

MINUTES OF THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF CHATHAM COUNTY, GEORGIA, HELD ON FRIDAY, DECEMBER 5, 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, December 5, 2008.

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II. INVOCATION

Commissioner Patrick Shay gave the Invocation.

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III. PLEDGE OF ALLEGIANCE

All gave the Pledge of Allegiance to the Flag of the United States of America.

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IV. ROLL CALL

The Clerk called the roll.

Present: Pete Liakakis, Chairman
 Dr. Priscilla D. Thomas, Vice Chairman, District Eight
 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 welcomed the following Youth Commissioners who were in attendance: Jamesha English, a Senior at St. Andrews on the Marsh, Shanee' Ferguson, a Junior at Jenkins High School, and Lester Foster, a Junior at Groves High School.

V. PROCLAMATIONS AND SPECIAL PRESENTATIONS

1. **PROCLAMATION FOR VINCENT GREVEMBERG ON HIS RETIREMENT FROM THE ENGINEERING DEPARTMENT.**

Commissioner Farrell presented the following proclamation to Vincent Grevemberg upon his retirement from the Engineering Department after 31 years of service.



WHEREAS, Vincent J. Grevemberg became a dedicated and professional employee of Chatham County Department of Engineering and Public Works on February 14, 1977; and

WHEREAS, Vincent was hired as an "Ombudsman" and served in positions of ever increasing responsibility, culminating as the Senior Engineer for the Department of Engineering until November 30, 2008; and

WHEREAS, during his tenure with Chatham County, Vincent earned an enviable reputation for his expert knowledge and practical application of engineering theories and principles; and

WHEREAS, Vincent successfully and superbly managed a host of capital improvements throughout Chatham County; and

WHEREAS, Vincent is recognized as an expert on Geographic Information Systems (GIS) with the application of Light Detection and Ranging (LiDAR) technology for Countywide topographic mapping, and the implementation and management of a variety of GIS applications; and

WHEREAS, Vincent over the years received numerous commendations and accolades from supervisors, peers and the public alike for his service.

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

VINCENT J. GREVEMBERG

for over thirty-one years of dedicated service to Chatham County in the Department of Engineering and join his peers, office staff and co-workers in extending congratulations and best wishes upon his retirement.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of Chatham County, Georgia to be affixed this the 5th day of December 2008.

Pete Liakakis, Chairman
Chatham County Commission

ATTEST:

Sybil E. Tillman, Clerk

Commissioner Farrell said, congratulations. Mr. Grevemberg said, thank you.

County Manager Abolt said, Mr. Chairman and ladies and gentlemen, it's a little known fact but during the last legislative session there was a quiet amendment to the Enabling Act allowing the County Managers to exercise vetoes over retirements, and I want to announce my first veto. I don't want Vince [Grevemberg] to leave. Vince has been an absolute superstar for us. Some may remember, I know certainly Dr. Thomas, Commissioner Odell and Commissioner Shay going back to the time of his first term, there was a lot of discussion — at that juncture it was led by people like then-seated Commissioner Price — on what it meant to get involved with what was at that time called Savannah Electric on this thing called computer mapping and all sorts of wonderful things that the County had never taken advantage of. We had no resources to do that except Vince Grevemberg, and the reason we have SAGIS today, the reason it is so successful and our technology competes with any application not just statewide, but nationwide, is because of one man — Vince Grevemberg, and I will miss Mr. Grevemberg. I would like to have his immediate supervisor and boss, Al Bungard, to come forward now with a special presentation.

County Engineer Al Bungard said, this is a 30-year service in recognition presented to Vincent with great pleasure that we recognize your years of service and commitment to Chatham County. At this important milestone, we express our sincere appreciation for the service you have rendered and for the special contributions you have made to our organization. We strongly believe that each individual employee has the opportunity to add great value to our County. On behalf of the citizens, thank you for all you have done to contribute to the success of the County. Sincerely, Chairman Liakakis. In going through Vince's, and this part I call his dossier, it's one of the thickest personnel files I've seen in a long time, he was first hired in 1977 as an ombudsman. That was the title. I looked it up in my Funk & Wagnall's — the public official appointed to investigate citizen complaints against public agencies against the rights of individuals. Now he won't tell me what he really did, but since that time Vincent has held every position I think possible in the Department of Engineering in the Department of Engineering from Senior Aid up through when I made him my Senior Engineer, my right-hand man. This man has done it all, he can do it all. When somebody wasn't there to fill in, everybody goes to Vince, whether it be streetlighting, whether it be regulatory issues, managing SPLOST projects, his name hangs onto soccer fields, parks, trails, roads, paving. We will really miss him. So for all that, thank you, Vince.

Mr. Grevemberg said, well, thank you. I don't know if I deserve all of that, but I do appreciate it. I want to thank the Commission. Y'all are the best group of Commissioners I've ever had the pleasure to work with. I'm really glad y'all all returned for another term. That's great for the County, great for the employees to have y'all all back again. I want to thank Russ [Abolt] and Al [Bungard]. They're the two best bosses you could ever hope to work for. They've been very supportive of me and I couldn't ask for anything more. And lastly, I want to thank my wife, Karleen. She's put up with me all this time and she's got a lot more to put up with me on. Anyhow, that's all. I'm not going to keep you long, but thanks again.

Chairman Liakakis said, Vincent [Grevemberg], I'd like to thank you on behalf of the Chatham County Commission because from being an Ombudsman to the Engineering programs and all of those kinds of things, you've done an excellent job and helped the citizens in the County on many, many occasions. And also with the SAGIS that we have now, it's really important because your initiative in the beginning in help putting this together makes a big difference. It's make a big difference in our community now because being able to look at things and to put them in the right perspective, it can save the County and the citizens a lot of money because whether it's a water line or whatever the facility might be, this SAGIS helps us in lots of ways, but we really appreciate that and I know the citizens appreciate that too because it's going to save the County money in the future and also the City.

Mr. Grevemberg said, yeah, I'm glad you and Russ [Abolt] brought SAGIS up. That's one of the things I'm most proud of is my work on that project.

Commissioner Kicklighter said, and realtors across the area thank you for that. That saves a lot of time and effort. The public that's not familiar with that, if you want to be nosey about how much property your neighbor owns or something, you can get on SAGIS. It will show you the map of every parcel of property in the County and when you click on it, it will show you the acreage, the value, I mean, it's an amazing tool, and thank you for everything and I don't know what Mr. Bungard and myself is going to do now at public hearings because we're not known for being very tactful with our answers sometimes, and you can come in and give the answer in a little bit of a nicer manner than we could deliver it. So, I know — yeah, yeah. We'll miss you. Thank you.

Mr. Grevemberg said, thank you.

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VI. CHAIRMAN'S ITEMS

None.

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VII. COMMISSIONERS' ITEMS

1. SOUTHBRIDGE HOMEOWNERS ASSOCIATION PROPERTY TAX APPEAL (COMMISSIONER KICKLIGHTER).

Chairman Liakakis said, I'd like to call on Commissioner Kicklighter for the Southbridge Homeowners Association property tax appeal.

Commissioner Kicklighter said, thank you, Mr. Chairman. I will refer this over to Mr. Hart at this point.

County Attorney John Hart said, this is a tax appeal by the Homeowners Association of Southbridge and it involves a number of PINs. This was originally on your agenda in July 11, 2008. It was a request for a refund, and then there were several PINs that had some issues that were able to be resolved. At the time of that meeting, we as a staff recommended that the request for refund be denied. The primary reason we did that was that as to five of the PIN numbers there was a received Change of Value Notice. The Change of Value Notice was not timely appealed, and we have always required people to timely appeal. So it's not a situation in which there was an error insofar as how the County internally administrated the program. There may be a dispute as to value and that's why you send a Change of Value Notice, and we've had several other incidents that have been very high profile. People with Change of Value Notices consistently [inaudible] the same for everyone. And these particular people are good people. There was no attempt to try to get out of something, but those are the rules under the Georgia Code and we follow that.

Commissioner Kicklighter said, so they were mailed the —.

County Attorney Hart said, I believe their attorney's here and he may have some comments.

Commissioner Kicklighter said, but staff's opinion still is that they were mailed the information and did not file the appeal in time.

Chairman Liakakis said, get that over there — Jerrell [McRell], come get that from him. Identify yourself for the record please.

Mr. Rob Brannen said, yes sir. I'm Rob Brannen. I'm an attorney for Southbridge Development Company, who is the developer of Southbridge, but I'm here really on behalf and speaking for the Southbridge Homeowners Association just because I'm more familiar with the situation. Their attorney, Mark Bandy, is here with me. This just to make a quick analogy is as if I owned a parcel of vacant land and the Tax Assessor came in and assessed it as if it had a 10-story office building on it and then I failed to appeal that assessment. My only recourse would be to go ahead and pay those taxes and then come to you and ask for a refund. And that's essentially what we've done here.

Our position is not that we — we did miss the appeal period for various reasons that are not important, but the bottom line is that the assessor mischaracterized the property, just as you mischaracterize vacant land and property with a 10-story building on it. There's a big difference between land that is developable and land that is common area and this land is and has always been common area. The last three PIN numbers on the chart I've given you were developed around 1990 to 1994, in that area, and sat vacant as wetlands for all that time period. And the Assessors office, to their credit with SAGIS and other improvements in the last couple of years, started finding all these properties around 2003 and all of a sudden we started getting bills on these, and many of them we couldn't even define.

Parcel 1009-02-001 is a parcel of wetlands behind the Southbridge sales offices that's never been shown on any plat, but they figured out it was there because they took a plat of this property over here and a plat of this property over here and they said there's something in the middle here that we've never taxed, and those things got taxed. In July 2005 we found most of these. We deeded them all to the Association to make it clear that they were common areas, and when you have a common area there's just a nominal value on it. It's not a question of whether you're going to figure out what the valuation is. Either you value it as developable land or you realize, hey, this is not developable land, it's common area, so it has a different kind of valuation.

And finally this year or last year we were able to get in front of the Board of Assessors, and you can see in 2007 they agreed with us that all these properties were common areas and the value on Parcel 01 went from \$822,000 to \$30. And that's such a gross mistake, it's such a gross error. My client — the only way they could deal with this because the appeal period had been missed, was to pay the taxes, which they did, and come back to you and say this was just a gross error, these were mistakes, these were common areas all along. The Assessor's office should have known they were common areas and, you know, we didn't appeal them, yeah, but it's kind of like vacant land with a building on it. You would see there's no 10-story building on this property and you would say, "You know, that's a mistake, we shouldn't have assessed that building," and it's the same here. You shouldn't have assessed developable areas where there is no way they could ever be developed. They were conveyed to the Association. Almost all of these are wetlands. One of them doesn't even have access. It's back in the woods and there's no way to get to it because everything's been developed around it, and there are all kinds of reasons why the values are low. But that's not really the point, the point is that they were common areas and, therefore, they shouldn't have been assessed there, and that's why we're seeking the refund.

Chairman Liakakis recognized Commissioner Odell.

Commissioner Odell said, I agree, Rob [Brannen], and looking at '06, parcel ending in 001, \$822,000 down to \$30, that's a substantial difference, but would you not agree that in a default judgment where the party may not be libel, if they fail to deny that liability, that they accept it?

