982	General Fund/M&O - Mosquito Control
Installation of studs, insulation and drywall for inmate holding cells	Special Projects	Atlantic Coastal Homes	\$9,833	SPLOST (2003-2008) Courthouse Construction
Demolition of an overhead concrete ceiling and sawing of block wall	Special Projects	Advanced Concrete	\$3,850	SPLOST (2003-2008) Courthouse Construction
One (1) 3' x 5' angle to secure wall for sallyport area	Special Projects	Custom Metal Fabricators, Inc.	\$4,619	SPLOST (2003-2008) Courthouse Construction

<u>ITEM</u>	<u>DEPT.</u>	<u>SOURCE</u>	<u>AMOUNT</u>	<u>FUNDING</u>
Building supplies for remodeling of Lake Mayer office	Public Works and Park Services	Home Depot	\$2,683	General Fund/M&O -Parks and Recreation
177 cases of ocean mist antibacterial soap	Detention Center	Coastal Paper-Sail Chemical Company (Sole Source)	\$4,062	General Fund/M&O - Detention Center
Cut and remove three (3) trees at Candleberry Lane	Public Works and Park Services	Sharp Tree Service	\$2,850	SSD - Public Works

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3. ROADS AND DRAINAGE REPORTS.

ACTION OF THE BOARD:

Status reports were attached for review.

AGENDA ITEM: XIII-3 Roads
AGENDA DATE: November 7, 2008

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: On letters dated September 16, 2008, from the GDOT, the GDOT indicated that it would not work on any County sponsored projects except for the Truman Parkway, Phase 5. By letter dated October 14, 2008 the GDOT lifted the suspension on the Whitefield Avenue Widening Project for work to resume.

FACTS AND FINDING:

1. Truman Parkway, Phase 5. Property acquisitions are complete. Expect to be ready to certify right of way by the end of November. Except for removing docks from the Vernon River and removal of a few signs along Abercorn Street, demolition required for ROW certification is complete. Utility relocation agreement with Georgia Power was approved by the Board on September 5, 2008. The Final Field Plan Review (FFPR) is pending scheduling by the GDOT. Funding for construction is programmed for FY 2010 in the State Transportation Improvement Program (TIP).

2. Diamond Causeway.

a. The GDOT is pursuing a design/build contract in FY 2009 to construct a two lane high level bridge over Skidaway Narrows to replace the bascule bridge.

b. On July 25, 2008 the Board approved a contract to construct a traffic signal with turn lanes at State Park Road and to widen the section of roadway from the existing traffic signal at Lake Street to State Park Road. The NTP was issued August 27, 2008. The scheduled completion date is April 6, 2009.

3.. Local Roads.

a. Troy Street, Catherine Street, Adeline Street, Thomas Avenue, Billings Road, Elmhurst Road, Beechwood Road, Ridgewood Road. Being designed for paving.

b. Intersection improvements at Little Neck Road and US 17. Board approved a construction contract on July 25. The NTP was issued August 18, 2008. The scheduled completion date is January 25, 2008.

c. Bond Avenue, Betran Avenue. Bond Avenue ROW acquisitions are complete, drainage may be modified which will not affect ROW. Waiting on legal opinion to continue on Betran Avenue.

d. Brandy Road, Pyeland Avenue. Final right of way and construction plans are complete. ROW acquisition is underway. Anticipate award of constructions contracts by the end of the year.

e. Wright Avenue, Fenwick Avenue. Under design.

f. Intersection improvements on Chatham Parkway at Veterans Parkway and Garrard Avenue. Being designed to install traffic signals at the interchange on Veterans Parkway and at the intersection of Garrard.

g. Intersection improvements on King George Blvd. at Grove Point Road. Being designed to install turn lanes and signalize the intersection.

RECOMMENDATION: For information.

Districts: All

AGENDA ITEM: XIII-3 Drainage
AGENDA DATE: November 7, 2008

TO: Board of Commissioners

THRU: R. E. Abolt, County Manager

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

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

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

FACTS AND FINDING:

1. Pipemakers Canal. The Pipemakers Canal extends from Bloomingdale to the Savannah River (over 13 miles). The project includes canal widening, bank stabilization, flood control structures to reduce tidal influence, bridges and culverts. Channel improvements downstream 1.4 miles from I-95 were completed in 2000. Construction of a sluice gate structure and channel improvements from SR 21 to the Savannah River (about 1.4 miles) were completed in 2005. Design of canal improvements downstream from the Airport to SR21 are complete. The US Army Corps of Engineers permit for channel improvements downstream of I-95 is approved. Right of way acquisition is underway. A project to improve operation and maintenance of the sluice gate structure is underway.

2. Hardin Canal. The Hardin Canal extends from Bloomingdale to Salt Creek near US 17 (over 12 miles). The project includes canal widening, bank stabilization, bridges and culverts. Several years of delay resulted from objections by the US Fish and Wildlife Service. A project to replace culverts under SR 307 with bridges is designed. Right of way acquisition is underway. The goal is to have the project under construction in 2009.

