

MINUTES OF THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF CHATHAM COUNTY, GEORGIA, HELD ON FRIDAY, FEBRUARY 13, 2009, 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, February 13, 2009.

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II. INVOCATION

Commissioner Harris Odell, Jr., introduced Reverend Bennie R. Mitchell, Pastor of Connors Temple, who gave the Invocation.

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III. PLEDGE OF ALLEGIANCE

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

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IV. ROLL CALL

The Clerk called the roll.

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

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

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YOUTH COMMISSIONERS

Chairman Liakakis welcomed the following Youth Commissioners who were in attendance: Kendra Johnson, a Senior at St. Vincent's Academy, and Sherelle Jones, a Senior at St. Vincent's Academy.

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Chairman Liakakis said, before we start on Proclamations and Special Presentations, I'd like to say this. Our guests here and the people that are watching on television, you see all of the Commissioners and the County Manager and the County Attorney wearing these flowers today and, of course, the reason for that is for us just to bring more attention — tomorrow is Valentine's Day, and on Valentine's Day what we do is we usually show some

more affection for our loved ones, sometimes giving gifts and all, but a lot of times we are unable, some people are unable to give gifts because they are less fortunate than many, but they can still tell one another that we love one another and I think that is really important not only in our community, but around the State, around the country and around the world because if we show really that we're reaching out to help one another and show that we love people, we wouldn't have the problems that we've got right now in our city, our county, our State, our nation, and around the world. So hopefully, you know, people will listen to the words that our pastor just said just now about caring for one another, reaching out, and remember tomorrow being Valentine's Day, even if you cannot afford a card or a gift, you can write on a little note: "I love you" and pass it on and tell people that you love them. Sometimes when we're out in crowds and all, people feel a little uneasy by telling a stranger that you love them, but that's just showing affection and hopefully and prayfully that message will go around the world and someday then we won't have the problems that we've got now, that we do away with the negatives and help especially those that are less fortunate than we are.

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V. PROCLAMATIONS AND SPECIAL PRESENTATIONS

1. SPECIAL PRESENTATION BY AND RECOGNITION OF HENRY HUGHEY, EIGHTH AIR FORCE.

Chairman Liakakis said, I would like to call on Henry Hughey with the Eighth Air Force and one of the leaders over there and who has made a lot of good things happen there.

County Manager Abolt said, Mr. Chairman, as Henry [Hughey] comes forward, you'll want to recognize Henry and his wife, Jean. There was a significant event, as we know, this week — the debut of a B-17 Bomber that was vintage World War II. It's important to point out as far as the archeological significance and find that when they brought the B-17 into the museum, they looked in the vault turret and they found Henry packed in mothballs.

Mr. Hughey said, I did put in 32 missions in that ball. That was 65 years ago. Now I am one, but I'm losing weight. Mr. Chairman, you spoke of love, and several years ago Russ Abolt and Diane came to Atlanta and they spoke to the Georgia Chapter, Eighth Air Force Historical Society, and when I introduced him, I said, "I love Russ Abolt." Well, that got some people looking. I said, "Now wait a minute. I love Diane Abolt, but not necessarily in that order." He's like a brother, and if you, Mr. Chairman, Russ, Pete Nichols, Van Johnson asked me to jump off of Stone Mountain, I'd jump but I would request that you have one huge audience, but I don't think I'm going to do it but once because every time that we have come before this Commission and asked for anything, you have never said no. Without you, our beautiful museum would not exist. I came before this Commission I guess 10 years ago or 11 and asked that they give us the land that it's on and we sat down and held our breath and they voted unanimously to give it to us. And then said now you can start raising money. A couple of years went by and they said — the Commission said by the time you guys raise the money for the museum, you'll all be dead. So we're going to float a revenue bond issue and you got us the billions of dollars to build it and you said now go ahead and build it, but you're going to have to pay us back. Then they said, again, by the time you do it, you'll all be dead. So you floated another issue. The bond issue was paid off and before you, and last night if you were at that reception, the most beautiful airplane ever designed by human man was a B-17 type aircraft. That's the one I flew in and it was a goal we wanted. I don't know, when something becomes obsolete, it's not much use for anything so they get rid of it. I saw pictures where they chopped them up with big choppers and there's only a few still flying.

I think I made one mistake in my life — I wasn't born in Savannah. My wife and I love this town and we love you people and I can't say no to anything you require or ask of me, and I'll pass it on to the Georgia Chapter. We love to come. I think if — somebody I told this morning — if I turn my car loose, it would come to Savannah.

I had an opportunity yesterday to take some of the Chatham County Youth Commissioners children through the museum and I showed them that old B-17 and I took them through the mission experience. If you haven't been, you ought to go. The mission experience is a mission that is being flown. Now the sound effects are Hollywood, but the film pictures, ladies and gentlemen, are real. When you see a B-17 blow up, it blew up and 10 men lost their lives. When it was over, those kids stood up and applauded. Now I made a DVD for them a year ago. In it I tried to tell them that honesty is the greatest thing you've got — your honor. Always tell the truth, never make a promise you know you can't keep, and if you don't take advantage of the education opportunities that are there for you, when you're at the bottom end of the line on payday, don't look for somebody to blame. You put yourself there. Grab life's golden ring, it's out there, and go for it. You can be anything you want to be. They are the future of this nation. I love everyone of those kids. We've got to back them up and give them every opportunity in this world to be anything they want to be, and I thank you, Commissioners.

Ms. Jean Hughey said, I'm just going to say one thing. I just want to tell you that a wife always appreciates things that makes her husband happy, and Chatham County has certainly done that, and this morning I read a little — I

was reading a little newspaper in there while we were waiting, and it's called *The Chatham County Connection*. And I just thought, well, there really is nothing better than a Chatham County connection. Thank you.

Mr. Van Johnson said, Mr. Chairman, ladies and gentlemen, good morning. Certainly, tomorrow is a day of love, and if you will just allow me a moment, we wanted to show some love to someone that really think a whole lot of. So pulled from school today who wanted to be here is Chairperson of the Chatham County Youth Commission, Commissioner Sheray Franklin.

Youth Commissioner Sheray Franklin said, hello. Thank you for having me here. As he said, I'm Sheray Franklin. I'm Chairperson of the Chatham County Youth Commission. Yesterday the Chatham County Youth Commission had the pleasure of going to the Mighty Eighth Air Force Museum and Mr. Hughey gave us a tour, and it was just amazing. One of the remarkable things that stood out to me was he said Christmas Eve of 1944 they had 2,000 planes in the air and a formation that will never be done again, and I just thought that was amazing. It was enough to bring tears to my eyes. I just thank him and his wife for inviting us there and I hope to soon return, but I just want to read this proclamation to Mr. Henry Hughey. Youth Commissioner Franklin then read into the record a proclamation making Mr. Hughey a member of the Chatham County Youth Commission and giving him all the rights and powers of a Youth Commissioner.

Youth Commissioner Franklin said, as a Chatham County Youth Commissioner, you get a lot of goodies. So, we first have this Chatham County Youth Commission college shirt that we want you to have. Every Chatham County Youth Commissioner has those for formal events. And because you're an A-student, we have two writing pads that come with a pen that says CCYC — Chatham County Youth Commission. And this is just some cool bling that we have. And this is a Chatham County Youth Commission lanyard for your school ID. Everyone needs those. There's so many goodies. And this is a Chatham County cord that I don't even have yet, so this is super, super special for you because you've already graduated. And last, but not least, you'll have to bear with me on this terminology, but as Chatham County Youth Commissioners there's only 40 of us. We represent — there's about four from each school, so everybody wants to be like us so sometimes we have what we call new school — what we call haters. So these fabulous things [sun glasses] are hater blockers. So these are for you. And if you — one of our Commissioners goes to Johnson High School, so if you will join me in cheering Mr. Hughey: "Hughey, Hughey, Hughey, Hughey, Hughey, Hughey."

Mr. Hughey said, now you know why I love these kids, why I think they're the future of this nation, and we — I just realized I just graduated and I'm only 83. Ms. Hughey said, and an A-student. Mr. Hughey said, boy, that was camouflaging. I thank you, Commissioners, I thank you, Youth Commissioners. Just hang in there. Grab that golden ring, it's out there.

Youth Commissioner Franklin said, thank you so much. Thank you.

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2. SAVINGS BONDS TO SUMMER BONANZA YOUTH (COMMISSIONER THOMAS).

Chairman Liakakis recognized Commissioner Thomas.

Commissioner Thomas said, thank you, Mr. Chairman and members of the Commission, ladies and gentlemen. I'm real pleased and happy to present Colonel George Bowen, who also serves on the Summer Bonanza board, and he will make the presentation this morning in the absence of the bank representatives. Here with us this morning are some board members from Summer Bonanza: Ms. Paula Western [phonetic] from Arizona Chemical — please come forth —, Ms. Virginia Edwards, former Superintendent of the Public School System, Elder Willie Ferrell [phonetic], who is the Director of the Outreach Program for Summer Bonanza and Project Success. We also have parents who are here with their students this morning, and if I've missed any other board members, would you please come up because I can't see out in the audience. Thank you. Colonel Bowen, would you please move forward.