Mr. Brannen said, that is true in a default judgment, but fortunately, you know, we're not in front of a court, we're in front of the Commissioners —. Commissioner Odell said, I know, but the principle —. Mr. Brannen said, — and you have the ability to make things right. They are clearly — I mean, this is — you know, and this is why the Association is here. This is not the developer anymore. It's all these 2000 or 3000 people that live out in Southbridge and this was a difficult thing. You know, every year I would put a paralegal on this and she would just spend about 10 or 15 hours trying to locate these properties because most of them were pieces that were between other subdivisions, and we would finally get them and we would convey it to the Association, we'd send a bill to the Association or send a deed, and they would say what is this. There was a lot of confusion going on, as you know, when you go from a developer to an association about it. But the bottom line is the Assessor should have known. The developer doesn't give away stuff that has value. You know, they don't give away stuff that has value. We wouldn't have given it to anybody, and the Assessor should have realized that.

Commissioner Odell asked, so you all have paid it and you're asking for a refund? Mr. Brannen said, yes sir. Commissioner Odell said, because you said it was an error on the Assessor's part not the Homeowners Association, the owner of the property, to file an appeal or an objection or whatever procedure that other folk go through to say I don't agree with this assessment? That the fact that you all did not do that is excusable neglect, in your opinion. Is that right? Mr. Brannen said, it's excusable, yes. I mean, if I had — if I had a lot and you assessed it with a 10-story office building on it and then I didn't appeal it, would you say: sorry you've got to pay the taxes on that 10-store office building. It's just not right, Harris [Odell]. You know, I mean you can look at it and say it's just not right. My client's paid \$40,000 that didn't need to be paid.

Commissioner Odell said, I understand your position, Rob [Brannen], but I'm not certain if you understand the County's position, and that is at some point we've got to have a cutoff, otherwise we have no assurance that what we budget if we do not have a cutoff will ever be successful because there might be a thousand outside of the point of appeal that desires to appeal for right and just reasons. That's why the law says you have this amount of time; if you don't do it in this amount of time, it's forever — it's like a statute of limitations, and I'm not certain, and I'll admit if you drop from \$822,000 to \$30, there's something wrong in River City that what you say is true, that this is common area, this is not developable area to be developed, but my concern is that I think if we violate the law, we open up a can of worms which we can never seal.

Mr. Brannen said, I think there's a distinction between going and arguing valuation and going to the Assessor and saying this was just a mistake, you know. There wasn't a 10-story building on this property, and there never can be. At some point I think the County can look at it and say this was a mistake, this wasn't a valuation problem, you know, whether or not the owner has filed that valuation request. In this case I think there were extenuating circumstances just because of the difficulty in locating all these properties, the transition from the developer to an association, but I don't expect the County to always listen to people's excuses because you'll get hundreds of excuses, but I do expect you to look and see, hey, there's a mistake here and we do have the right to fix mistakes even if they weren't appealed.

Commissioner Odell is that Jon's [Hart] opinion? County Attorney Hart said, if it were the mistake of the Board of Assessors, yes, but there is no mistake on the part of the Board of Assessors here. They sent a Change of Value Notice. The owner determines the classification of land. Two of these parcels were marked future development and at that time and that economic situation before the downturn in real estate, you had 10 acres and it's marked future developed out in Southbridge, you would think that's worth some money, okay. We subsequently — they came in and said oh no, it's marked that, but it's not that and for the next tax year they changed it to common area values. The same thing for the PINs that I mentioned earlier. We changed the values for the subsequent years to common area. As soon as we know it's common areas, as soon as the owner designates it as that, we'll respect that and we'll value it accordingly. But the mistake of appealing these values was not anything done by the Board of Assessors. That's why you have the appeal process. If you do not think your value is appropriate, appeal it. And we encourage everybody to do that.

Commissioner Odell said, so if we made the mistake, we can correct a County's error that disadvantages the taxpayer, but if the taxpayer — and the law recognizes that ability. Is that true? County Attorney Hart said, correct. Commissioner Odell said, if the taxpayer for whatever reason fails to appeal the disadvantage, then the law does not recognize an exception for that? County Attorney Hart said, that is correct because, you know, when we get to the point past this, you have a cutoff time for appeals and they aren't appealed, you have to have some finality so that you know where you are. What if we have the next person up here who says I forgot? Commissioner Odell said, yeah, and it gets to be —. County Attorney Hart said, I was out of town. Commissioner Odell said, gets to be a gray area as to one's man excusable neglect as not for another, and it puts us in an untenable position.

Mr. Brannen said, you know, in July of 2005 we recorded a deed conveying all of these properties into the Southbridge Homeowners Association and the covenants by definition made that property common area. I mean that's legal definition and, you know, we did send that and that was how ultimately they agreed with us, I think, that this was common area because we showed them those documents, and that occurred in 2005 where we conveyed that property into the Association. The Association doesn't have the property to sell it or — I'm sorry, the ability to sell it or develop it once it's conveyed in, so legally it became common area at that point, and there's no mistake in that. It was common area and that deed was recorded in the County records. The Assessors, I know, pull and look at every deed. It's true that on some of these old plats, and the plats he's referring to I think were from — the first one was from 1992. It showed future development tract, but also in the plat you can see that the entire lot is wetlands, too, that it was not a developable property. It was just a designation the surveyor put on there. But in 2005 we conveyed these to the Association. They legally became common areas and could no longer be developed. They were not developable, and so they were common areas by operation of law. I think that was a County Assessor mistake.

Chairman Liakakis asked, Jon [Hart], you say this was not a mistake on behalf of the Assessors? County Attorney Hart said, correct. Chairman Liakakis said, okay. County Attorney Hart said, you know, you need to remember we not too long ago had another business up here involved a substantial sum of money and they missed their appeal time, and actually they took us to court over that issue and the judge ruled that you've got to follow the rules, and that applies to everybody.

Chairman Liakakis recognized Commissioner Kicklighter.

Commissioner Kicklighter said, so you have never appealed this? Mr. Brannen said, last year we did and in 2007 you can see the amounts have all been reduced to nominal amounts as common areas, but those properties were the same properties that have been there for — the last three have been there about 20 years in that same status. Commissioner Kicklighter asked, so where do you want — what exactly do you want? Mr. Brannen said, we want a reimbursement of the taxes for 2005 and 2006 less the values that were assigned to these properties in 2007 because we believe the 2005 and 2006 assessments were errors, were the result of errors. These properties were common errors and the assessor failed to recognize that whether we appealed them or not, just like the 10-story building, you could not —. Commissioner Kicklighter asked, so in other words, you didn't appeal it until '07? Mr. Brannen said, right, that's correct.

Chairman Liakakis said, Rob [Brannen], see, what we are faced with here is that we've had numerous letters coming to us in addition to in the past individual property owners who have some similarity in this and because of the appeal. I know I missed an appeal and, you know, even my position had nothing to do with that. I missed the appeal and I knew that I couldn't do anything about that, it had to go on, and it was a substantial amount of money. But the thing about it is, as was just stated, it places us in a compromising position because once we do this, then that means citizens can come up and then since it was done like this, then we're placed in a precarious situation because we deny it and it goes to court, then we win it like we have in the past, you see, we could be barraged with a lot of these things going on. So it's nothing against the Southbridge people and all of that, it's just unfortunately the way that it occurred and, you know, with that situation, and the appeal process is there.

Commissioner Odell said, Mr. Chairman, and I don't think I need to recuse myself, occasionally I buy real estate and when I do I've used Rob [Brannen], who I consider to be a friend and an excellent attorney, and should the real estate market turn around, I'll probably be buying something again and will call upon Rob [Brannen], and I sincerely wish that we could do something. My only concern is that the County needs a final decision at some point. If we do what you're requesting, Rob [Brannen], then I think we open up a can of worms which we're not willing to live with. I don't think we can live with it. We need finality and finality says if you did not appeal it, I don't know how we can go back and rebate '05 and '06 minus the assessment for '07.

Mr. Brannen said, you know, you do need finality and I agree a hundred percent with you that if you miss your valuation, you're stuck with what you get. I mean, I tell clients that, you know, every year. You know, I get tons and tons of those calls and I understand it, and I don't bring those before you. I don't come up here with those valuations, but if I have one where I feel like the assessor made a clear error, then I think that's a different situation. I think that in this case even it's not true with 2005 taxes, on January 1, 2006, there was a deed that by operation of law clearly made that property common area, and it's not a valuation question because when it's common area, the assessor automatically puts a nominal valuation number on it. It's the same as there's no 10-story building — I mean, you would agree if that 10-story building example — if you had that mistake, you would say we can't charge these people for a 10-story building, there was no building on that property, and it's exactly the same thing. When it's common area, it's common area by operation of law. The assessor automatically puts a nominal valuation on it. There's no — we're not arguing about the valuation. We're arguing about a mistake in characterization of what the property was, and I think that's a big difference. I think there was a mistake in how that property was characterized and I think that in 2007 the assessor acknowledged that, so we have proof that they acknowledged it. Nothing changed on that property between 2006 or 2005, actually from 1992 nothing changed on most of — on a couple of those properties. It was always the same, but we're not asking for all those years, and I don't have that record but I'm pretty sure that we were never even assessed for all those prior years because nobody knew the property existed. But in this case I felt like there was a mistake, it clearly became common area when that deed was recorded by operation of law and, you know, if there's clearly a mistake I think that's a different situation. I think that the County Commission has the right and a duty to look, you know, especially on this 01 parcel, that's a \$12,000 difference in taxes and to me that's not right for the County to take that money when it clearly was a common area. It doesn't seem right to me.

Chairman Liakakis recognized Commissioner Stone.

Commissioner Stone said, there's no doubt that a mistake is not made, but my question in just looking at what you handed out, if this has been going on now since 2005, why is it just coming — I mean, why is it just being caught now? Mr. Brannen said, it relates to the interaction between the developer turning over the property to an association, and I think that the tax bills would come to one place or go to the other place and they would get sent to the association, the association would send them back to the developer and say do something, the developer would say send it back to the association and say, no, you own this property, you have to do something. The associations, you know, are made up of people that don't deal in these issues very often and it slipped through for a couple of years, I guess. I really wasn't involved with it. Commissioner Stone said, but everybody knows that at some point you've got to pay property taxes and about when they're due, and so my concern is that, yes, a mistake has been made, but you know, if we have to wind back the clock for anybody that had a mistake over the last two years and we allow this, could they come forward and say you made a mistake but I didn't catch it until now — I mean, that could be opening Pandora's box for us. So I'm just really concerned as to, you know, who had the level of responsibility here that wasn't carried

out to the fullest and was it, it does — yes, the Tax Assessor made an error, but the property owner didn't catch it, and there's a fine line there between, you know, a mistake and who's right and who's wrong.

Chairman Liakakis said, okay. Jon [Hart], what is your recommendation now from the County —? County Attorney Hart said, my recommendation is the same as it was, you know, the first time it came up. I don't think there was an appeal filed. There's finality and you can't go back and unring the bell. This is property that, you know, it's a good example of why SAGIS is important is when you look at all these plats, you can have gaps in earlier years. At this point on the tax roll —.

Commissioner Odell asked, your recommendation is to deny the request for —. County Attorney Hart said, yes sir. Commissioner Odell asked, — for refund? County Attorney Hart said, yes sir. Commissioner Odell said, I'll make that motion. Commissioner Gellatly said, second.