3. Conaway Branch Canal. The Conaway Canal extends from Bloomingdale at US 80 to Pipemakers Canal (about 1.6 miles). The project includes canal widening, bank stabilization and larger culverts. Except for revisions to comply with changes in State laws on soil erosion and water quality, the design is complete. Negotiations are underway to secure the final parcel of right of way for the project.

4. Little Hurst Canal. Improvements consist of constructing a new culvert under the railroad east of SR 21. Work is underway to acquire easements and rights of way, and to acquire permits for construction. Design will commence after accomplishing these tasks.

5. Wilmington Park Canal. The Wilmington Park Canal extends from North Cromwell Road to the the Wilmington River (about 1.4 miles). The project includes canal widening, bank stabilization and culverts. Construction of new culverts with tide gates at Wilmington Park Road was completed in 2002. Design is underway to widen and stabilize the channel in the area of Wilmington Park Road.

6. Kings Way Canal. The Kings Way Canal extends from the Kingswood Subdivision to Whitefield Avenue (about 0.7 mile). The project includes canal widening, bank stabilization

and culverts. Phase 1 was completed in 2005 as a part of the construction of Truman Parkway. Phase 2 is under construction and is scheduled to be complete in early 2009.

7. Village Green. This project constructed an outfall canal and provided access for canal maintenance. Project is substantially complete as of October 2008.

8. Dundee Canal. This project improves the tidegate structure and concrete headwalls. The project is under construction and is scheduled for completion by the end of 2008.

9. Louis Mills / Redgate Canal. The Louis Mills and Redgate Canals are tributaries to the South Springfield Canal. For construction, this project was combined with the Westlake project to replace the culverts under CSX railroad. On September 19, 2008 the Board approved rejecting all bids. Staff is working to repackage the project for construction of channel improvements without the culvert under the railroad.

10. Ogeechee Farms Area. The Ogeechee Farms project includes improvements to canals and culverts. Phase 1 was completed in July 2005 (piping about 0.2 mile of channel south of Vidalia Road and replacing a road crossing at Waynesboro Road). Phase 2 includes improving about 1.2 miles of channel and culverts (under roads and at Hodges Airport), and providing maintenance access. Design continues. Rights of way and easements must be acquired for construction.

11. Fawcett Canal. The Fawcett Canal serves the Georgetown area. The drainage system includes a network of open channels, culverts and storm drain pipes. Lagoons managed by the homeowners association are a functional part of the system. Phase 1 (completed in 2002) involved about 1.4 miles of canal widening and new tide gates at Grove Point Road. Improvements to the lagoons were completed in 2005. Construction is underway to replace storm drain pipes along Red Fox Drive to relieve flooding at White Hawthorn Drive.

12. Quacco Canal. The Quacco Canal extends from the Little Ogeechee River to the Regency Mobile Home Park (about 4 miles). The project includes canal widening, bank stabilization, larger road culverts, and providing access for maintenance. Completed work includes enlarging the US 17 culvert. Removal of the rice box structure at the outfall is substantially complete. Staff is negotiating with the construction contractor to establish the extent of additional construction costs. Design to improve road culverts along Quacco Road and construct channel improvements to protect the Regency Mobile Home park is complete. Right of way acquisition is underway.

13. Norwood Drainage Outfalls. The project will improve drainage capacity and access for maintenance. Four outfalls along Norwood, between Skidaway Road and Lester Avenue are being considered for improvements. Current work involves engineering work to identify potential improvements and define project scopes.

14. Golden Isles. The project involves improving the storm water collection system to relieve the severity and frequency of flooding within the community. Phase 1 was completed in 1997 (channel improvements and larger storm drain pipes between Blue Heron Drive and Golden Isles Way). Phase 2 (replacing driveway crossdrains and improving roadside ditches) was completed August 2008.

15. Henderson/Gateway. Drainage is provided by the Little Neck Canal and the Henderson Branch Canal (combined length about 2 miles). Development of the subdivisions led to increased rates and volumes of storm water runoff which the canals cannot handle. Design is underway to replace culverts at Little Neck Road, at Henderson Oaks Drive and at a golf path crossing.

16. Shipyard-Beaulieu Area. Design is underway to replace two culverts and a storm drain pipe at Beaulieu Avenue. County Attorney assistance to secure a temporary right of access agreement with a property owner to correct a ditch drainage problem is pending.

17. Grange Road Canal. The project to relieve flooding extends from Pipemakers Canal to north of Grange Road (about 1.8 miles). The original concept identified the need for an outfall to the Savannah River within the unopened right of way of Grange Road. In 2007, the GPA requested that the right of way be abandoned for a container berth expansion. Staff is working to coordinate the County's needs for drainage improvements with GPA's needs to expand.