Colonel George Bowen said, thank you. First of all, I want to thank Commissioner Thomas for allowing me to be a part of the Summer Bonanza Program. I first ran into her my first year here in the school district when she called me up and told me she needed books, and the first thing I asked, "Who is this lady and why are we supposed to supply her with books," and I was in short order made aware of who she was and we were able to find several thousand books which we were able to pass on to her, and I subsequently got involved with the board.

During our last planning session last year, we were trying to find some innovative ways to get across to the kids the importance of savings and we partnered with a bank, United Community Bank, and Heather Schel [phonetic], and George Parris [phonetic] generously waived some of the bank rules so that we could make this program work, but more importantly they put together a presentation, which they did to the students and members of the Summer Bonanza Program, and it turned out to be absolutely amazing. But what really intrigued me was the fact that there were parents there who actually engaged in the process themselves because it was informative to them, but during the process I think we had about 160 participants this year so I did some quick math in my head and I said, well, if we put this program together, let's give them some incentive, and we didn't want to use public money, so I decided

to underwrite this myself, and we told each of the kids that if they would save the time of the presentation, which was back in July I think, and December, we would give them each a \$25 savings bond. Well, I want to tell you, we didn't have a lot of the participants that made it, but we had five, and maybe it's good for me because I found that after I made it that \$25 savings bonds no longer exist, and rather than disappoint them, I said I would go ahead and foot the bill for a \$50 bond. So these smart kids have already doubled their money.

Mr. Bowen said, at this time I'd like to ask the board to help me make the presentations: Shanee' Ferguson. I hope I say this right: Cavon Yop [phonetic], Calin Caesar [phonetic]. Commissioner Thomas said, there he is — he's starting young. Mr. Bowen said, Joshua Brown and, last but certainly not least, Jonne' Orr [phonetic].

Mr. Bowen said, I share what the last speaker said. I think it's important that we engage and help children understand the importance of being a part of the larger society. We lose a lot of them because I think a lot of times they lose the value systems that are important to being successful in this world, and I love the values that the Summer Bonanza Program imports to kids, but more importantly I enjoy working with this group of folks because they work very hard, but I don't think anyone works any harder than our chair, and that is Commissioner Thomas, and I personally want to thank her because when I found out all that she was doing, we decided that we needed to take on more of an active role to help her out. And even though we call it a Summer Bonanza Program, it's a year-round program and we work constantly with the children throughout the year, and we're going to continue doing that. So thank you very much.

Commissioner Thomas said, thank you so very much.

Chairman Liakakis said, this is just another program that our Commissioner Priscilla Thomas has come up with because for a number of years they have helped — she started this program in the summertime, but it has expanded and many children that didn't have a lot of resources and didn't have things that were needed for their education and all, they were got by Priscilla Thomas, and we thank the sponsors for that program because it has made a difference in a lot of the children's lives by coming to this particular program.

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3. PROCLAMATION FOR BONNIE STEVENS-HAYES ON HER RETIREMENT FROM THE SHERIFF'S DEPARTMENT.

Chairman Liakakis said, I call on Commissioner Patrick Shay for a proclamation for Bonnie Stevens-Hayes on her retirement from the Chatham County Sheriff's Department, and I call on our Sheriff to come forth also along with Bonnie and the other members with Sheriff St. Lawrence's staff.

Commissioner Shay read the following proclamation into the record:



WHEREAS, Chatham County is privileged to have employees of high caliber that take great pride in their duties and responsibilities, and in that regard, we commend Corporal Bonnie Stevens Hayes; and

WHEREAS, Corporal Bonnie Stevens Hayes began her employment with Chatham County on December 8, 1980, as a C.E.T.A. Program Deputy Sheriff in Chatham County Municipal Court; October 1, 1981, she was promoted to Deputy Sheriff in the Chatham County Municipal Court; January 1, 1983, she was promoted to Deputy Sheriff/Advanced and then she was promoted to Deputy Sheriff/Corporal on April 26, 1985; and

WHEREAS, her duties provided her the opportunity to work in an environment that allowed her to touch the lives of many intern/students in a positive manner in an effort to provide guidance and support for these individuals with an interest in Law Enforcement; and

WHEREAS, Corporal Bonnie Stevens Hayes takes great pride in the uniform that she wore, the principles that she represented and the profession that she embraced, meeting the many challenges placed upon law enforcement officers each and every day as carriers of its high standards.

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

CORPORAL BONNIE STEVENS HAYES

upon her retirement and express sincere appreciation for over twenty eight years of dedicated service to the citizens of Chatham County and the Courts of Chatham County and extend best wishes for a long, happy, healthy retirement.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of Chatham County, Georgia to be affixed this the 13th day of February 2009.

Pete Liakakis, Chairman
Chatham County Commission

ATTEST:

Sybil E. Tillman, Clerk

Corporal Hayes said, good morning, Mr. Chairman and body of the Commissioners and Sheriff St. Lawrence. I'd like to take this opportunity to first of all thank the Commission for having the foresight to initiate the CETA Program for without it, I would not be standing before you now, and I thank you for that, and I'd like to take this moment also to personally thank Sheriff St. Lawrence for allowing me the opportunity to be a deputy and to work with one of the finest law enforcement agencies in Chatham County — the Chatham County Sheriff's Department. I have taken great pride in my work during the years that I was with the Sheriff's Department. I'd like to thank all of my fellow deputies and these fine gentlemen here, who have come to represent and stand with me before you today. It's with some regret in retiring, but it's also an epiphany. It's a freedom for me to move on to pursue something else in my career, and I give all thanks and glory and honor to the leader of my life, who's God Almighty, and I thank you for presenting this proclamation to me today, and of course I look forward to a fruitful future. Thank you, sir.

Sheriff St. Lawrence said, well, as the retiree has said, it's with regret. We have a large department and we had a quarterly awards ceremony yesterday in which the Chairman showed up. I think we had three retirees at that time, several promotions. They come and they go. We hate to see good experienced go, but that's the way life is. People get ready for retirement and I appreciate you honoring them when they do. Thank you very much.

Colonel Holmes said, Bonnie [Hayes], we would also like to present you with the lamp of Chatham County to help brighten the corner where you are upon your retirement.

Chairman Liakakis said, Bonnie [Hayes], on behalf of the Chatham County Commissioners, we thank you for your dedication and your loyalty to the Sheriff's Department and to the citizens of Chatham County, and we appreciate your long work with the department because we know that we've got the number one sheriff in the entire country and, of course, the entire staff there with Colonel Holmes and others that are working, you know, hard for the safety of the citizens of Chatham County. Thank you and may you be blessed. Corporal Hayes said, thank you.

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VI. CHAIRMAN'S ITEMS

1. SET BOARD RETREAT AND BUDGET GOALS SESSION.

Chairman Liakakis said, next item is setting the retreat and the budget goals sessions for the Chatham County Commission. What we did when we started in the year 2005, which this entire Board came on board, set up a retreat that we have so that we could meet with all of the department heads of Chatham County, and through that we set out our goals, of course, and our mission and set up what we thought was a good budget for Chatham County. And now what I'm going to do is set up the retreat that we will have on March 12th at 10:00 a.m., and

10:00 a.m., by setting it up like that, sometimes if somebody would like to sleep over, at 10:00 a.m., in the morning they'll be able to make that retreat. So we'll go from there and have all of our Commissioners there because they have done an outstanding job in the past at that retreat by receiving information and also giving what they wanted to see in our budget that we've had in the last several years.

ACTION OF THE BOARD:

Chairman Liakakis set the Board Retreat and Budget Goals Session for 10:00 a.m., on March 12, 2009, to be held at the Bamboo Farm.

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VII. COMMISSIONERS' ITEMS

1. REQUEST BOARD AMEND THE AGENDA AND CONSIDER ADOPTING A RESOLUTION PROTECTING THE FLORIDIAN AQUIFER (COMMISSIONER SHAY).

Chairman Liakakis said, I'd like to call on Commissioner Patrick Shay.

Commissioner Shay said, yes sir, Mr. Chairman, I'd like to ask the Commissioners to amend the agenda this morning so that we can add a Commissioners' item to consider a resolution in regard to protecting the Floridian Aquifer here in Chatham County, so I'd welcome a second. Commissioner Stone and Commissioner Holmes said, second.

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

Commissioner Shay said, Mr. Chairman, I am sending down the line the copies of a resolution that I'd like to read into the record and then I'll furnish this copy to the Clerk so that it can be entered into the minutes.