Chairman Liakakis said, we have a motion on the floor and a second. Dean [Kicklighter]?

Commissioner Kicklighter said, just before it's denied, I'd like to see if possibly we could compromise and if it was actually recorded in '06 properly and possibly reimburse for that year, '06. County Attorney Hart said, I think that's the year in issue. Mr. Brannen said, well, we were asking for both years, but the deed was recorded in '05, so on January 1, 2006, that deed was recorded, making these common areas, yes. Commissioner Kicklighter said, it was actually recorded in '06, I really would like to see us do that. We have in the past reimbursed where we know we made a mistake on something like that.

County Attorney Hart said, the operative word is we made a mistake and, you know, if you've got property that it takes a paralegal 15 hours to figure out when you own, it would seem to me that if I owned the property, I'd want the Tax Assessor to know what it is and go down and record a deed. Hundreds of those are recorded every day, day in and day out. I think it's an intolerable burden to expect the Board of Assessors to be able to catch every property transfer, especially something this unique. Typically, that is brought to their attention and when it is brought to their attention, something is done about it, as was this case. That's all I can say.

Chairman Liakakis said, well, we have a motion on the floor and a second to deny this. Let's go on the board. Chairman Liakakis and Commissioners Stone, Shay, Farrell, Odell, Gellatly and Thomas voted in favor of the motion to deny. Commissioners Holmes and Kicklighter voted in opposition. The motion to deny was approved by a vote of seven to two. Mr. Brannen said, thank you. Chairman Liakakis said, the motion passes.

ACTION OF THE BOARD:

Commissioner Odell moved to deny the request of Southbridge Homeowners Association for rebate of taxes for 2005 and 2006 regarding PINs 1-1009C-07-048, 1-1009-02-016, 1-1009-02-00, 1-0989D-03-002, and 1-0989C-04-017. Commissioner Gellatly seconded the motion. Chairman Liakakis and Commissioners Stone, Shay, Farrell, Odell, Gellatly and Thomas voted in favor of the motion to deny. Commissioners Holmes and Kicklighter voted in opposition. The motion to deny was approved by a vote of seven to two.

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2. MAY STREET YMCA (COMMISSIONER THOMAS).

Chairman Liakakis recognized Commissioner Thomas.

Commissioner Thomas said, Mr. Chairman and members of the Commission, I placed that on the agenda and you have before you the information, full information of the request. It's important that we maintain the historical nature of this building so that it can provide the community services that it was established for, and this is the reason why I'm asking the support of the Commissioners today.

Chairman Liakakis asked, are you putting that in the form of a motion?

Commissioner Thomas said, I'd like to put that in the form of a motion. I move that we accept the proposal for the May Street YMCA. Chairman Liakakis asked, do we have a second? Commissioner Holmes said, second.

Commissioner Odell asked, can we define what the proposal is for the record? I know it's in the book, but for the record.

Commissioner Thomas said, \$350,000 toward the project of trying to update the building so that it could be functional.

Chairman Liakakis said, that's not coming out of the County budget, that's SPLOST funding that was already approved for that. Commissioner Thomas said, no it's not. It was 1993-1998 SPLOST. Excuse me? Chairman Liakakis said, that was to do that work at the Y, that was in SPLOST funding that was approved to do that. Commissioner Thomas said, yes. Chairman Liakakis said, so that has nothing to do with our County budget. Is that right? Commissioner Thomas said, it was approved in 1993.

County Manager Abolt said, that's correct, sir. For the particulars I'd defer to Mr. Monahan, because this does have some history to it. We certainly appreciate Dr. Thomas bringing it forward, but for the entire Board to understand the implication, I think you all would expect and Dr. Thomas has been very thorough in her letter to you, but I would ask a moment for Mr. Monahan to give you a tad bit more history.

Chairman Liakakis said, wait a minute. Let Patrick [Shay], he wanted to make a comment. Commissioner Shay said, it's irrelevant. Commissioner Odell said, okay, go ahead.

Assistant County Manager Patrick Monahan said, the Commission might recall that for the first time in the history of the sales tax in 1993, the County opted to share some of the proceeds with nonprofit organizations for community projects. In this particular instance, the County took title to the May Street YMCA. The County provided I think it was somewhere around \$830,000 for improvements to the YMCA, but that was mainly in addition that provides for childcare services and young child development services. The issue before you is actually the main building. It has become in deplorable condition. The roof is leaking, the mechanical system is dysfunctional, and because of those issues, the building is no longer in any community use. It's not used by any recreational leagues, it's not being used by the community groups, so this would provide an opportunity — it was initiated by the — the City of Savannah became interested in it. Dr. Thomas, because it's in her district, I actually went and looked at the building and the condition of the building with some of our folks, walked through it with the City of Savannah. The City of Savannah has committed \$350,000 for this project, asking would the County become a partner. Dr. Thomas has taken the lead in that in that regard, but this will be part of beginning for some other community funding as well. The YMCA has gone through a reorganized board to try to become more involved in the community and particularly to reemphasize its commitment to the community's youth, and I think that's what this is all about primarily. In West Savannah there's a dire need for youth — youth organizations and youth development, and this would be consistent with that mission.

Commissioner Thomas said, and I'd like to also add that the project is back on track now as far as getting everything in order.

Chairman Liakakis asked, any other comments?

Commissioner Thomas said, Rev. Thurmond Tillman is, I think, is the Director.

Commissioner Shay said, just to make sure I understand, so the money that we're allocating is intended for new capital improvements to the building? Mr. Monahan said, yes sir.

Chairman Liakakis recognized Commissioner Odell.

Commissioner Odell asked, how did the building get into such disrepair? Mr. Monahan said, typically with some nonprofit organization not having funding adequately a capital repair and maintenance, it all relates to funding and support by the community, and I think that everyone's, at least those associated with the project, see the need for this type of community asset and suddenly said, well, something's got to be done before it gets worse. Commissioner Odell said, my only, and I'm not certain I'm going to support it — I'm going to try to —, but what I do want to do is nonprofit or profit, if we contribute money and people say they will do things to improve a condition, I would like to have some gauge or measure so that at some period in time we can determine if they've done it. Mr. Monahan said, I've asked the same question. In this particular instance, the City of Savannah has agreed to become the lead agency. The funding would actually go to the City of Savannah, it would not go to the YMCA, and the City of Savannah will assign a project manager from its staff to oversee the project and there's —.

Commissioner Odell asked, and so how was the cost of \$700,000 determined? Mr. Monahan said, that is the initial contribution that will be necessary to replace the roof, put in a new mechanical system and then at that point, once the building is water-proofed again, then the interior work can begin and the interior work will be funded through private organizations. Commissioner Odell said, that area needs something like this. I agree with Dr. Thomas and I applaud her effort, but I want to make certain that there's not the mistaken belief that merely throwing money at problems is a solution. It's only a solution if you have some objective way and standards of measuring the impact of the funding, and I read the proposal and I don't know — I didn't see that in there. Correct me, was it in there? Mr. Monahan said, no sir, it was not. If you would like I can provide you with a detailed explanation of where the funding will be going. I didn't know that the Commission was that interested in it, but I can assure that there is a specific building program and where the funds will be used.

Commissioner Odell said, let me ask you a question so that it's not confused. This is not funding, the additional \$350,000 that was earmarked for May Street Y out of the SPLOST ending in whatever —. Mr. Monahan said, '98. Commissioner Odell said, '98. Mr. Monahan said, '93 to '98. Commissioner Odell said, right. Is that a true statement? Mr. Monahan said, excused me, say that again. Commissioner Odell said, let me repeat. This is not money that we had set aside earmarked for May Street Y? Mr. Monahan said, correct. Commissioner Odell said, this is proceeds left over from that SPLOST. Mr. Monahan said, correct. Commissioner Odell said, and they've already gotten \$800,000 from that SPLOST? Mr. Monahan said, yes sir, correct. Commissioner Odell said, okay. This is an additional \$350,000? Mr. Monahan said, correct. Commissioner Odell said, okay. Now again, I really want to see that organization revitalized, but — and I've said before and I'll say it again, and I know that there's some people that get angry at my even asking questions about it — but I'll say to them that I'm here for another four years and I'll ask any questions that I choose to. I do not want us to feel like we're being held hostage to have to give unless there's some benefit for that giving, and right now I don't know how we measure the benefit. I would like to see an audit. We paid eight hundred and some odd thousand dollars. Are you telling me we have an audit on file, Pat [Monahan]? Mr. Monahan said, yes sir, we do. Commissioner Odell said, okay. And we own that annex. Is that true? Mr. Monahan

said, we turned the title back to the YMCA on it. Commissioner Odell asked, so we do not own it? Mr. Monahan said, I would like to see if we spend the money we do an audit. We have up-front expenditures as to what is to be achieved, that we know that we're going to spend \$350,000 and this is what we're getting for spending \$350,000. You know, I see us — not just us, the City and the Board of Education —, we shouldn't have any problems in our community because we've spent enough money to solve every problem in this community, but we haven't. And the reason we haven't is that we've not demanded full accountability for everyone. The simple fact that you're a nonprofit organization to me does not say that you can come to the County and get money because of your mismanagement, and you must achieve the goals you say you're going to do. If they're willing to do that, then I'm willing to support it.

Commissioner Thomas said, Mr. Chairman, I'm going to withdraw my motion and ask that we table until we get all the information and then bring it back to the Commission. Commissioner Kicklighter said, second.

Chairman Liakakis said, okay, we had a motion on the floor —. Commissioner Thomas said, I move that we table it and get the —. Chairman Liakakis asked, would you withdraw that original motion then? Commissioner Kicklighter said, that's what she did and she made a motion to table. Chairman Liakakis said, okay, that's what you're doing. Commissioner Kicklighter said, and I seconded it. Chairman Liakakis said, okay. So she's making a request to table it. Helen [Stone], did you want to go into that?

Commissioner Stone said, I just want to say that I concur with the concerns of Commissioner Odell and I think —. The Clerk said, there's a motion to table —. County Attorney Hart said, motion to table.

Chairman Liakakis said, we had a second. We had a second for it. County Attorney Hart said, on a motion to table you've got to vote.

Commissioner Thomas said, we have a second to the table. Commissioner Farrell asked, but has the second agreed to the —. Commissioner Shay said, a motion to table is a motion to table regardless of what motion was on the floor.

Commissioner Stone said, right, but you're saying —. County Attorney Hart said, what I'm saying is once you make a motion to table and it's seconded, you've got to vote on the motion to table and that's it.

Commissioner Kicklighter asked, did the person that seconded her original motion agree that she can have a —.

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

County Attorney Hart said, you don't really need once you make a motion to table —. Commissioner Thomas said, that's it.

Chairman Liakakis said, I want the two of you to know that once that table motion goes in, there's no more discussion because I was getting ready, Shanee' [Ferguson], to recognize you and you for that, but that motion came up, so I just wanted to let you know. What we can do now, if you had something specific our Assistant County Manager can go over that with you, if you still would like to ask questions for that, okay.

Commissioner Stone asked, can I —. Chairman Liakakis said, yes. Commissioner Stone asked, is it alright for me to make a comment about what was just passed? County Attorney Hart said, you can make a point of personal privilege if it's so recognized by the rest of the Commission. Chairman Liakakis asked, do you request that? Commissioner Stone said, yes sir. Chairman Liakakis said, alright.