RECOMMENDATION: For information.

Districts: All

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

A status report was attached for review.

AGENDA ITEM: XIII-4

AGENDA DATE: November 7, 2008

TO: Board of Commissioners
THRU: R. E. Abolt, County Manager
FROM: Robert Drewry Director, Public Works and Park Services
ISSUE: Provide Board a status update on RAP

BACKGROUND:

At the Board's request, staff has developed a Recreational Action Plan (RAP) that best utilizes the additional funds allocated to Parks and Recreation. 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. 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
2. FY 07 staff completed the following:
 - All eighteen tennis courts were renovated or re-constructed.
 - Tom Triplett Park Bridge is completed
 - Frank W. Spencer Boat Ramp - Renovation is completed and the restrooms were re-opened
3. FY 08 staff completed the following:
 - Westlake Neighborhood Park - Playground Equipment installation is completed.
 - Lamarville Neighborhood Park - Playground Equipment installation is completed.
 - Salt Creek Complex - Playground Equipment installation is completed.
 - Replacement of the pavilion at Grey's Subdivision is completed
 - Replacement of the pavilion at Runaway Point Park is completed
 - Replacement of the fence at Memorial Stadium is completed.
 - Repaired bridges at L. Scott Stell that connects park with playground/picnic area.
 - Replacement of light wiring for tennis courts at Lake Mayer is completed.
 - Kings Ferry Pavilions Roofs were completed the end of July.
 - Lake Mayer - Re-roofing of Restroom, Boathouse, Administration Building is completed.
 - Ambuc Sports Lighting - Installation of new lights is now completed.
 - Installation of the playground equipment at Hodge-Turner-Young is completed.
4. Status of CIP project recently approved by the Board:
 - Fred Thompson has been assigned as Project Manager to manage CIP projects for Park Services.
 - Turners Creek Boat Ramp parking lot paving - Engineering is currently working with a consultant for design.
 - Kings Ferry Park - New Restrooms design in progress
 - Resurfacing of the basketball court at Hodge-Turner-Young is expected to start within the next month.
5. RAP improvements identified in Park Services operating budget for FY 08.
 - Jim Golden Complex backstop replacement -Field layout provided by Chain Baseball and an engineer was hired to revise the plans to bid out.

- Change water source at the Soccer Complex - Design completion is pending.

FUNDING:
N/A

RECOMMENDATION:
For Board Information Only

[All Districts]

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EXECUTIVE SESSION

Upon a motion being made by Commissioner Shay and seconded by Commissioner Stone the board recessed at 12:20 p.m. to go into Executive Session for the purpose of discussing litigation, land acquisition and personnel. [NOTE: Commissioner Thomas was not present.]

Following adjournment of the Executive Session, the meeting of the Board of Commissioners was reconvened at 12:55 p.m.

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ITEMS FROM EXECUTIVE SESSION

- 1. BOARD CONFIRMATION OF PURCHASE OF 50-ACRE TRACT FROM 17-16 DEVELOPERS, INC., FOR DRAINAGE AND RELOCATING COMMUNICATIONS TOWER FOR THE DETENTION CENTER JAIL EXPANSION AND APPROVAL TO PLACE 15 ACRES OF WETLANDS IN A RESTRICTIVE COVENANT FOR TREE PROTECTION.**

ACTION OF THE BOARD:

Commissioner Shay made a motion to confirm the purchase of a 50-acre tract from 17-16 Developers, Inc., for drainage and relocating communications tower for the Detention Center Jail Expansion and approval to place 15 acres of wetlands in a restrictive covenant for tree protection. Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Commissioners Kicklighter and Thomas were not present.]

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- 2. DISCUSSION REGARDING APPROVAL OF SETTLEMENT REGARDING BUTLER CONDEMNATION (JON HART).**

ACTION OF THE BOARD:

Commissioner Shay made a motion to approve the settlement of the Butler condemnation in the amount of \$18,000. Commissioner Gellatly seconded the motion and it carried unanimously. [NOTE: Commissioners Kicklighter and Thomas were not present.]

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- 3. 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 Odell seconded the motion and it carried unanimously. [NOTE: Commissioners Kicklighter and Thomas were not present.]

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APPOINTMENTS

1. LIVE OAK PUBLIC LIBRARY

ACTION OF THE BOARD:

Commissioner Holmes made a motion to appoint Richard C. Dunbar to the Live Oak Public Library with a term to expire June 30, 2011. Commissioner Shay seconded the motion and it carried unanimously. [NOTE: Commissioners Kicklighter and Thomas were not present.]

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ADJOURNMENT

There being no further business, the Chairman declared the meeting adjourned at 1:00 p.m.

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APPROVED: THIS _____ DAY OF _____, 2008

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

SYBIL E. TILLMAN, CLERK OF COMMISSION