Whereas, the practice of pumping treated surface water or wastewater into groundwater aquifers, (sometimes called "ASR," for Aquifer Storage and Recovery) would result in the injection of lower quality water into our high quality aquifer; and

Whereas, ASR has been used in other areas for disposal of wastewater and was recently considered as a disposal alternative for the effluent from a proposed wastewater facility in coastal Georgia; and

Whereas, there are significant public policy questions regarding the injection of surface water into the aquifer in terms of its potential to transfer water from one basin to another, which could adversely affect downstream communities and unfairly redistribute economic growth; and

Whereas, there are serious concerns about the risks associated with aquifer injection and its potential for degrading groundwater quality, altering the physical structure of the limestone aquifer, and the dangers posed by accidental injection of harmful substances; and

Whereas, such risks could result in damage to the aquifer and drinking water supply that has been characterized by a professor of geology as "impossible to correct on a human time scale," with severe negative consequences for coastal Georgia's economy and environment; and

Whereas, the Georgia General Assembly has wisely placed a moratorium on the injection of surface water into the Floridan aquifer because of concerns about the economic, environmental, and health risks and the recognition that there has been minimal scientific study assessing or addressing such risks; and

Whereas, the state's current moratorium on ASR expires in 2009.

NOW THEREFORE, BE IT RESOLVED that the Chatham County Board of Commissioners urges the General Assembly of Georgia to continue in full force the protection provided by the moratorium on the use of Aquifer Storage and Recovery in coastal Georgia; and

BE IT FURTHER RESOLVED that the Chatham County Board of Commissioners urges the coastal legislative delegation to sponsor and pass such legislation as may be necessary to enact the continuation of the moratorium.

Duly adopted the 13th day of February, 2009.

Pete Liakakis, Chairman, Chatham County Commission

ATTEST:

Sybil E. Tillman, Clerk, Chatham County Commission

Commissioner Shay said, on the second page of what I passed out you'll see the language that apparently has been drafted and may at this point have already been introduced into the Legislature. I don't know, I think so. You'll see underlined under Section One, additional language that says: "No well or bore hole shall be drilled for the use or used for the purpose of injecting any surface water into the Floridan Aquifer in any county governed by the Georgia Coastal Zone Management Program provided by Code Section 12-5-327.

Commissioner Shay said, I'd like to make a motion that we adopt this resolution and that if it passes that we send that to the Governor of Georgia, to the Lt. Governor of Georgia, to the Speaker of the House, to every member of our Chatham County Legislative Delegation, to any other members of the House that represent nearby counties – Bryan, Effingham and Liberty Counties, and that we also send it to the Mayors and other elected officials in Chatham County and the County Commission members of Bryan, Effingham and Liberty Counties, all of our adjacent elected officials, so that everybody will understand the urgency and perhaps join us in making sure that the State Legislature follows through and extends this moratorium on a very, very risky and perhaps dangerous practice. Commissioner Thomas said, second, Mr. Chairman.

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

ACTION OF THE BOARD:

- a. Commissioner Shay moved to amend the agenda to consider requesting the Board to adopt an resolution protecting the Floridan Aquifer. Commissioners Stone and Holmes seconded the motion and it carried unanimously.
- b. Commissioner Shay moved to adopt a resolution urging the General Assembly of Georgia to continue in full force the protection provided by the moratorium on the use of Aquifer Storage and Recovery in Coastal Georgia, and that the Board urge the coastal legislative delegation to sponsor and pass such legislation as may be necessary to enact the continuation of the moratorium.

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CHATHAM AREA TRANSIT AUTHORITY

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

Following adjournment of the Chatham Area Transit Authority, the Board reconvened at 11:23 a.m., as the County Commission.

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VIII. TABLED/RECONSIDERED ITEMS

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

1. SEE SECOND READINGS, ITEM XII-1. This needs to be taken off the table and action taken under Second Readings.

Chairman Liakakis asked, [County Manager Abolt] do you want to explain that? County Manager Abolt said, sure.

County Attorney Hart said, this item needs to be taken off of the table and then it needs to be tabled again for six months for a designated time. These folks have decided to withdraw their original rezoning and the MPC passed the request for rezoning and then the owner decided, well, perhaps I don't want to be rezoned. Once the MPC acts, this Commission has to decide whether to grant the withdrawal or not. These folks have requested that it be tabled so that they can come back at a later date to explain what they would like to do. I have talked with Mr. Brannen, and they can certainly do that.

Commissioner Odell said, Mr. Chairman, I make a motion that it be untabled. Commissioner Kicklighter said, second.

Chairman Liakakis said, we have a motion on the floor to take it off the table. Let's go on the board. The motion carried unanimously. [NOTE: Commissioners Stone and Gellatly were not present.] Chairman Liakakis said, the motion passes.

Chairman Liakakis said, Mr. Chairman, we need a request that it be tabled for six months.

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

Chairman Liakakis said, we have a motion on the floor and a second to table it for six months. Go on the board. [NOTE: Commissioners Stone and Gellatly were not present.]. Chairman Liakakis said, the motion passes.

ACTION OF THE BOARD:

- a. Commissioner Odell moved to take this item from the table for consideration by the Board. Commissioner Kicklighter seconded the motion and it carried unanimously. [NOTE: Commissioners Stone and Gellatly were not present.]
- b. Commissioner Odell moved to table for six months the petition of Robert B. Brannen, Jr., Agent (for Gaston Properties, LLC), a request for rezoning of property located at 5406 LaRoche Avenue from an I-P/EO (Institutional Professional, Environmental Overlay) classification to a B-N/EO (Neighborhood Business/Environmental Overlay) zoning classification. Commissioner Kicklighter seconded the motion and it carried unanimously. [NOTE: Commissioners Stone and Gellatly were not present.]

[SEE XII-1 FOR STAFF REPORT.]

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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. **REQUEST BOARD APPROVAL OF THE FOLLOWING BUDGET TRANSFERS AND AMENDMENTS: (1) GENERAL FUND M&O A) CONTINGENCY TRANSFER TO E911 FUND \$3,972, B) CONTINGENCY TRANSFER TO DSA BOND SERIES 2005 DEBT SERVICE \$1,886, C) A \$14,500 TRANSFER WITHIN THE ADMINISTRATIVE SERVICES BUDGET TO OVERTIME, D) A \$50,668 TRANSFER WITHIN THE DUI COURT BUDGET TO SALARIES AND BENEFITS, E) A \$2,000 DOLLAR TRANSFER WITHIN THE ICS BUDGET FOR OVERTIME, F) INCREASE REVENUES AND EXPENDITURES IN THE GENERAL FUND M&O \$18,390 FOR CNT OVERTIME, G) TRANSFER \$11,252 FROM THE DETENTION CENTER BUDGET TO THE SHERIFF'S BUDGET FOR SALARY ADJUSTMENTS, (2) IN THE CONFISCATED REVENUE FUND A) APPROPRIATE \$1,800 FOR THE METROPOLITAN POLICE DEPARTMENT, B) INCREASE REVENUES AND EXPENDITURES \$191,170 FOR THE COUNTER NARCOTICS TEAM, AND (3) IN THE SPECIAL SERVICE DISTRICT FUND TRANSFER \$14,000 FROM CONTINGENCY TO PUBLIC WORKS FOR RENT.**

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

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

Chairman Liakakis recognized Commissioner Kicklighter.

Commissioner Kicklighter said, the part in here, \$3,500 per month for Sign Shop rent, I can't find it here but I believe from memory, I had it somewhere here, but that's an 18th month contract for \$3,500 a month? County Manager Abolt said, I'm not sure what the length of it is, that would appear later, but you might remember we had a health hazard problem and we've been trying for months to resolve it. We have employees working in a building that's moldy, and that's why we need to move them out of there, and that's what that is. Commissioner Kicklighter said, right, and I wish I could find all my notes, but I believe it's 18 months. And what's that total for the rent, \$3,500? County Manager Abolt said, we're shifting \$14,000 so I don't know on the purchasing report what it is, but —. Commissioner Kicklighter asked, but that's for this fiscal year but we're committing —. Mr. Patrick Monahan said, four months of this fiscal year. Commissioner Kicklighter said, — but we're committing forty something thousand, if I can remember right, total is what we're actually committing to here, because this original upfront part is just for the rest — the remainder of this year —. Mr. Monahan said, right. Commissioner Kicklighter said, — but then we've got a full year after that, so we're at like forty something thousand for rent. Do we not have a building somewhere that we could utilize and put this into for free? Mr. Monahan said, no.

County Manager Abolt said, and remember you are building with the help of the SPLOST and also with the Federal Government a brand new Public Works facility behind Memorial Stadium. Mr. Monahan said, this is just an interim solution until the new Public Works building can be constructed.