Commissioner Stone said, I just wanted to say that I think that it's the prudent thing that we do this with all projects, not just this project in particular, that with the economy the way it is, we have an obligation, as was discussed in the pre-meeting, to understand and to be able to have some accountability to funds that we donate to any organization. So I just wanted to say that for the record.

Chairman Liakakis recognized County Manager Abolt.

County Manager Abolt said, this is a point of perfecting the minutes. I know the terms contribution and donation have been used. Please understand those words do not apply here. You cannot contribute or donate tax dollars. It would have to be for services rendered or things built. So you're not donating and you're not contributing.

ACTION OF THE BOARD:

Commissioner Thomas moved to table the request for \$350,000 from the 1993-1998 Special Purpose Local Option Sales Tax for repair of the May Street YMCA until we get all the information to bring it back before the Commission. Commissioner Kicklighter seconded the motion and it carried unanimously.

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CHATHAM AREA TRANSIT AUTHORITY

Commissioner Kicklighter said, beforehand I would like to ask for the County Attorney, County Manager and possibly Assistant County Manager to be present in the audience during the CAT meeting because I believe I'll have questions that will — possibly need you to answer.

Upon a motion made by Commissioner Stone, seconded by Commissioner Farrell and unanimously approved, the Board recessed at 10:30 a.m., and convened as the Chatham Area Transit Authority.

Following adjournment of the Chatham Area Transit Authority, the Board reconvened as the County Commission at 11:34 a.m.

* * *

Commissioner Stone said, we have the addition from the Chatham Area Transit.

Chairman Liakakis said, wait a minute, before we do that. She brought up, let's bring it up now. Commissioner Kicklighter said, I make a motion to place it on the agenda. Chairman Liakakis said, to place this on the agenda for the Teleride. Do we have a second? Commissioner Stone said, second. Chairman Liakakis said, alright, a motion on the floor and a second on Teleride. Let's go on the board. The motion carried unanimously. Chairman Liakakis said, the motion passes.

Chairman Liakakis said, okay. As we know, we had a long discussion about the Teleride operation and the talk right now, maybe we might see some funding coming from, as a couple of Mayors told me, or maybe not, but that we approve the \$30,000 that was brought up by the RDC Transportation Program, and we need a motion on the floor.

Commissioner Odell said, I'll made the motion to approve. Commissioner Holmes said, second.

Chairman Liakakis said, and we have a second. Now, Patrick [Farrell].

Commissioner Farrell said, I think that there is a sense of panic in the air at the last CAT meeting and I would urge that we move with due diligence and caution as we go into this. We already have on the table a process where we're asking the municipalities if they would like to participate in this program. Chatham County is different than the rest of the counties in the RDC because we're the only county that has an existing public transit system. We already have the opportunity to provide these services. The City of Savannah has opted in, the unincorporated area has opted in. Now the other municipalities have an alternate service that would be provided to them. I would like to make the statement that what we're proposing to do is use countywide money to subsidize a program that will only benefit municipalities that currently opt out. I think this decision to participate on the RDC should be a decision of the city councils of all the different cities that are currently not participating. If they choose not to participate, then there must be some overriding reason that we're not aware of. I would also like to say that I would personally be glad to, as a Commissioner, to be a conduit for them to all participate, but I would like to see them — it's a very small amount of money, so there's no excuse why any of the municipalities can't afford their fair share based on population. There is — there's no reason that we have to push the panic button today to join this particular RDC when we have something in motion. We have not gotten the information back because, you know, we're focused on a very narrow spectrum of having certain folks that are going to, you know, there's a convergence with this Teleride problem. As we went over in the last meeting, there's no reason that we can't look at a hardship case, which a couple of them were mentioned, and have Teleride continue to pick them up as we figure out whether or not the other municipalities in Chatham County want to participate or if we come up with a better system. I mean, there's a lot of options out there and I don't know that the County joining the RDC on the principle of using countywide money to provide specific services to various individual municipalities that have for whatever reason chosen not to participate.

Chairman Liakakis recognized Commissioner Stone.

Commissioner Stone said, Mr. Chairman, I would respectfully disagree that there is some sense of urgency here from the standpoint that if we are going to be in compliance of the three-fourths of a mile fixed route, we can't continue to serve the entire County because we are not able to do diligence by the people that are — that we're mandated to take care of. So I do see some sense of urgency here. The second thing that I wanted to ask is we've been asking the other municipalities about their participation now for four to six weeks. I mean, how long does it take to get some type of a commitment from these other municipalities? I mean, I don't understand why we keeping asking for this information and we keep not getting it. So I'm concerned that, yes, there is a sense of urgency. We can't lose our federal money for this, and the way that Mr. Rivers explained this to me is that trying to do the entire County right now is causing the people that we're obligated to help, for them — for us not to meet the scheduling that needs to be met; therefore, causing complaints; therefore, requesting an audit. So I think that there is something broken here. The last comment that I would have would be that I don't see why we can't make this — I think it was Commissioner Odell said or Commissioner Shay — a pilot project and try it for a year. I mean, we don't have to be wed to this forever, but first of all I don't understand why we haven't gotten the information from the other municipalities; second, I do see some urgency; and, third, I think we could do it for a one-year project and see what happens.

Chairman Liakakis recognized Commissioner Kicklighter.

Commissioner Kicklighter said, the County basically pays for and contracted CAT to provide transportation services for citizens who qualify by having various disabilities. As we know, that service is called Teleride. CAT has now been mandated to by the ADA Act of 1990 to the following. It requires that public entities operating fixed route transportation services for the general public also provide complimentary para-transit service to persons unable to use the fixed route system. Key words here would be public entities, which that's CAT, Chatham Area Transit. Another key word in this is also — also provide complimentary para-transit services. Also, you can interpret that to mean another, in addition or more services than what the public entity, which is Chatham Area Transit, currently offers with a fixed route transportation system only. If this description makes — this description makes Teleride a part of Chatham Area Transit. By doing so, it forces illegal financial participation in Chatham Area Transit by the cities who have opted out of it. Another key word there is unable — to persons unable to use the fixed route system. The key word being unable, what qualifies a person to be unable to use our fixed route system? I'm starting to wonder if this recommendation is not backwards. I believe that we have all buses that currently run on the fixed route system are equipped for handicapped citizens. If you live within three-fourths of a mile from a fixed route, it makes logical sense that you would have a much better chance to have a ride on this bus that is equipped for handicapped persons than people who live further than three-fourths of a mile away from a fixed route system who could not at that point walk to a service. So I believe that we may have this part actually backwards, which we being the federal government there, but looking at the key word legally of unable, maybe the qualifications of Teleride needs to be adjusted a little bit because if you can make it within three-fourths of a mile to a fixed route system, then that's possible. But what we're hearing even amongst people, which is very sad to me, laying it out, is we now have — and it's called human nature: if it don't affect me, leave it along, and it happens to everyone and unfortunately we all play a part in that. We have handicapped citizens who maybe satisfied because they are not going to be affected, but we have other handicapped citizens who are going to lose their service, and it's not right. We've got to try to protect everyone. I think we have the options available to provide the service of Teleride to everyone. We've got a \$1.5 million line of credit that we could utilize to enhance Teleride, and looking at it this way — I didn't bring my numbers from the last meeting, but I believe that the citizens who are being estimated to be cut out of Teleride pretty much made up about, I think it was like one-third of the operating expenses. I believe it was around \$200,000 or so. I'm not, I can't remember exactly, but how do we expect the rural transit system to begin to — in other words, if those people alone utilize the service, as a replacement the cost is going to quickly escalate for us from that small \$30,000 to way up there, especially if the citizens living in those cities utilize it to help these cities also. So what we're possibly setting up for is a huge cost next year to keep that type of service going, when we can face what we have to face today, which is a deficit on Teleride, which I believe we can really overcome if we get just a little bit creative rather than putting something through that makes us all feel good today, but, y'all, we know nothing in life is free. Year after year we get stuck with bills from the State and they're stuck with bills passed down from the federal government. Why in the world do we believe that the State of Georgia will not pay us to house prisoners like they should, but they're going to continue to pay for a transportation service. We've never even had money in recent years from the State for the transportation service we offer, and, you know, like I said, eliminating this fixed route — if you have to call it whatever you have to call it to make it survive, that's fine, but that service by law should be provided if attached in that way, it has to be provided within the budget of the Chatham Area Transit budget, and then we can continue as this Board being separate people to fund the overall budget for that type of service out there. But I honestly think that we're just — I think that we can make it work out this year. I know we can, and I'm not — I'm not worried. I know y'all are a great group of people and everybody's intent is good, and I know we're not going to strand the people out there. I know that, but they're scared to death and they're calling constantly and, excuse me, they're calling constantly and if we fix or attempt to fix our problem now with Teleride with a bus-type service from the State, we haven't even seen a budget request like we're going to see here coming up shortly. There's no way they're going to operate this system and provide over \$200,000 or whatever worth of service for just our handicapped citizens for \$30,000. Not to mention if others throughout the area that aren't physically handicapped utilize that service to travel. We're going to be in a world of hurt. If we're going to approve it, we need to in my opinion approve them as two separate issues and let one stand on its own and the other stand on its own as it has over the past year or so. I just — I'm scared that we're going to jump into something that's illegal and it's going to come back and bite us so bad in more than one way, and —.

Chairman Liakakis said, let me explain to you about the \$1,500,000. This Board approved signing, guaranteeing a line of credit for the CAT system. We did it twice. We did it last year, we did it this year. Now let me tell you what they did. They used all that money last year. That's a line of credit because if we hadn't guaranteed it and they didn't have the money, we would have just about closed down the bus system. We wouldn't have had the bus system operating unless we did something else, but that \$1,500,000, they need that to pay salaries, they need that for the equipment they need and all of that. That was what that was for. We did it again this year — and they paid it back. They paid it back to us. We did it again this year, that \$1,500,000 guarantee for that line of credit so they could continue to operate because they weren't always getting their funds in from the federal government coming in. So that's what that — that's not a line of credit for the County. That's the money to help them to operate until they get that money from the County. Now one thing on here is that this situation where we're talking about that \$30,000, what we can do, if it's everybody there, Pat volunteered to do it. If somebody else would like to go with me and we'll get with Allen [Burns], with Barbara Hurst, to go over there, explain it to each one of those six cities about that, but we need to do that by January 1st so that we don't have these people, and let me just tell you this, not only do I represent each one, I represent almost 275,000 people and I've got a huge amount of calls. I can remember at least 43 phone calls that I got in addition to those letters and all about people that were immobile, that they were blind, that they were in wheelchairs, that they were on walkers, and they just could not have anybody — they don't have anybody but maybe a next-door neighbor once in a while possibly taking them, as you were mentioning, for dialysis, for going to the doctor, for the other things that they have to do to survive in that, and some of them were crying when they were speaking to me because they were out of that three-quarters of a mile area that the CAT under the circumstances for Teleride, cannot go beyond the regular service, going beyond three-quarters of a mile for that Teleride. We have to have a separate situation on that. So that means all of those people in those areas because I've been there talking with those. I've talked to a number of them.