Commissioner Kicklighter said, for basically the entire Public Works Department to be shifted to —. Mr. Monahan said, this is just assigning the Carpenter Shop, which needs somewhere in the neighborhood of about 4,500 square feet. This one was — it's actually, we think, below the fair market value rent for that area, but it also provides the addition of storage yard for equipment and materials that would serve so we don't get into a lot of transport in the east islands area. Commissioner Kicklighter said, okay. I'm just — I know that we're heading into some times coming up in our budget. Mr. Monahan said, we looked at — I looked at four other properties and we thought we were in agreement with one closer to Public Works, but it turned out that the owner converted it from a lease and ended up selling the property, and that happened at the last minute so we started looking at some others. I took Mr. Drewry around. We did look at some other that are owned by non-profits that would have been less, but they're just not suitable for this particular need of the Carpenter and Sign Shop. Commissioner Kicklighter said, alright. Thank you.

Commissioner Farrell asked, where is this going to be located? Mr. Monahan said, it's on President Street.

Chairman Liakakis recognized Commissioner Odell.

Commissioner Odell said, just one question, Russ [Abolt]. The \$50,668 transferred within the DUI Court budget to salary, that's not a new position is it? County Manager Abolt said, no sir. Commissioner Odell said, that's not a —. County Manager Abolt said, the way in which they were funding positions, the employee's salary was paid through contractual service to reimburse the City. The employee will become a Chatham County employee and be paid through County payroll, but essentially there is no change in dollars. Commissioner Odell asked, there's no change in dollars and they were not our employee and now they are? County Manager Abolt said, they would be, yes sir. The Board — I'm looking at my notes here — when the DUI Court started there was an action to, in effect, create and now when it has more sustained funding, we're looking at putting it on the County payroll. Commissioner Odell said, okay. I have no objection to this as I think that we need that in DUI Court, but because we are approaching serious times, any new position I want to make certain, or any increase from part time to full time or moving from grant to our payroll where we are solely now responsible, I'd like to see that highlighted in big numbers, because if we buy a typewriter or a computer, \$1,500 or even \$15,000, one shot deal, you've got an employee that is a [inaudible].

County Manager Abolt said, we would never, at least in passing, you'll hear more about it on the 12th of March in your budget goal session, the instructions of staff are you live with what you have this year dollar-wise. That's the control point. In some cases we'll be reducing further, particularly in SSD, and you'll notice later on in your agenda the Sheriff has an application which is exciting about dealing with certain cases of abuse and violence and exposure, and we've funded that through a grant position and the staff report even indicates once the money's gone, the positions are gone. Commissioner Odell said, thank you, Mr. Abolt.

Chairman Liakakis recognized Commissioner Kicklighter.

Commissioner Kicklighter said, thank you. In addition, I just want to point out with the times that lie ahead, this is asking for us to appropriate \$1,800 for the MPC. You look into it, it's for more furniture at the Islands Precinct. We're now, which is, you know, this is a drop in the bucket, but we are now facing times where we are being asked to pay over \$20,000,000 for a merged Police Department when in fact only four years ago or so we were paying \$4,000,000. This is just for your consideration. We keep — this is nickeling and diming us to death on this type of request, but they are putting us in the hole with the major requests, but —.

County Manager Abolt said, that's well — you might want to remember, this is coming from Confiscated Funds. Commissioner Kicklighter said, and I know that. I just —. County Manager Abolt said, the bad guys are paying for this. Commissioner Kicklighter said, I think we can just let that go towards that \$20,000,000 request, you know, because we need every penny because at this point we're going to have no services for people that live in the unincorporated area except for the \$20,000,000 Police Department for the merger when it was only \$4,000,000. So we're at a point that I think now we have to start watching every single penny that goes, and I'm not going to say

take it out here because it's in another district, and not even to mention that Dave [Gellatly] and I don't even have a police precinct out on the Westside built at this point and we're getting new furniture already at the other, but I just wanted to point it out, and thank you.

Chairman Liakakis said, alright, let's go on the board. Chairman Liakakis and Commissioners Stone, Holmes, Shay, Odell, Gellatly and Thomas voted in favor of the motion. Commissioner Kicklighter voted in opposition. The motion carried by a vote of eight to one. Chairman Liakakis said, the motion passes.

ACTION OF THE BOARD:

Commissioner Stone moved that the Board approve the following budget transfers and amendments: (1) General Fund M&O a) contingency transfer to E911 Fund \$3,972, b) contingency transfer to DSA Bond Series 2005 Debt Service \$1,886, c) a \$14,500 transfer within the Administrative Services budget to overtime, d) a \$50,668 transfer within the DUI Court budget to salaries and benefits, e) a \$2,000 dollar transfer within the ICS budget for overtime, f) increase revenues and expenditures in the General Fund M&O \$18,390 for CNT overtime, g) transfer \$11,252 from the Detention Center budget to the Sheriff's budget for salary adjustments, (2) in the Confiscated Revenue Fund a) appropriate \$1,800 for the Metropolitan Police Department, b) increase revenues and expenditures \$191,170 for the Counter Narcotics Team, and (3) in the Special Service District Fund transfer \$14,000 from Contingency to Public Works for rent. Commissioners Holmes and Thomas seconded the motion. Chairman Liakakis and Commissioners Stone, Holmes, Shay, Odell, Gellatly and Thomas voted in favor of the motion. Commissioner Kicklighter voted in opposition. The motion carried by a vote of eight to one.

AGENDA ITEM: IX-1

AGENDA DATE: February 13, 2009

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) General Fund M&O a) contingency transfer to E911 Fund \$3,972, b) contingency transfer to DSA Bond Series 2005 Debt Service \$1,886, c) a \$14,500 transfer within the Administrative Services budget to overtime, d) a \$50,668 transfer within the DUI Court budget to salaries and benefits, e) a \$2,000 dollar transfer within the ICS budget for overtime, f) increase revenues and expenditures in the General Fund M&O \$18,390 for CNT overtime, g) transfer \$11,252 from the Detention Center budget to the Sheriff's budget for salary adjustments, (2) in the Confiscated Revenue Fund a) appropriate \$1,800 for the Metropolitan Police Department, b) increase revenues and expenditures \$191,170 for the Counter Narcotics Team, and (3) in the Special Service District Fund transfer \$14,000 from Contingency to Public Works for rent.

FACTS AND FINDINGS:

- (1) The amount budgeted for the transfer from the General Fund M&O to the E911 Fund is out of balance between the two funds. A contingency transfer of \$3,972 is necessary to balance the two funds.
- (2) The adopted budget for the DSA Bond Series 2005 debt service did not include funds for fiscal agent fees. A General M&O Contingency transfer of \$1,886 will restore funding.
- (3) The Administrative Services Manager has requested a transfer of \$14,500 from operating line items in the department's budget to the Overtime line item. Correspondence is attached.
- (4) The DUI Court Administrator formerly was a City of Savannah employee that worked for the court. The employee's salary was paid through contractual services to reimburse the city. The employee will become a Chatham County employee and be paid through the county payroll. This will require a transfer of funds within the department's budget from contractual services to salaries and benefits. The position was approved by the Board of Commissioners at their December 20, 2002 meeting. Adding the employee to the county payroll will increase the count on the staffing charts. Correspondence is attached.
- (5) The ICS Director has requested a transfer of \$2,000 within the departmental budget for overtime. A budget transfer request is attached.
- (6) The Counter Narcotics Team has received reimbursement for overtime expenditures that occurred in a prior fiscal year. This revenue was not anticipated for the adopted FY2009 budget. A budget amendment to recognize the \$18,390 revenue and increase the overtime appropriation for CNT will provide additional funding for the remainder of the year.

- (7) The Sheriff is requesting a transfer of \$11,252 from the Detention Center budget to the Sheriff's Department budget for salary adjustments. Correspondence is attached.
- (8) The Chief of Police has requested an appropriation of \$1,800 of Confiscated Funds for furniture at the Islands Precinct. Funds are available in the Confiscated Special Revenue Fund for the request.
- (9) The Counter Narcotics Team Commander has requested an appropriation of Confiscated Funds in the amount \$191,170. Revenue has been received this year to fund the request. A budget amendment to recognize the revenue and increase the expenditures has been prepared. A staff report is attached.
- (10) The Public Works department needs to rent a facility for its sign shop. The rent will be \$3,500 per month. A transfer of \$14,000 from the Special Service District Contingency for March through June of 2009 is requested.

FUNDING: Funds are available in the General Fund M&O Contingency, the Special Service District Contingency, the Administrative Services, DUI Court, ICS, the Detention Center and Confiscated Revenue budgets for the transfers. The budget amendments in the General Fund M&O and Confiscated Revenue Fund will establish funding for the CNT items.

ALTERNATIVES:

- (1) That the Board approve the following:

GENERAL FUND M&O

- (a) transfer \$3,972 from Contingency to Transfer Out to the E 911 Fund,
- (b) transfer \$1,886 from Contingency to the DSA Bond Series 2005 debt service,
- (c) transfer \$14,500 within the Administrative Services budget to overtime,
- (d) transfer \$50,668 within the DUI Court budget from contractual services to salaries and benefits,
- (e) transfer \$2,000 within the ICS budget for overtime, and
- (f) amend the budget to increase revenues and expenditures \$18,390 for CNT overtime,
- (g) transfer \$11,252 from the Detention Center to Sheriff's salaries and benefits.

CONFISCATED REVENUE FUND

- (a) transfer \$1,800 from Police Contingency for furniture at the Islands Precinct, and
- (b) amend the budget to increase revenues and expenditures \$191,170 for equipment for the Counter Narcotics Team.

SPECIAL SERVICE DISTRICT FUND

transfer \$14,000 from Contingency to Public Works for building rent.

- (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. EXPLANATION OF RECYCLING PROPOSAL AND THE CREATION OF A SOLID WASTE USER FEE. REQUEST THIS BE RECEIVED AS INFORMATION TODAY AND ADOPTED AT YOUR NEXT MEETING ON THE 27TH OF FEBRUARY.

Chairman Liakakis recognized Robert Drewry.

County Manager Abolt said, Mr. Chairman, if I may introduce it. Ladies and gentlemen, this is a report of some significant impact. It's highlighted by your desire and goal to have available in the unincorporated area curbside recycling to the residents. Also, it's been my desire for some time to relieve property tax drain in the Special Service District. Just to underscore what Commissioner Kicklighter has said, this would companion — create what amounts to a solid waste service fee wherein monies spent, which now approximate almost \$2,000,000 over decades, to have property tax payers pay for dry trash service will now be shifted by the implementation of a solid waste fee, so it's a companion report. Mr. Drewry has a PowerPoint presentation dealing with curbside recycling in a public/private partnership with Waste Pro. We'll come back with you in two weeks asking for an adoption on the entire matter, but I do not want to let past for this moment the opportunity to correct a great wrong in my estimation where property taxes have been used for several decades to pay for what amounts to a refuse service. Mr. Drewry?

Mr. Robert Drewry said, thank you very much. Good morning. I want to introduce you first of all to Mr. David Nash. He's our Environmental Program Coordinator. He will be assisting me in this presentation. I do have a presentation. It is rather brief and I'll get to the point rather quickly, but the first thing I want to do, and the first screen that's on your computer, is I feel obligated to give you a brief overview of what your Solid Waste Management is. It's made up of different programs and different funds.

The first thing I want to mention to you is that our Solid Waste Program involves landfill post closure care. We have five landfills. They are closed. We no longer take them, but by law we are required to keep them maintained and do the environmental reporting. Another function that we have in Solid Waste Management, as you know, is we have drop-off centers. We have three drop-off centers throughout the County. They pick up construction demolition waste, they pick up yard waste and recycling, some of it limited and some of it full-scale recycling. Also in Solid Waste Management, we have a curbside yard waste collection program that I know you're very familiar with. Once a week we go by every single family household in the unincorporated county and pick up whatever yard waste they leave for us.

Curbside Bulky. Same basic premise. We go by every unincorporated single family residence once a month. Any bulky items, and bulky items are defined as anything that doesn't fit in their roll cart: couches, playground equipment, whatever has to be — is at the curb. Number 5. That waste has to be buried into a landfill and that's more of a cost to the program, but we take that bulky waste and we collect curbside and the bulky waste that we collect at drop-off centers and take it to a private landfill for disposal. We take that yard waste, we grind it, we have a major operation for grinding yard waste. It's free to the public. It produces a nice multi-product as you know, and it is a very, very successful program. We pick up probably 20,000–25,000 tons of yard waste a year. That yard waste also has to be hauled off once we grind it, so a major operation is actually hauling yard waste and that goes into our Solid Waste Management Program.

Education and Awareness. One of David's [Nash] major functions is to keep the public educated on our various programs. He goes to schools, he provides programs. You may be familiar with the puppet people. He controls that. He's got a lot of different things going on as far as education in the public awareness.

And the final component that I want to talk to you about is the potential or upcoming Resource Conservation Education Center that we're proposing out on Eisenhower. It's referred to as the old Mosquito Control. We're looking at a joint venture with the City of Savannah to provide mostly education — conservation education. We're excited about this and it's a unique opportunity that we can venture with the City of Savannah. That's yet to be unveiled. We're looking at Earth Day, as the Chairman mention in his inaugural address.

The final bubble in front of you is what we're here for today, and that is a Curbside Recycling Program. To give you a little bit of premise, a little bit of what happened. Back in April we came to you and presented several options for providing a Curbside Recycling Program. You directed us to go out and solicit waste haulers, somebody that can pick it up as a contractual obligation to the County. We have done that and we're here presenting this plan to you, and not only presenting the plan but some funding mechanism, as the County Manager has indicated to you.

For the most part I'm gong to follow the staff report from this point on. Curbside Recycling Program has different components that you really need to be aware of that are very vital into a successful Curbside Recycling Program. So for the most part, like I said, I'm gong to follow the components that are outlined in your staff report.

The first component that I want to mention to you is the expectation. When you first asked us to go out on the streets and determine who would be willing to do this, we had to develop some expectations: What are we looking for out of a Curbside Recycling Program, the frequency in pickup, side containers, different issues that we wanted to be met by the contractor, logos on trucks, customer service thresholds, reporting mechanisms. Different things that we had as a minimum expectation we wanted from the vendor. That was started at the RFI process. It worked its way through.

So we had outlines to make expectations and came up with the next component, which is the waste hauler. As the County Manager indicated, we have narrowed it down to Waste Pro of Georgia. They are a reputable firm. They are in the solid waste industry. They've been doing this for a number of years, and they are proposing to provide a Curbside Recycling Program for us. They've outlined and said that they can meet our minimum expectations. They're also and going to include the purchase of four new trash compactor trucks. They're also going to have plenty of staff to — full-time staff with some redundancy to provide this program. They're going to use a software tracking device for customer complaints, which is very, very important, and they've also indicated that they are going to partner with us on educational — recycling education and recycling education events, such as an Earth Day program. We feel like it's a pretty good proposal. The cost for this proposal is, I'm sure you're waiting on it, is \$1.6 million, and that's to provide that minimum service that we've outlined.

The next component is what we refer to as a Material Recovery Facility, herein affectionally called a MRF. When the materials collected at the curbside, it's collected and brought to a MRF, where it is dropped on a floor, separated, bailed, put on trucks and hauled to some recycling plant, preferably in the Southeast United States. The City of Savannah, by way of information, is using Pratt Industries as their MRF and they've worked out a contractual arrangement whereas the City of Savannah gets a rebate of \$15 for every ton they bring them, and for every ton that's brought to Pratt that's not collected by the City of Savannah, they collect a \$3 host fee per ton. We approached Pratt, obviously, looking for some sort of an arrangement similar to what the City of Savannah has. Pratt as recently as a couple of days ago told us they will not accept our waste. They are overwhelmed. They do not have the equipment to do it as this time. So we had to look elsewhere. We contacted with SP Recycling and SONOCO. Both have local MRFs, and SONOCO has given us the best proposal. It's not a favorable one because we're not planning on getting a rebate. In fact, they're wanting us to pay them \$22.50 a ton for every ton that we bring them. Based on the tonnage that Waste Pro tells us, we can expect, and they're experienced, we're looking at potentially collecting anywhere between 500 tons to 640 tons per month that would have to be brought to the facility, and there's a fee that's obviously going to be charged with that.

Ordinances, the next component I want to talk about. In order to go into this program, we will have to modify our Waste Collection Ordinance. There's certain key elements that will have to be approved in order to make it a successful program. So if you're willing to move forward, we will be presenting to you some ordinance changes in the future.

Education. A really very large component. It is common knowledge that the better your educational program is, the more effective and the more participation you're going to get from your residents. It's very expensive. We're looking at a considerable cost to do educational recycling, education upfront and then there's an annual cost with that. I do want to point out at this time though that recycling is a — there is a cost and because the market's very flat, there will be a cost for this program.

So let's talk a little bit about the cost. I've already mentioned to you Waste Pro's cost, I've already mentioned to you the cost to take it to a MRF. If you look in your staff report, page four, Fact and Finding #15, we've itemized what we believe to be the cost to provide a Curbside Recycling Program. That includes Waste Haulers, Waste Pro's, that includes MRF, that includes replacing containers when these containers get lost or stolen they have to be replaced, education startup — we know there's a bulk of money that's got to be put in to kick this program off, and then an annual campaign to reeducate and educate the new users. The total cost for providing a Curbside Recycling Program will be we estimate will be a little over \$2.4 million annualized.

So with that information we have and those different components, we — let me back up just a minute and the reason I brought to you the original strain you saw about the Solid Waste Management Program, I need to tell you that that program with the trash can and all those different programs going into it, it's a large program and it's funded primarily three ways. There's a dollar a ton surcharge that is charged for all the private landfills. That's a small portion of the funding for Solid Waste Management. The bulk of the portion into Solid Waste Management is either from the M&O General Tax Fund or the SSD as tax subsidies directly from the ad valorem. They fund the enterprise fund known as Solid Waste Management. The County Attorney has presented us with an idea and we believe to be a creative idea to fund the Solid Waste Management. This includes creating what we called a Solid Waste Fee. As you can see it's outlined also in your staff report. With this potential fee we believe we can fully align our Solid Waste costs versus putting it as an ad valorem. So we're comfortable with this position. This is a funding plan that we have presented and will present to you for your consideration. As the County Manager said, we're not asking for a decision today because of the significance of this plan, both the Curbside Recycling Program and creating this Solid Waste Fee. We wanted to bring it back up to you at your next meeting. Any questions?