Chairman Liakakis said, but what I'd like to do right now, if the Board approves that, that I'd like to take Patrick, with myself, Barbara Hurst, who heads up that transportation division for Allen [Burns], who is the Executive Director, and anybody else, and we go over and explain this to each one. We bring it back at the next meeting so we can approve it right away so that that service can be implemented as soon as possible. Is that right, Allen [Burns]? Okay.

Commissioner Odell said, so you're tabling this? You'd like to see this tabled until the next meeting, December 19th?

Commissioner Kicklighter said, Mr. Chairman, in addition to that, I would like for us to make a motion that we notify each elected member of every city in Chatham County that we need a resolution from their city by January 1st either supporting or denying participating on the rural transit plan, by January 1st, and that if we receive nothing back, we will interpret that as yes they want to participate.

Chairman Liakakis said, well, let me just tell you. If you send that out right now, some of them have already had their meetings, okay. They would have to have a special meeting. I think Barbara Hurst, and she's done an excellent job going —, and if somebody else would like to go with Barbara, you know, we have this committee — he and I right now and Helen [Stone], that we can talk to those individual mayors and have a special meeting with them, if that's possible, but we need to do this —. I mean, the thing about it is, they might —, I can tell you this right now. If we just send this letter before we make contact, a human contact with them, we're going to have the results of a resolution coming back that they're not going to approve it, and if we make, like Barbara does a great job in that, if she goes over there and talks and fully explains that this small amount of money and what it has the capability of doing, just like the Mayors of Pooler and Garden City told me, oh, maybe our City Council will go ahead and do that. I've already got that, you know, partial commitment. If they fully understand that, that it will do that. And so that's what I'd like to do because doing what you're saying, Dean [Kicklighter], we might not have the time — Commissioner Kicklighter said, I understand. I understand, Mr. Chairman. Chairman Liakakis said, by January 1st so those people will not have the service and that's not right.

Commissioner Kicklighter said, but we've been asking the cities now for two separate meetings that we've had here, staff has contacted for well over a month now, has contacted each city and asked for this, and we've still not received anything, and at some point — again, I'm not going to strand or whatever I can do, anything humanly possible, and I don't think any of us will be the ones that stands anyone. I'll make the decision if they don't — if they don't do their job as we've asked.

Chairman Liakakis said, alright you can make that motion, but hold on. Here's what I'd like to do. Patrick [Farrell] was next and then Priscilla [Thomas].

Commissioner Farrell said, alright. Again, I want to reiterate. We've got three issues on the table here right now and we're trying to solve it with one bullet I think. We've got a Teleride issue, we have an RDC issue and we have a CAT issue. The RDC is a solution, but it's premature to be voting on that today because we're still waiting — we're still waiting on information from the cities. As I stated earlier, it is not the principle of having the entire county pay for a service that is going to go directly to certain cities. It's a very small amount of money. I feel like they should have the opportunity to step forward and say, yes, we want this for our city, whether it be Garden City or Port Wentworth or whatever, and enter into an intergovernmental agreement, which we do all the time with different cities in this community, that they are going to participate financially. It may only be \$10,000 or \$12,000 or \$5,000 from each city. They can all afford that and then they would be providing the opportunity for their citizens to participate in this. So, therefore, I want to say that we wait until this takes place. We also had on the Teleride issue, we have not gotten the information from the proposal that we had at our last CAT meeting, which has nothing to do with the Commission meeting, but it has something to do because on the Teleride we wanted to explore — we had a gentleman come in or some information a while back that said we had too many taxicab services in Chatham County, way too many for our population. Well, why not tap the taxicab companies that are providing people rides for those that are able to use the rides in a combination with the Teleride. Teleride would be exclusively for the handicapped, the wheelchair people. The other would —.

Chairman Liakakis said, hold it now, folks. I appreciate y'all in coming here and I know all of you, but please do not blate out, please don't make statements while some Commissioner is talking, and let me just tell you, this is a technical thing. We know how important it is for the Teleride services who go beyond that three-quarters of a mile. We fully understand that. Everybody that lives within three-quarters of a mile of Teleride services to a bus stop now will continue to have it. The only thing that we are considering right now is the Teleride services beyond the three-quarters of a mile. We want y'all to know that, and it's not anything different at this particular time, okay.

An unidentified gentleman said, today is Friday. If I had to go to the doctor Monday, if I had called Teleride I'm not going to get there.

Chairman Liakakis said, well, listen, wait a minutes. We'll let you talk to somebody with Teleride because Wayne [Dawson], who's a member here, you speak to him and then we can go from there. Priscilla [Thomas] is next and then you.

Commissioner Thomas said, I was about to ask — call for the question, but I would yield to you if my colleagues —. Commissioner Odell said, I think that's a great idea. Commissioner Thomas said, I call for the question. Did you have a motion and a second on the floor. Am I right, Sybil [Tillman].

Commissioner Kicklighter asked, what was the motion? Commissioner Thomas said, report the motion.

The Clerk said, approve \$30,000 — it wasn't a motion — that we approve \$30,000 — this is what the Chairman said, that we approve \$30,000 that was brought up by the RDC and asked if we have a motion on the floor, and Commissioner Odell said, so moved and Commissioners Holmes and Thomas said, second.

Commissioner Kicklighter said, so this is not reducing Teleride. This motion is to implement the RDC thing.

County Attorney Hart said, we have a motion on the floor for a table. Is there a second to the motion?

Chairman Liakakis said, we had a motion —. County Attorney Hart said, excuse me — call the question. Has that motion been seconded?

Commissioner Kicklighter said, that motion is not on the agenda, sir. Our motion was to add on the agenda the Teleride thing, not that.

Commissioner Thomas asked, Mr. Chairman, who made the motion for the \$30,000. Commissioner Odell said, I did. Commissioner Thomas said, and there was a second and then we went into discussion, and this is where we are now.

Chairman Liakakis said, and then you spoke, Helen [Stone], about — you spoke on it, too.

Commissioner Kicklighter said, this has nothing to do with Teleride. This is the thing that the Chairman said he wants to wait on. Commissioner Farrell said, right, we need to —. Commissioner Kicklighter said, wait on the cities. Commissioner Farrell said, we need the gestation period.

Chairman Liakakis said, alright, here's the situation right now. Let me just throw this out. That Allen [Burns] has agreed to that. He is Barbara Hurst's director and her go to those cities to talk to them about participating in anything for Teleride that RDC will provide that service for there cities.

Commissioner Odell asked, are you asking for a motion to table? There's a motion on the floor to approve \$30,000 for RDC. Now that motion has a first and second. You called for the question. Where we are now is [inaudible] —. Chairman Liakakis said, well, I guess —. Commissioner Odell said, or we have a motion to table. County Attorney Hart said, correct. Commissioner Odell said, now those are the Robert's Rules of Order.

Commissioner Kicklighter asked, so can you make a motion —.

Chairman Liakakis said, alright. Jonathan [Hart], give us the —. Commissioner Odell said, you can make a motion to table. County Attorney Hart said, you can make a motion to table, which will just postpone this motion to whatever time —. Commissioner Kicklighter said, that's what you want to be able to —. County Attorney Hart said, — a motion to table definite or indefinite period of time.

Commissioner Kicklighter said, I'll make the motion to table then. County Attorney Hart said, in the alternative, if you want to, you can call the question and then you've got to vote on the motion. It cuts off discussion.

Chairman Liakakis said, alright, then table the motion from right now until the next meeting, so that gives us enough time to go through it.

Commissioner Kicklighter said, as requested by the Chairman I will make a motion to table until the next meeting. County Attorney Hart asked, is there a second? Commissioner Farrell said, second. Chairman Liakakis said, alright, to table. Commissioner Kicklighter said, and I would — if the lady, someone has had their hand up. I don't know —.

Chairman Liakakis asked, would you come up here, if you'll speak for the group a minute please. Commissioner Odell said, if you've got a motion to table that cuts off discussion. Chairman Liakakis said, oh, you can't do it. Excuse me. We have a motion on the floor to table it. We cannot talk to you right now to table it and you cannot have discussion after a motion and a second to table.

Commissioner Kicklighter said, I'll make a motion and let you speak afterwards. County Attorney Hart said, you can't do that. Commissioner Kicklighter said, so I'll question now and then I'll make a motion in a minute to let her say something.

Chairman Liakakis said, let's go all on the board to table this until the next meeting. Chairman Liakakis and Commissioners Stone, Holmes, Farrell, Gellatly and Kicklighter voted in favor of the motion. Commissioners Odell and Thomas voted in opposition. The motion to table carried by a vote of six to two. [NOTE: Commissioner Shay was not present.]

Commissioner Kicklighter said, Mr. Chairman, at this time I'd like to make a motion to amend the agenda to let this person address the Commission.

Chairman Liakakis asked, do we have a second? Commissioner Farrell said, second. Chairman Liakakis said, all in favor, go on the board. The motion carried unanimously. [NOTE: Commissioner Shay was not present.]

County Attorney Hart said, Mr. Chairman, she may speak to this Commission on whatever issue she wishes to speak on, but you have already as a Commission decided that this issue is tabled for no further discussion. So what you are doing is taking it only as information and there will be no discussion by the Commission back.

Chairman Liakakis said, come forth and you can give us as a point of information please.

An unidentified lady said, I can bring it to you or I can take it to the media, it doesn't matter. Commissioner Farrell said, the media is here. The unidentified lady said, okay, great. I have real issues with what is going on here. Barbara Hurst in the very beginnings of this went to all of the municipalities about this. It was a county issue. She went to all the municipalities and she did not take a vote there, ask for a vote there because this was a county issue. This does not replace Teleride. I live in the core area. If you do not pass this regional development plan, I as a person cannot call this place. One leg of the trip has to be rural. If I want to go outside of Chatham County, if you do not accept this, I will not be able to — people in these other counties can come into our County. This is for your information so you're clear on what you're doing to people within this County. If you do adopt this Regional Development Plan, transportation plan, I as a person in the City of Savannah can plan a trip to Brunswick, to Waycross, any of the participating counties. If you do not pass this, you're taking away the rights of all these people to travel within this region on a transportation plan that only costs three bucks. This is my issue with what — this has been tabled three times and I understand it's been tabled again. We are tired. We have listened to all the rhetoric and all the political drama, and it's time for you guys — I know you're putting it off until the next meeting. Can somebody tell me when the next meeting is? Chairman Liakakis said, December 19th. The unidentified lady said, December 19th. I would urge all of you to think long and hard because we're not going to sit still, and I appreciate the people who are trying to understand what's going on here, but there's too much rhetoric. The simple thing is this does not replace Teleride. Teleride has nothing to do with it. Teleride is being called back into a mandate. They cannot do this because it's against federal ADA law — excuse me, ADA law. It's against ADA law to make a person — I am a user of Teleride. Right now if I don't put my request in a week in advance — this has nothing to do with your — I'm explaining to you what's going on here. Teleride has nothing to do with this. The people who are — Teleride is obligated to take and serve and we are not being served because you're trying to make this a countywide thing and it won't work. The Department of Justice will not allow it to work.

Chairman Liakakis said, alright, thank you, ma'am.

The unidentified lady said, thank you. I appreciate your time and I'm sorry, but I did think you guys needed some clarification on what this transportation means to a person in Chatham County that wants to travel elsewhere.

Chairman Liakakis said, thank you very much. I appreciate it.