Commissioner Kicklighter said, yes. \$170 for every single family residential unit per unit in the unincorporated area. For this fee the County provides seven visits per month at approximately \$2 per visit to every home. So is that in addition to the \$170 that would have to pay \$2 per visit —. County Manager Abolt said, no sir. That's for the service. We're just taking \$170 a year and we say, okay, what does it break down by the time they visit your or my house and the unincorporated area, it's \$2 a visit. Commissioner Kicklighter said, I commend this staff, all of you, and I commend this group for wanting to move forward and be green like we've all talked. I'm just concerned for people at this point in time of \$170 out of a family which many have lost jobs and are losing jobs. I'm just concerned. That doesn't mean that I'm opposed to any of this, it's just something to think about as timing right now with the economy like it is. That's it. Thank you.

Chairman Liakakis recognized Commissioner Farrell.

Commissioner Farrell said, we currently have a recycling program in the Special Service District. Is that right? Mr. Drewry said, we currently have a recycling program. It's at the drop-off center that's available to all the residents of Chatham County. Commissioner Farrell said, okay. Since we're not voting on this and you'll be bringing this back, is it possible to bring back what we're currently doing now and what the financials are on that as far as tonnage that we're collecting and the cost and the amount of money we're receiving and what the bottom line is? Mr. Drewry said, I can give you some basic overview of the current recycling program. It is drop-off center based and it does come from the general taxpayers in Chatham County. The cost to provide that service — we're going to be operating the drop-off centers regardless if we provide recycling options or not for the yard waste and the bulky items. So the cost is really not significant. The materials are sorted and separated at the drop-off centers. We have recovered approximately 1,100 tons of recyclable materials last year at our drop-off centers, and the bulk of that is Wilmington Island. That's the only one that's a major recycling program now. But 1,100 tons per year we collected in recycling and we made a revenue of about \$53,000 in 2008.

Commissioner Farrell said, so what I'm hearing is that the existing program picks up 1,100 tons of recyclables at a profit to the County taxpayers, although a meager one, and today's proposition is for approximately \$2.5 million for the convenience of actually going to each person's home to pick up the same type of material. Is that —, okay. So we've got one that's working at a profit and this one's going to generate a cost of two and a half million per year? Is that right. Mr. Drewry said, right. Commissioner Farrell said, thank you.

Chairman Liakakis said, Patrick [Shay] and then Helen [Stone].

Commissioner Shay said, the SONOCO Recycling, I know them, but in the write-up it says in today's market SONOCO would charge \$22.50 per ton for single stream material, not including glass. The next statement says, "Glass can be taken to drop-off centers." Does that mean that people who use this recycling service that's curbside would not be able to recycle glass at curbside? Mr. Drewry said, that is correct. Commissioner Shay said, and the \$22.50 per ton there's a charge for how long? How long is this term expected to last? Mr. Drewry said, that's a very good question. In today's economy that is a fee that they're wanting to proceed. If the economy does get better, there is a sliding scale probably in our favor.

Commissioner Shay asked, but how long is the proposed term of the agreement with SONOCO doing —, do we have to commit to them for 20 years or 10 years or 5 years, or can we do this year-to-year because that number, once the City of Savannah's contract with Pratt apparently if there're over long now, believe me they're going to be

pumping up capacity in a — they're getting rebates for their waste, and SONOCO's going to learn how to compete. Mr. Drewry said, that's exactly correct and it is market driven, and that's why they want to make it very sure that it is a sliding scale. It's probably going to be looked at maybe every three months if not more frequently.

Commissioner Shay so it's a very short-term contract for the —. Mr. Drewry said, yes sir. Commissioner Stone said, okay.

Chairman Liakakis recognized Commissioner Stone.

Commissioner Stone said, Mr. Drewry, with the facility that's about to open on Eisenhower, would that be in the same category as Wilmington Island as far as showing a small profit? Mr. Drewry said, that's the anticipation. Correct, yes ma'am. It's not going to be focused as much on collection as it is on the conservation education, but there will be opportunities to bring your recyclables, not necessarily — although we will provide you traditional recyclables of plastics and paper, but we're going to open it up to other things like used batteries and stuff that's just not generally found — and y'all get those questions all the time: What do I do with my batteries, what do I do with my florescent light bulbs, things like that. So we're going to gear more toward those non-traditional recyclables, but there is a fee involved in some of the disposables of those. Commissioner Stone said, okay. I was curious to know that we would then have two facilities that could be used for drop-off.

Commissioner Kicklighter said, right now currently if someone is dying to recycle and they live in this County, what can they recycle? If they put the stuff in the vehicle and take it, what can they recycle? Mr. Drewry said, in Chatham County for Chatham County residents, mostly City of Savannah, they recycle at the curb. All other residents they can bring it to the Wilmington Island Drop-Off-Center at this current time where we collect fibers, which is your newspapers and cardboards and things of that sort. We also collect plastics, we collect glass, we collect cans, scrap metal, different products such as that. Commissioner Kicklighter asked, and that's also at the Westside site also, right? Mr. Drewry said, it's very minimal, very, very minimal. We do need to start working toward boosting that program, but yes.

Commissioner Farrell asked, is it minimal because of the facilities that we provide or is it minimal because of the participation you're currently experiencing? Mr. Drewry said, a little of both actually. Wilmington Island, as you know, is the most well-used site, so we focus our efforts on expanding and providing a service out there. The Unfunded CIP Program does include bringing the other drop-off centers on line with the same kind of capacity. It just takes time and this funding becomes available.

Commissioner Kicklighter asked, and it has a lot to do with education because people really simply don't even know that there's a place out there off of Highway 80 that they can recycle materials. But —, that's it. I'm just concerned about forcing that fee on the citizens at this point in time. You can't recycle if you lose your house and that's the economy we're living in right now.

Chairman Liakakis said, okay.

Commissioner Odell said, I think our tax —. Danny [Powers], did you have a question?

Chairman Liakakis asked, Danny [Powers], you wanted to speak?

Tax Commissioner Powers said, yes sir. To kind of touch on what Commissioner Kicklighter is talking about with the addition of the \$170, it would in fact go on the tax bill. As you know, the State is dealing right now with the HTRG, which is the Homeowners Tax Relief Grant. The Governor's proposed that we're not going to be reimbursed for the 2008. He's holding steadfast on that, and I can assure you that the — if the 2008 is received, the 2009 is going to go away, which means in the Fall, in addition to this \$170 that you're talking, every citizen on the County's tax bill is going to receive some type of increase from \$200 to \$350 additional. So that's my concern. I'm not anti-recycling by any stretch of the imagination. My problem is in September when these tax bills go out and we have as much as a \$400 or \$450 increase on a tax bill, from some folks right now they're playing paying minimal taxes due to special exemptions, disabilities, that type thing, it's automatically going to go up. So just keep that in mind. That's what's coming.

Chairman Liakakis asked, any other comments?

Commissioner Kicklighter said, I just want to say thanks for Danny [Powers] for standing up there and I — I'm definitely not against recycling, and I think we'll find that most people that participate in recycling are wealthier people, but there's a lot of people out there now with the times that are really in financial trouble, and the option is definitely there and provided to the citizens by this body if someone chooses and wishes to recycle, but forced participation at this point in time in my mind would possibly be devastating, and then combined with what Danny [Powers] just stated about the Governor and eliminating the exemption and they're going to pass down a tax, possibly a huge tax, people are going to be hurting. So, thank you, but staff you did a great job putting everything together with the options beside there. It's just sad that there's no better options.

Chairman Liakakis recognized Commissioner Farrell.

Commissioner Farrell said, I just want to say my hat's off to Public Works and all the County staff for what is currently in place, how tremendously successful it is — 11,000 tons of materials being recycled as we speak annually, and at no cost to the taxpayers, and we actually generate a modest profit off of that. Very modest, but it's in the black. It's not taxpayer supported at the end of the program. So my hat's off to Public Works and the excellent financially-responsible program that is in place as we speak right now. Thank you.

Chairman Liakakis asked, Robert [Drewry], is there any — do you think there's any chance of it going more in depth with the cost factors on this to put it out any further for a bid and all because we can see what the City of

Savannah is charging on a monthly basis to the citizens for their recycling program. It's much, much less than this one. The difference of course, and people don't understand, that the City of Savannah has quite a number of vehicles and they pick up, you know, on a weekly basis, and the situation that you've got in the County, we have private haulers who go and pick up the garbage and the trash from individual citizens in the County. So the equipment and all is not there for the County, and the reason why I'm saying that is there's any possibility that we can look at either matching up with somebody else, the City or whatever the case might be, so that that cost factor can be reduced. But right now in these economic times, we don't want to add additional burdens to the citizens, and recycling, as Dean [Kicklighter] has said and others, because we've been bringing this up for the last couple of years, that we'd like to see recycling in our community, but the cost factors right now, you know, are much higher than what was originally given to us.

County Manager Abolt said, Mr. Chairman, if I may, this has had a long maturation program, as Robert [Drewry] said. We've been working in this for some time. The request for interest went out and what we're down to is one contractor and, as you said so well, the differences between those communities that already have a garbage service, number one, they're charging for that garbage service as a Use Fee, and also they have the equipment. In this case, we're starting from scratch. Started from scratch, and you also have a philosophy of government I wanted to impart to this as you think about this for two weeks: You know, in this particular case, as you've said so well, this is something that government would be doing. Charging, yes, but this is something that government would be doing, so in your mind you want to evaluate: Is that a role for government? There's nothing wrong with it, but it is a philosophical change from what this County's done. The one item I would depart, regardless of how you handle the recycling, I think it's imperative to shift that charge off of the SSD property tax and recognize it for what it is — a Solid Waste Charge when it comes to dry trash. That's got to stop. Property taxes do not pay for our electric bill or gas bill. They should not be paying for dry trash service.

Commissioner Kicklighter said, I agree.

Chairman Liakakis said, okay. What's the pleasure of the Board. Do we want to see —. Commissioner Odell said, it's going to be two weeks. Commissioner Farrell said, it's for information today. Commissioner Odell said, two weeks we'll do something. Chairman Liakakis said, alright. Add it to the agenda for the next meeting.

County Manager Abolt said, it will be before you on the 27th for action. Chairman Liakakis said, okay.

Commissioner Kicklighter asked, can I ask one question on that? Will it discontinue — it won't do anything to hurt the current service we have, right? County Manager Abolt said, no sir, no sir. Hypothetically, were you to at this time not want to do recycling, like I said, I will still argue as strongly as I can that you shift that cost for dry trash to a charge as opposed to property taxes. Commissioner Kicklighter said, right.

ACTION OF THE BOARD:

This item was presented as information only to present to the Board a program to provide curbside recycling and create a Solid Waste Services Fee.

AGENDA ITEM: IX-2
AGENDA DATE: February 13, 2009

To: Board of Commissioners
Thru: R. E. Abolt, County Manager
From: Robert W. Drewry, Director of Public Works & Park Services

Issue: Present Board with a plan to provide a curbside recycling program and create a Solid Waste Services Fee.1

Background: On April 11, 2008 the Chairman and County Commissioners directed staff to solicit interested waste haulers to provide curbside recycle material collection. After the results of the RFI were evaluated staff produced an RFP for services including the contract costs.

Facts and Findings:

1. Chatham County's Solid Waste Management Program is a complex compilation of many unique services to the citizens that has developed over the years beginning with the closure of our landfills. These services are costly and intensive. A Curbside Recycling program is another unique service the County is considering to venture. In the current economy, recycling is not a profitable service but a service the public appears willing to venture.
2. The RFI process for curbside recycle material collection was started on April 11, 2008 by direction of the County Commission.
 - Three (3) service delivery companies submitted letters of interest
3. Staff produced an RFP for curbside recycling to be complimentary to the City of Savannah's recycling program.
 - Offering single stream curbside recycling
 - December 1st 2008 was the closing date of the RFP

EXPECTATIONS

4. It is the County's plan to contract with a waste hauler who has significant experience in a single stream curbside recycling program. Staff is looking for a hauler that can provide at a minimum the following:
- Every other week routes to serve approximately 32,000 single family and duplex residential units
 - Demonstrate the ability to collect from County facilities and small businesses if requested in the future
 - 96 gallon containers with large wheels
 - Chatham County and Chatham County Recycling logo, schedule, along with examples of collectables permanently burned, screen printed, or affixed to container
 - Deliver recyclables to a material recycling facility (MRF) or to the highest yielding market or buyer designated by the County]
 - Ability to independently continue the program if a local MRF is no longer available
 - Service in gated communities that meet standard collection requirements
 - Excellent and reputable customer service from a local office staffed during normal office hours
 - Monthly performance ratings of satisfactory grade
 - Demonstrate financial stability
 - Provide special need service for documented residents
 - All equipment and manpower
 - Financial contribution to curbside recycling education and staff to assist with scheduled school visits and educational events
 - Trucks marked with County logo
 - Provide customer complaint tracking service
 - Provide tonnage verification reports
 - Financial deductions for repeated poor performance

WASTE HAULER

5. Waste Pro of Georgia, Inc. based in Longwood Florida submitted a proposal and cost for services.
- Every other week at \$1,685,760. Annual increases consistent with consumer price index increases.
 - Reference check was performed from a list provided by Waste Pro. The selected customers that were questioned had been a long term customer, a County customer, and a City customer. All questioned groups agreed that Waste Pro delivered excellent service.
 - In addition to the County's Expectations, Waste Pro will provide:
 - o Four (4) new compactors
 - o Route Supervisor
 - o Local office with full time staff
 - o Swing driver
 - o Customer complaint tracking service using Trac-Ez software
 - o Partner with County in education programs and events

MATERIAL RECOVERY FACILITY (MRF)

6. All materials collected curbside must be hauled to a facility that can sort items and transfer them to a recycling plant.
7. City of Savannah contracted with Pratt Industries to receive a rebate of \$15 per ton for all recyclables the City brings to Pratt's MRF with options for increases in the future.
8. The City of Savannah has a Host Fee with Pratt of \$3 for all materials taken to the processing center that do not originate from the City's collection program. One (1) dollar of the three (3) dollars goes into recycle education. Two (2) dollars goes back to offset costs.
9. Pratt quoted staff a charge of \$30 per ton of any material Chatham County brings to the processing center (MRF), however, they have since recanted indicating that they would except no waste from Chatham County until they are able to install additional equipment.
10. *SP Recycling* quoted staff a charge of \$85 per ton of any material Chatham County brings to the transfer center.
11. Staff contacted *SONOCO Recycling* (a local company in Chatham County for a number of years) to acquire another quote for single stream recycling disposal.
- SONOCO can process the large amount of material
 - Chatham County has utilized SONOCO for many years for it's drop-off center recycling

- In todays market SONOCO would charge \$22.50 per ton for single stream material *not including glass*.
- Glass can be taken to drop-off centers
- Proposed tonnage unincorporated Chatham could generate is 640 tons per month with a cost totaling \$14,400 per month totaling \$172,800 per year.
- All collected recyclables would be delivered to SONOCO because they offered the best quote. The City of Savannah would receive a rebate only if recyclables were delivered to Pratt Industries.
- Currently the recycling market is very flat. However, as the economy strengthens the County can expect some revenue from the recyclable materials. A portion of the revenue will be rebated to waste hauler as a customer service incentive

ORDINANCE

12. If the Board chooses to proceed with a curbside recycling program, there will require changes to the County Code Article IV Waste Collection to include provisions such as the following:
- Ownership of recyclable material and discarded material
 - Collection days
 - Fines and penalties for contamination
 - Vendor has ability to directly charge consumer for damaged, lost, or replacement container

EDUCATION

13. Implementation could happen quickly.
- Staff recommends a phased approach by population density. This approach gives staff and contractor an opportunity to address system “snags” that will arise with implementation in order to maintain a high level of customer service.
 - The delivery for new trucks required would be approximately 90 days
 - The ideal target start date is 120 days of a signed contract to initiate the first phase
 - Adopt Ordinances
14. Effective participation will require a substantial Education Campaign.
- Utilize recycling outreach coordinator and New recycling center
 - Activate an aggressive curbside/recycle campaign taking advantage of all available media outlets
 - Contract with an advertising agency
 - Staff anticipates a start up cost of \$300,000 and an annual cost of \$200,000 for education and awareness. By way of comparison, the City of Savannah budgeted \$270,150 and they also have their local Keep Savannah Beautiful program that provides additional funding.

COST

15. The estimated annual cost to implement a curbside recycling program is as follows:

Waste Hauler	Waste Pro of Georgia	\$1,685,760
MRF	SONOCO	\$ 172,800
Container Replacement		\$ 100,000
Education Start Up		\$ 300,000
Education Campaign Annual Cost		<u>\$ 200,000</u>
	Total	\$2,458,560

FUNDING: In an opinion from the County Attorney on January 20, 2009, there is no prohibition against including on a real estate property tax bills/notices fees for the cost of recycling. The County can assess the fees and also provide by ordinance that the tax commissioner be responsible for collecting the fees.

Currently, the Solid Waste Management Fund is partially funded from subsidy transfers from the M&O General Fund and the SSD Fund. An opportunity presents itself to eliminate property tax subsidy and move to a user fee collected on the single family resident tax bill.