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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 BUDGET TRANSFERS AND AMENDMENTS: (1) IN THE SALES TAX IV FUND A TRANSFER \$200,000 FROM THE DIAMOND CAUSEWAY PROJECT TO THE JOHNNY MERCER SIDEWALKS/BIKEWAYS PROJECT, (2) INCREASE REVENUES AND EXPENDITURES IN THE GENERAL FUND M&O TO RECOGNIZE THE ROLL-FORWARD OF 2008 ENCUMBRANCE BALANCES OF \$1,919,644, (3) TRANSFER \$120,190 IN THE STREET PAVING FUND TO TRANSFER OUT TO CIP FOR PURCHASE OF A POTHOLE PATCHER, (4) IN THE SPECIAL SERVICE DISTRICT FUND: A) INCREASE REVENUES AND EXPENDITURES TO RECOGNIZE THE ROLL-FORWARD OF 2008 ENCUMBRANCE BALANCES OF \$65,821, AND B) TRANSFER \$970,730 FROM INDIRECT COST ALLOCATION TO RECORDER'S COURT, AND (5) INCREASE REVENUE AND EXPENDITURES IN THE CAPITAL IMPROVEMENT PROGRAM FUND \$120,190 FOR THE TRANSFER IN FROM THE STREET PAVING FUND.

Chairman Liakakis asked, any comments? Any comments? Did you have anything this?

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

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

ACTION OF THE BOARD:

Commissioner Farrell made a motion to approve the following budget transfers and amendments: (1) In the Sales Tax IV Fund a transfer \$200,000 from the Diamond Causeway project to the Johnny Mercer Sidewalks/Bikeways project, (2) increase revenues and expenditures in the General Fund M&O to recognize the roll-forward of 2008 encumbrance balances of \$1,919,644, (3) transfer \$120,190 in the Street Paving Fund to Transfer Out to CIP for purchase of a pothole patcher, (4) in the Special Service District Fund: a) increase revenues and expenditures to recognize the roll-forward of 2008 encumbrance balances of \$65,821, and b) transfer \$970,730 from Indirect Cost Allocation to Recorder's Court, and (5) increase revenue and expenditures in the Capital Improvement Program Fund \$120,190 for the transfer in from the Street Paving Fund. Commissioner Stone seconded the motion and it carried unanimously. [NOTE: Commissioner Shay was not present.]

AGENDA ITEM: IX-1**AGENDA DATE: December 5, 2008**

TO: Board of Commissioners

THRU: R.E. Abolt, County Manager

FROM: Linda B. Cramer, Finance Director

ISSUE: To request approval of the following budget transfers and amendments: (1) in the Sales Tax IV Fund a transfer \$200,000 from the Diamond Causeway project to the Johnny Mercer Sidewalks/Bikeways project, (2) increase revenues and expenditures in the General Fund M&O to recognize the roll-forward of 2008 encumbrance balances of \$1,919,644, (3) transfer \$120,190 in the Street Paving Fund to Transfer Out to CIP for purchase of a pothole patcher, (4) in the Special Service District Fund: a) increase revenues and expenditures to recognize the roll-forward of 2008 encumbrance balances of \$65,821, and b) transfer \$970,730 from Indirect Cost Allocation to Recorder's Court, and (5) increase revenue and expenditures in the Capital Improvement Program Fund \$120,190 for the transfer in from the Street Paving Fund.

FACTS AND FINDINGS:

- (1) The County Engineer has requested a \$200,000 budget transfer in the Sales Tax IV Fund from the Diamond Causeway project to the Johnny Mercer Sidewalks/Bikeways project. Correspondence is attached.
- (2) A portion of the fund balance in the General Fund M&O and Special Service District Fund is reserved at year end for purchase orders and contracts that have been issued but not paid. Funds are carried forward to the current fiscal year to cover these open commitments. Items 2 and 4a in the Issue statement amend the current budgets. Resolutions are attached.
- (3) Board of Commissioners approved the purchase of a pothole patcher at their November 7, 2008 meeting. Funding is to be provided by a transfer of \$120,190 from the Street Paving Fund to the Capital Improvement Program Fund. This action will put monies from street paving assessments to use for street repairs. A budget resolution to amend the Street Paving and CIP Funds is attached.
- (4) The adopted FY2009 Special Service District budget includes an appropriation of \$1,001,000 for Indirect Cost Allocation payments to the General Fund M&O. A study by the Internal Audit Department has determined that the Recorder's Court receives support equal to \$970,730 from General M&O departments. A transfer between the two budgets is requested to more accurately reflect where the costs are incurred.

FUNDING: Funds are available in the Sales Tax IV and Special Service District Funds for the transfers. The budget amendment will establish funding in the General M&O, Special Service District, Street Paving, and Capital Improvement Program Funds.

ALTERNATIVES:

- (1) That the Board approve the following:

SALES TAX IV FUND

transfer \$200,000 from the Diamond Causeway project to the Johnny Mercer Sidewalks/Bikeways project.

GENERAL FUND M&O

increase revenues and expenditures by \$1,919,644 fund balance reserved for encumbrances.

STREET PAVING FUND

transfer \$120,190 to Transfer Out to the Capital Improvement Program Fund for purchase of a pothole patcher.

SPECIAL SERVICE DISTRICT FUND

- (a) increase revenues and expenditures by \$65,821 fund balance reserved for encumbrances.
- (b) transfer \$970,730 from Indirect Cost Allocation to Recorder's Court.

CAPITAL IMPROVEMENT PROGRAM FUND

increase revenues and expenditures by \$120,190 Transfer In From Street Paving to purchase a pothole patcher.

- (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. PROVIDE A STATUS REPORT ON CHANGES IN PUBLIC MENTAL HEALTH AND ADDICTIVE DISEASE SERVICES IN CHATHAM COUNTY.

Chairman Liakakis said, we'll call on our illustrious Executive Director of the Chatham County Health Department, which covers not only our area but other areas also. Dr. Skelton?

Dr. Douglas Skelton said, Mr. Chairman and members of the Commission, I appreciate the confidence you've expressed in me to allow me to keep you updated on what's going on in the County regarding these important services. I do want to clarify that there seems to be an issue as to what the County Health Department has offered to me, and all the Board of Health has done was, Commissioner Odell is part of that board, is to say that if called upon by the State, the Board of Health would be willing to develop and run such services. We would have to be called on by the State because the State provides all the contract money, the State governs the special Medicaid that you have to provide Mental Health Services, so without a competitive issue it was an opportunity to say we're here as a safety net; if you need us, call on us.

Where we are today, as I'm sure you're aware, the Savannah Area Behavioral Health Collaborative is basically no more as of today, although the services that are being provided are continuing to be provided by former partners. As of the first of the year, the State will pull their contracts and cancel the Medicaid numbers. The State person responsible for this is a Mr. Charles Ringling. He is the Regional Director for services in this area, including Chatham County. He has contacted other what's referred to as corps providers. These include American Works, the Savannah Counseling Service, which is Gateway has a subsidiary in this County, and Recovery Place, an addictive disease program that many of you are already aware of, and those three interim providers look like they will be providing big enough services as of January 1, perhaps before, and will provide those services for up to six months while the RFP is issued for someone to be designated to provide services permanently for Chatham County. That is the position that we are in today. I have been in touch with Mr. Ringling on several occasions. I have also talked with Gwen Skinner, who is the Director of the State Mental Health and Addictive Disease and Developmental Disabilities Program, and all are aware that the County Board of Health continues to say that if we're needed, call on us and we will do what we can to assist in this process. If the State does not need us and they feel that that appears to be the case at this point in time, they wish to go forward with these other providers on it in their own basis, we still remain ready if called upon to do what we can to assist with this problem. That's what we are today. I'd be happy to answer any questions or provide any clarification any of you might like.

Chairman Liakakis said, Dr. Skelton, now the ones, because I see there's some in the audience here now that represent, you know, one of those — some of those agencies, but now the State, Mr. Ringling, is it he or his superior that's making the decision about the local people providing the services beginning on December — I mean, January 1st.

Dr. Skelton said, he's the Regional Director and he reports to the State Director in Atlanta, and I believe they are already negotiating with three interim providers to pick up the services, and that would be American Works, Gateway doing business as Savannah Counseling Center, and Recovery Place. And then they're going to issue an RFP for some provider to be selected to provide services on a permanent basis.

Chairman Liakakis asked, okay. Any questions from the Commission?

Dr. Skelton said, Mr. Ringling did say he would be happy to provide periodic reports to this Commission. I told him that might be something you would like to have, either in writing or verbally, and he indicated he would be willing to do that.

Chairman Liakakis said, yeah, and that's really important, Dr. Skelton, and we appreciate your participation in it and all because these services, we cannot abandon those people in our community from getting those services, which are very important. Those people with disabilities and, you know, they might be mental or what have you, because we can see what has occurred in our area, as well as other around the State that a number of those services have been reduced.

Chairman Liakakis recognized Commissioner Shay.

Commissioner Shay said, I will try and be very brief. First, I'd like to say that we are greatly blessed to have you in our community and your leadership and your willingness to step forward at this time in your professional capacity, but also to give of your own time to try and sort this very complicated and difficult situation out. So, first of all, I want to praise you and thank you for your willingness to step forward.

Commissioner Shay said, I got a telephone call the other night from somebody who is one of the leaders on the Hospital Authority and he said to me, you know, he must have heard about it in the media about the dissolution of the Collaborative, and he said, you know, I think I can be a part of the solution. I want to step up, and that gentleman's name is Rex Templeton, and Rex is a good strong, intelligent and hard-working individual, and as a member of the Hospital Authority I hope that you will invite him to be a part of the solution because he's, like you, willing to roll up his sleeves and tackle difficult problems on a going forward basis. My comment, Mr. Chairman, is only that for about the dozen'th time we're seeing that the State Government and the Federal Government are stepping back from the responsibility and the expectation that's being created that they are responsible for helping us to keep the least among us in many ways from suffering, and there's an old saw, I'm told, up there in the Georgia State Legislature about something called the State of Chatham, and guys, this is another example about how we at the State of Chatham here have got to figure out what our strategy is going to be, with your help, sir, and with the leadership of this Commission and figure out how we're going to solve the problem because if we keep waiting for Mother State and Father Federal Government to come in here like some kind of Messiah and save us, it's going to be a long, long wait. And because at the end of the day we are the inheritors of the situation when people are no longer are able to take care of themselves and end up over in the Chatham County Jail in order to get their medications or be able to get service or get treatment, then we have no choice. We are the last safety net that these people have, and I think we can do a lot better for these people than just providing them three squares a day and a steel bed. Thank you.

Chairman Liakakis said, in fact, recently we had I think it was well over 200 people in the County Jail who have mental problems and, you know, so that's a big mental institution, the Jail, but that's absolutely wrong to have people with mental problems in our community to be housed in the Jail as opposed to giving them the medical treatment that they need and put them into a hospital or wherever as, you know, locking them up in there because it's really sad that we have that going on, and we as elected officials have the obligation to help those that are less fortunate than we are.

Dr. Skelton said, let me say, Mr. Chairman and members of the Commission, I totally agree with that. I dedicated my professional career to the mental health field years ago and got my psychiatry background, and I loved it. I still love it and I want it to thrive, but there are huge problems here, and I'm sure that the interim providers or whatever the permanent providers agree with all of your comments because they need more funding so they can do what they are contracting to do to take care of the people in need. Part of this that we all need to think through, as well with them, is that the State is now proposing to close all the public mental hospitals and to be the only State in the union to fully privatize hospitals for the mentally ill. That is the worst idea I have ever heard in my career, but they are proposing to go that way. The patients will not go away, the problems will not go away. They will be in your community, they will be here unserved, they'll be in your jails, our jails, and yet we're pulling back one of the great resources to take care of people in the need of 24 / 7 care, and that's our public mental hospital system. It makes absolutely no sense to me. So I'll work with Mr. Ringling. We'll keep you informed, and I'm sure that the providers that are working with these patients will want to keep you informed as well.

Commissioner Odell said, Dr. Skelton, that just proves that we really need mental health coverage especially at the Governor and Legislator level — the only State in the union to close the mental health hospitals. That's sad. That is sad.

Chairman Liakakis said, and what Commissioner Odell is talking about being sad and all of us up here on the Commission, we don't have enough money to treat all of those mental patients. We just don't have that money available to us. You know, we do what we can because it's important for our participation and to help as many people as we can because we have funded a number of those organizations that are providing those services, helping them in their — where they need the resources, whether it's buildings or whatever it is, but if they turn loose all of the mental patients and all, we're going to see a real negative on our community and the communities around the State. So hopefully we're going to have enough people with our Georgia Municipal Association and, of course, with our County Associations and others around this State to lobby as hard as they can so that that won't happen because I feel that there's one or two people that are in branches up in Atlanta make these decisions because I've seen how one of those particular directors what they did. They have no concern or if they have concern, they haven't shown it, and where they have closed up that — like the Georgia Regional in our area, that particular where we had the young people in there and came up with some bunk that they're going to have group homes which they haven't set up, and group homes does not, as you know, Doctor, does not help those mental patients there.

Chairman Liakakis recognized County Manager Abolt.

County Manager Abolt said, Mr. Chairman, ladies and gentlemen, I think it's very important and it's obvious though in the comments you've all made, and particularly those of Commissioner Shay, that we have a true leader and an asset in Dr. Skelton. He's come forward in a situation where not only is he professionally committed, but also I believe personally. He's showing an awful lot of courage because what he has done could have easily been misconstrued as competitive on the part of the Health Department. And to that end, I would like to, and I'm not trying to be flippant about it, but I would like to, unless the Board tells me differently, to ask Dr. Skelton and to give Dr. Skelton what I would refer to as a letter of mark where he would be authorized and empowered, recognized by this body, to help this body get through all the obstacles, and if he's sorting things out, he's not there to sort them out towards a competitive advantage or disadvantage. He's there as your emissary, as your representative, to in effect do the correct thing for this community.

Chairman Liakakis said, thank you very much, Doctor. Appreciate it. Commissioner Shay said, God speed.

ACTION OF THE BOARD:

Dr. Douglas Skelton gave a status report on changes in public mental health and addictive disease services in Chatham County, and with the permission of the Board of Commissioners, County Manager Abolt gave a letter of mark to Dr. Skelton where he was authorized and empowered and recognized by the Board of Commissioners to help the County. as its emissary or representative, to do the correct thing for the community with regard to mental health issues.

AGENDA ITEM: IX-2

AGENDA DATE: December 5, 2008

TO: Board of Commissioners

THRU: R.E. Abolt, County Manager

FROM: W. Douglas Skelton, M.D.
District Health Director
CEO, Chatham County Board of Health

ISSUE:

Provide a status report on changes in public mental health and addictive disease services in Chatham County.

BACKGROUND:

The Savannah Area Behavioral Health Collaborative (SABHC), a partnership among Union Mission, the Homeless Authority, and Memorial Health has provided MH and AD services for several years with funding provided through state contracts and Medicaid reimbursement. SABHC will no longer be able to provide services after January 1, 2009.

FACTS AND FINDINGS:

1. SABHC's Medicaid provider number will be cancelled as of January 1, 2009.
2. DHR contracts with SABHC will be withdrawn as of January 1, 2009.
3. SABHC will cease providing services on or before January 1, 2009.

ALTERNATIVES:

1. The state Division of Mental Health, Developmental Disabilities, and Addictive Diseases is meeting with other providers of MH and AD services to establish contracts to continue services while a permanent provider is identified to replace SABHC.
2. Providers apparently interested in providing temporary services, and perhaps permanent services include Gateway, Savannah Counseling Center, American Works, the Homeless Authority and Recovery Place.
3. The Chatham County Board of Health has expressed a willingness to provide MH and AD services if the state and the Commission requests they do so. The MH and AD program would report directly to the BOH, i.e., not reporting through the district health director. Representatives of the state have not expressed an opinion on whether this is an acceptable alternative or not.

FUNDING:

No new funding is required. However, SABHC occupies county property on Minis Avenue and Fahm Street, which is leased to Union Mission for \$1/year. The temporary and/or permanent providers of services may wish to utilize these facilities under a similar arrangement.

POLICY ANALYSIS:

The policy issue is the assurance of the continued availability of public MH and AD services to citizens of Chatham County.

RECOMMENDATION:

For Board consideration and future action as appropriate.

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- 3. **REQUEST FROM MICHAEL AND CHARLOTTE STEPHENS FOR A REFUND IN THE AMOUNT OF \$601.92 WHICH IS THE RESULT OF OVERCHARGES OF AD VALOREM TAXES ON A 2000 AERB AERBUS XL3550 WHICH THEY PURCHASED ON JULY 17, 1999. THE \$601.92 COVERS TAX YEARS 1999 THROUGH 2005. WE HAVE ALREADY REFUNDED THE OVERPAYMENT FOR TAX YEARS 2006 AND 2007.**

Chairman Liakakis said, we need a motion on the floor.

Commissioner Holmes said, I move to approve. Chairman Liakakis asked, do we have a second? Commissioner Stone said, I second. Commissioner Thomas said, second.

Chairman Liakakis said, we have a motion on the floor and a second to refund this \$601.92, where this couple was overcharged.

County Attorney Hart said, yes sir. I just wanted to make a comment that this situation, and the Tax Commissioner asked me to speak for him, is a situation in where there was an error on part of the County Administration and, therefore, we are correcting.

Chairman Liakakis said, okay, thank you. Let's go on the board. The motion carried unanimously. Chairman Liakakis said, the motion passes.

ACTION OF THE BOARD:

Commissioner Holmes made a motion to approve the request from Michael and Charlotte Stephens for a refund for overcharges of ad valorem taxes for 1999 through 2005 in the amount of \$601.92 on a 2000 AERB AERBUS XL3550, which they purchased on July 17, 1999. Commissioners Stone and Thomas seconded the motion and it carried unanimously.

AGENDA ITEM: IX-3
AGENDA DATE: December 5, 2008

TO: Board of Commissioners
THRU: R.E. Abolt, County Manager
FROM: Daniel T. Powers, Tax Commissioner

ISSUE:

Request from Michael and Charlotte Stephens for a refund in the amount of \$601.92 which is the result of overcharges of Ad Valorem Taxes on a 2000 AERB AERBUS XL3550 which they purchased on July 17, 1999. The \$601.92 covers tax years 1999 through 2005. We have already refunded the overpayment for tax years 2006 and 2007.

BACKGROUND:

When Mr. Stephens came in this year to renew the registration on this vehicle, it was discovered that upon his initial registration in 1999, we entered an incorrect OBS, Original Bill of Sale, code for the vehicle. The OBS code is what the State assigns to designate a value to a specific make and model of vehicle. Due to this initial error, the amount of Ad Valorem Taxes charged was incorrect.

FACTS AND FINDINGS:

We have researched our records and have found that the Stephens were overcharged in the amount of \$601.92 for tax years 1999 through 2005.

FUNDING:

Funding can be achieved by deduction of the refund amount from the monthly disbursements of Ad Valorem Tax.

ALTERNATIVES:

- 1. Approve refund to Michael and Charlotte Stephens in the amount of \$601.92.

2. Provide staff with other direction.

POLICY ANALYSIS:

It is consistent with Board policy to approve refunds where clerical errors have resulted in a taxpayer being overcharged.

RECOMMENDATION:

Staff recommends approval of Alternative 1.

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POINT OF ORDER – COMMISSIONER ODELL

Commissioner Odell said, Mr. Chairman, point of order, if I might. We just had a former Commissioner walk in, Mr. David Saussy, which we'd like to acknowledge, who served on this Commission with distinction, and we perhaps need to tell him that we've already handled the mental health.

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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, Action Calendar. We have Items 1 through 3, and under 3 we have Items A through D. I'd like a motion on the floor — wait a minute. Let me go ahead. Let's come to Item 1 first. Approval of the minutes of the regular meeting of November 21, 2008, as mailed, and of course we've got all of those particular items, unless you have an item you'd like to hold out.

Commissioner Kicklighter said, I'd like to pull B. I believe, by looking at the last name, that this may be my first cousin's father that owns that company, and I'd like to recuse myself from B. I don't know if it is or not, but —.

Commissioner Shay said, I'd like to make a motion that we adopt the Action Calendar with the exception of Item 3-B and that we recuse Mr. Kicklighter from voting on Item 3-B when it is addressed. Commissioner Thomas said, second, Mr. Chairman.

Chairman Liakakis said, alright, we have a motion on the floor and a second. Let's go on the board. The motion carried unanimously.

ACTION OF THE BOARD:

Commissioner Shay moved to approve Items 1 through 3D, except 3-B, and that Commissioner Kicklighter be recused from voting on Item 3-B. Commissioner Thomas seconded the motion and it carried unanimously.

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

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1. APPROVAL OF THE MINUTES FOR THE REGULAR MEETING OF NOVEMBER 21, 2008, AS MAILED.

ACTION OF THE BOARD:

Commissioner Shay moved to approve the minutes of the regular meeting of November 21, 2008. Commissioner Thomas seconded the motion and it carried unanimously.

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2. CLAIMS VS. CHATHAM COUNTY FOR THE PERIOD NOVEMBER 13, 2008, THROUGH NOVEMBER 25, 2008.

ACTION OF THE BOARD:

Commissioner Shay moved to authorize the Finance Director to pay the claims against the County for the period November 13, 2008, through November 25, 2008, in the amount of \$4,439,524. Commissioner Thomas seconded the motion and it carried unanimously.

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3. 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. Term contracts for professional engineering and technical services	Engineering	•Spatial Engineering, Inc. •Hussey, Gay, Bell and DeYoung	Not to Exceed \$250,000	•SPLOST (1985-1993), (1998-2003), (2003-2008) •CIP - Various •SSD - Various •Land Bank
B. Task order contract to provide construction equipment for County projects	Engineering	Blankenship Landscape Company	Not to Exceed \$250,000	•SPLOST (1985-1993), (1998-2003), (2003-2008) •Land Bank
C. Change Order No. 2 to the courthouse renovation contract for cutting concrete elevator receptacle boxes	Special Projects	B & B Demolition	\$884	SPLOST (2003-2008) - Courthouse Renovation
D. One (1) used vehicle and authorize trade-in of one (1) vehicle	CNT	Fairway Lincoln Mercury	\$14,200	CIP - CNT

As to Items 3-A through 3-D, except Item 3-B:

Commissioner Shay moved to approve Items 3-A through 3D, except Item 3-B, and recuse Commissioner Kicklighter from voting on Item 3-B because he is a relative. Commissioner Thomas seconded the motion and it carried unanimously.

As to Item 3-B:

Commissioner Shay moved to approve Item 3-B. Commissioner Holmes seconded the motion and it carried unanimously. [NOTE: Commissioner Kicklighter was excused from voting on this item.]

ACTION OF THE BOARD:

Commissioner Shay moved to approve Items 3-A through 3D, except Item 3-B, and recuse Commissioner Kicklighter from voting on Item 3-B because he is a relative. Commissioner Thomas seconded the motion and it carried unanimously.

Commissioner Shay moved to approve Item 3-B. Commissioner Holmes seconded the motion and it carried unanimously. [NOTE: Commissioner Kicklighter was excused from voting on this item.]

**AGENDA ITEM X-3 A thru D
AGENDA DATE: December 5, 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 of a “Not to Exceed” \$250,000 Term Contracts with Spatial Engineering, Inc. and Hussey, Gay, Bell & DeYoung for professional engineering and technical services.

BACKGROUND: The County stormwater drainage system is operated under National Pollutant Discharge Elimination System (NPDES) Permit No. GAS000206 issued on 13 April 2005. The permit requires preparation of a map and an inventory of the drainage system (e.g. control structures, detention basins, catch basins, pipes and canals). The permit also requires routine inspections of all the facilities (public and private). The inventory and map are used to facilitate the inspections of the drainage system, and will be used to manage a maintenance program.

FACTS AND FINDINGS:

1. The drainage system inventory is stored and managed in a geo-referenced database maintained on a SAGIS server. This allows the inventory to be kept current as new information is gathered and made immediately to various departments. Sources of new information include new developments (as-built drawings), County construction projects, and field investigations (surveys and inspections).
2. Gathering storm drainage inventory information, storing the information in a database and managing the data requires special expertise to ensure that it is done correctly. Because of the large amount of data, continuity and proficiency are important to keep costs down while imparting effective quality control. Changing the professional services provider at this stage is not in the best interests of the County.
3. The two firms selected are currently providing the described services to under the terms of each firm’s existing Term Contract. Both firms have demonstrated that they can effectively work as a team with the combined expertise necessary to impart proficient and high quality work into the storm drainage inventory database.

FUNDING: SPLOST (1985-1993), (1998-2003), (2003-2008)
CIP - Various
SSD - Various
Land Bank

ALTERNATIVES:

1. Board approve a “Not to Exceed” \$250,000 Term Contracts with Spatial Engineering, Inc. and Hussey, Gay, Bell & DeYoung for professional engineering and technical services.
2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to approve Task Order Contracts when it is in the best interest of the County.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
ESTELLE BROWN

ITEM B

ISSUE: Request Board approval of a “Not to Exceed” \$250,000 Task Order Contract with Blankenship Landscape Company to provide construction equipment and operators for County projects.

BACKGROUND: The Task Order Contract provides construction equipment “as needed” with operators with fuel. Typical tasks include clearing, grubbing, earthmoving, demolition, installing culverts and hydro-seeding for erosion and sediment control. Under the previous contracts work was done at the County Wetlands Mitigation Bank, the Truman Parkway Mitigation on Eisenhower Drive, the new Public Works site, Quacco Canal, Westlake/Springfield Canal, Fountain Road, Turners Creek Boat Ramp, the Citizens Service Center, the Bamboo Farm and the Hardin Canal.

FACTS AND FINDINGS:

1. Staff routinely solicits local vendors for availability of construction equipment for small projects. No single vendor has been able to provide all the equipment needed. Many will not deliver or pick up the equipment and will not provide operators or fuel. For those that do deliver, the rates are higher than those of this contractor (no charge this contractor). Many rent equipment only by the day or longer. The negotiated equipment rental rates across the spectrum are less than the prevailing rates from other local vendors.
2. Unforeseen site conditions on projects sometimes require mobilizing additional equipment. Obtaining cost estimates and negotiating time extensions usually results in delays. Having access to "as needed" construction equipment also facilitates responding to emergencies, if needed.
3. This contract will continue to provide responsive support for planned and unanticipated needs on projects. Work is managed by staff engineers. Costs are hourly rental rates which include operators and fuel. Work directives will be by "task order," mobilizing only the equipment necessary for specified tasks. Equipment may be mobilized "on call" anywhere in the County. Construction materials (e.g. aggregate, pipe, silt fence), if needed, are procured separately.

FUNDING: SPLOST (1985-1993), (1998-2003), (2003-2008)
Land Bank

ALTERNATIVES:

1. Request Board approval of a "Not to Exceed" \$250,000 Task Order Contract with Blankenship Landscape Company to provide construction equipment and operators for County projects.
2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to approve Task Order Contracts when it is in the best interest of the County.

RECOMMENDATIONS: Staff recommends the approval of Alternative 1.

BUDGET APPROVAL _____
ESTELLE BROWN

ITEM C

ISSUE: Request Board approval of Change Order No. 2 to the contract with Band B Demolition for removal of concrete walls as part of the Courthouse renovation project.

BACKGROUND: At the 23 May meeting, the Board awarded a contract for demolition to B and 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. Since B and B remains on the job site, staff request a quote to cut eight elevator receptacle boxes into concrete and remove two 11-foot concrete corners and trim down concrete walls and ledgers for the panels to fit into.

FACTS AND FINDINGS:

1. Change Order No. 2 to B&B Demolition would contract for cutting eight elevator receptacle boxes within cement walls and removal of two 11-foot high concrete corners and trim down concrete walls and ledgers for the panels to fit into.

Original contract (5/23/08)	\$27,960
Change Order 1 (11/7/08)	\$ 2,941
Change Order 2 (pending)	<u>\$ 884</u>
Revised Contract Amount	\$31,785
2. Staff has reviewed the change order for labor and materials cost and finds it reasonable.

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

ALTERNATIVES:

- 1. Board approve Change Order No. 2 to the contract with B&B Demolition for demolition work related to Courthouse construction in the amount of \$884.
- 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 D

ISSUE: Request Board approval of the \$14,200 purchase of one (1) used non-typical replacement vehicle for C.N.T. from Fairway Lincoln Mercury and authorize the disposal of one (1) vehicle that will be used as a trade-in.

BACKGROUND: C.N.T. has approved funding to replace 13 vehicles through the CIP, Police Merger. These vehicles are no longer suitable for department operation. The trade-in will simplify disposal and maximize the available funds. The Board approved at their 3 October 2008 meeting, the purchase of seven (7) vehicles.

FACTS AND FINDINGS:

- 1. To meet C.N.T.'s needs, staff requested quotes to only the local car dealers that normally respond to bids. Specifications required each firm to submit pricing on appropriate vehicles. This provides C.N.T. with maximum flexibility in selecting the vehicles best suited for their needs.
- 2. The Fleet Manager and representatives from C.N.T. selected the following vehicle based on utility and value.
- 3. The vehicle selected was:

Fairway Lincoln Mercury	\$20,200	
Less trade-in		(\$ 6,000)
Total Purchase	\$14,200	

FUNDING: CIP - CNT
(3503222 - 54.22001 - 3503065Z)

ALTERNATIVES:

- 1. Board approve the \$14,200 purchase of one (1) used non-typical replacement vehicle for C.N.T. from Fairway Lincoln Mercury and authorize the disposal of one (1) vehicle that will be used as a trade-in.
- 2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to approve the purchase of replacement vehicles for law enforcement activities.

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

None.

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XIII. INFORMATION ITEMS

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

ACTION OF THE BOARD:

A status report was attached for review.

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

ACTION OF THE BOARD:

A status report was attached for review.

AGENDA ITEM: XIII-2
AGENDA DATE: December 5, 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>
Quarterly mail meter rental for two machines one (1) located at the Tag Office at Police Memorial Drive and one (1) at Wilmington Island	Tax Commissioner	Pitney Bowes (Sole Source)	\$2,586	General Fund/M&O - Tax Commissioner
Sponsor for Axis association	Purchasing and Contracting	Georgia Minority Supplier Development council	\$2,500	General Fund/M&O - Purchasing and Contracting
50 tons of asphalt hot mix	Public Works	Carroll & Carroll	\$3,250	SSD - Public Works
One (1) lot of uniform shirts	Public Works and Park Services	Bahama Joe's Coast to Coast	\$2,540	•SSD - Public Works •Solid Waste •Solid Waste Restricted •Water and Sewer •General Fund/M&O - Bridges

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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: December 5, 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: By letter 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. Certification of right of way (ROW) has begun. 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 (STIP).
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 roadway to Lake Street. The scheduled completion date is April 6, 2009.
3. Whitefield Avenue. Potentially affected property owners meeting is scheduled for December 9 (5:00 to 7:00 PM) at the Hesse Elementary School Gym. Letters have been mailed to affected property owners.
4. 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. Scheduled completion is January 25, 2009.
 - 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. Final right of way and construction plans are complete. ROW acquisition is underway. Will solicit bids for a construction contract by December 15, 2008, for bid opening in January 2009.
 - e. Pyeland Avenue. Final right of way and construction plans are complete. ROW acquisition is underway. Expect to solicit bids for a construction contract by mid-December.
 - f. Wright Avenue. Under design.
 - g. Fenwick Avenue. Under design.
 - h. 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.

i. 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: December 5, 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, sluice gates and culverts. Channel improvements downstream 1.4 miles from I-95 were completed in 2000. Construction of the 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 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 and permitting 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. 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.

8. 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.

9. 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 undersized culverts (under roads and at Hodges Airport). Design continues.

10. 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.

11. 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. 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.

12. 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.

13. 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.

14. Shipyard-Beaulieu Area. Design is underway to replace two culverts and a storm drain pipe at Beaulieu Avenue. A preliminary design has been completed and required drainage easements have been identified. Staff intends to contact area property owners to determine the feasibility of acquiring the needed drainage easements. The extent of improvements may need to be adjusted downward if opposition is encountered.

15. 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.

16. Kim Street Drainage. A small project directed toward improving drainage in the Grays Subdivision. The southern portion of the subdivision relies on roadside drainage ditches along U.S. 80. Preliminary design and coordination with Georgia Department of Transportation is complete.

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: December 5, 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 - Bid opening was held on 10/21/08. Contract awarded to Kirby Enterprising on 11/07/08. Notice to Proceed is expected to go out within the next two weeks.
 - 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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[NOTE: The item transferred by the Chatham Area Transit Authority to the Board of Commissioners was heard at this point on the agenda. See Page 10, Chatham Area Transit Authority.]

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EXECUTIVE SESSION

Upon motion being made by Commissioner Odell and seconded by Commissioner Thomas, the board recessed at 12:27 p.m. to go into Executive Session for the purpose of discussing litigation, land acquisition and personnel. [NOTE: Commissioners Holmes and Shay were not present.]

Following adjournment of the Executive Session, the meeting of the Board of Commissioners was reconvened at 1:17 p.m.

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ITEMS FROM EXECUTIVE SESSION

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

ACTION OF THE BOARD:

Commissioner Gellatly moved to approve a motion to authorize the Chairman to execute an Affidavit that the Executive Session was held in compliance with the Open Meetings Act. Commissioner Stone seconded the motion and it carried unanimously. [NOTE: Commissioners Holmes and Shay were not present.]

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ADJOURNMENT

There being no further business, the Chairman declared the meeting adjourned at 1:18 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