The following would be a funding plan in order to fully align the cost for Solid Waste Services funding on real estate tax bills/notices:

Curbside Recycling Program	\$2,458,560
SSD Subsidy for Solid Waste Transfer including Comprehensive SSD Services	\$1,950,000
• Curbside Yardwaste Collection	
• Curbside Bulky Collection	
• Disposal Cost for Bulky Items	
• Yard Waste Grinding	

• Administration/Overhead/Contingency	
Capital Expenses	\$ 500,000
<hr/>	
Total SSD Solid Waste Fee	\$4,908,560

The Total Solid Waste Fee equates to less than \$170 for every single family residential unit per year in the unincorporated County. For this fee the County provides 7 visits per month at approximately \$2 per visit to every home for a curbside service that includes 4 yard waste collection visits, 1 bulky item collection visit, and 2 curbside recycling collection visits.

POLICY STATEMENT: Board approval is required to approve a curbside recycling plan and approve a funding plan. Separate action will be required by the Board to enter into a contract with a Waste Hauler and public hearings will be required to revise County Codes.

ALTERNATIVES:

1. Board approve plan outlined by staff that includes hiring Waste Pro of Georgia to provide a curbside recycling program, instruct staff to prepare the contract, and approve the funding plan as outlined that would create a Solid Waste Services Fee starting July 1, 2009.
2. Board approve plan for the curbside recycling program and ask staff to propose other alternatives for funding.
3. Board provide staff with other curbside recycling options.
4. Board not take any action at this time.

RECOMMENDATIONS: Board to approve Alternative #1. *(Because of the significance of this action, we request you receive this as information on the 13th of February and adopt on the 27th of February)*

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3. TRANSMITTAL OF FISCAL YEAR 2009 SECOND QUARTER REPORT DATED DECEMBER 31, 2008, TO THE BOARD FOR INFORMATION.

County Manager Abolt said, now we'll have our award-winning Finance Director to come before you and give you a summary.

Ms. Linda Cramer said, hi. Good morning. This is our second quarter report for fiscal 2009 and we really are not seeing any surprises in here. You've been made aware of the issues in the Building Safety Fund, you've been made aware of the Homeowners Tax Relief Grant, and I was going to give you an update on that, but I see Danny [Powers] has already beat me to that, so —. We still don't have that money is basically what we're facing right now.

Commissioner Farrell asked, what's that total dollar figure for Chatham? Ms. Cramer said, we budgeted like \$3.2 million in the General Fund and half a million in SSD. So —. Commissioner Farrell asked, \$3.7 million total for the County? Ms. Cramer said, yes, close to that, and it fluctuates, you know, what we'll get will fluctuate off of that number, but we are, you know, we're behind in terms of not receiving that money. What you see in this report is in the SSD Fund, our revenues are pretty level with what we spent year to date, which is a concern. You know that we have budgeted use of fund balance and with the transfer for Building Safety, it's over a \$3,000,000 use of fund balance in this fiscal year, and I don't see that improving as we go forward into the next budget year just because of the cost increases that we're anticipating related to police and, you know, just general activities of the fund as well. So I don't see a favorable position developing for SSD, and I think Russ [Abolt] has told you that also.

Chairman Liakakis recognized Commissioner Stone.

Commissioner Stone said, Ms. Cramer, you said \$3,000,000 for the Building Safety [inaudible]. I was only aware of \$1,000,000. Ms. Cramer said, \$1,000,000 and — but we have budgeted use of fund balance already, and that's why [inaudible] for expenditures of the SSD Fund. So it's over \$3,000,000 that they have appropriated. You know, we have a finite pot of money. The good news is going into this recession area period in the General Fund, we have built a good level of reserves, so I think that will buffer you a little bit. At this date we still are at three months the fund balance, but as you know that's a smaller number in that fund and that is eroding. So that's the concern. We do feel like the Stephens-Day will possibly protect us a little bit with evaluation changes as we go into the next budget cycle because people are not being taxed at the full value of their properties. So a lot of the things that you're hearing in the State of Georgia about people taking midyear budget reductions are related to the fact that in

those counties or cities, the taxes are being collected on the full market value of the property that has now gone down. And, you know, with Stephens-Day we are below market value in most cases on a residential piece of property.

A couple of things we're watching with the State Legislature is they increased in the State exemptions for residential property to \$4,000, and that will impact your budget. I believe that would go on a referendum in June, and you might have an impact in the general fund of about \$880,000 in lost revenue from that, and in the SSD Fund \$130,000, and —. Yes?

Chairman Liakakis recognized Commissioner Farrell.

Commissioner Farrell said, you mentioned anticipated increases in the police budget for next year. Do you have a number on that? County Manager Abolt said, \$1.2 million. Commissioner Kicklighter asked, how much. County Manager Abolt said, \$1.2. Commissioner Farrell asked, and what do we get for that \$1.2 million. Ms. Cramer said, you get the level of service you are currently receiving. County Manager Abolt said, based on population. Commissioner Farrell asked, so it's going to cost \$1.2 million to replicate the same service? Ms. Cramer said, yes, and now that's spread across General Fund and SSD, but it's the same level of service. It's — the index under the contract is a 2% increase, I think until we get to 35.1%. So we'll see increases for the next two to three years and then it will level off. And then, of course, there are general inflationary increases in the police budget, just as in any budget.

Commissioner Kicklighter asked, so what will next year ----.

Chairman Liakakis said, hold it just a moment. Commissioner Odell said, Dean [Kicklighter] is on that point. I'll yield to Dean. Chairman Liakakis said, go ahead.

Commissioner Kicklighter asked, so what will next year —? Ms. Cramer said, well, we're working on that. Because of our split fiscal year, we always build a growth factor into that budget so we're still coming up with a number. We'll get you that information when we go to the —. Commissioner Kicklighter said, we were thinking in excess of \$21,000,000. Ms. Cramer said, about \$19,000,000, so it will be. Commissioner Kicklighter said, and four years ago, premerger we were about \$4,000,000. Ms. Cramer said, we were about \$10,000,000. I think we were about \$10,000,000. Commissioner Kicklighter said, no, four or five right when we merged.

County Manager Abolt said, that was combined. All M&O, CNT, there was Animal Control, EMS. So she's combined, but she's giving you the combined figure. Commissioner Kicklighter said, it is combined, but break it down —. Commissioner Farrell said, SSD, I think was only four —. Commissioner Kicklighter said, SSD was only four. County Manager Abolt said, yes sir. Commissioner Farrell said, — Dean [Kicklighter] is inquiring about.

Chairman Liakakis said, Dean [Kicklighter], I could ask because I've been over there negotiating with the City with all of those, you know, for the funding for it right now. If you take CNT out of there and the Marine Patrol also out of that, we were paying \$7,000,000 for our — it was \$7,000,000 for the Chatham County Police Department, the cost factor just taking those couple out. Now it's \$15,000,000 and then it will go up from that \$15,000,000 in that. So hopefully when we finish these negotiations, we're going to be able to level that off and come out with a formula to spare to the residents of the unincorporated area.

Commissioner Kicklighter said, yes sir, and we were actually like \$4,000,000 to \$4.5 million pre-merger was what we — somewhere in that area. Chairman Liakakis said, that was about seven or eight years ago. Commissioner Kicklighter said, no sir.

Commissioner Odell said, why don't you all talk. Chairman Liakakis said, go ahead, Harris [Odell].

Commissioner Farrell said, we definitely need to address that issue with this renegotiation as expeditiously as possible because this is a tremendous amount of increase over a period of time that needs to be addressed with the four-year renegotiation. So I encourage this to process to be expedited so that we can come up with a balanced budget for our Special Service District.

Chairman Liakakis recognized Commissioner Odell.

Commissioner Odell said, two things. One is that we have lost so much control of portions of our budget by the merger with the Savannah Police Department. I philosophically believe that it was the correct thing to do, but financially — Dean [Kicklighter], I'm quoting the same numbers you are, and we've had a growth and in this year we're having a continual growth. It is concerning, but that's not my question. My question is that there's a house bill that changes the homestead exemption from \$2,000,000 to \$4,000,000, and your analysis as far as the M&O, if that were to pass, would only be \$800,000 or thereabout? Ms. Cramer said, it's \$883,000 based on the data the Tax Assessor gave us in M&O and \$133,000, I believe, in the SSD Fund. Commissioner Odell said, I had misread that. I thought it would be substantially more than that number. County Manager Abolt said, that's pretty substantial. Commissioner Odell said, oh, I agree and I think that looking at with the homestead exemption, Stephens-Day and all these other things that we have, our tax rate if was put on the entire property is substantially

smaller, I think, than anywhere surrounding us. County Manager Abolt said, it is fair to say that in Atlanta right now we would not be getting any good coming out of it.

Commissioner Odell said, I'll yield.

Commissioner Farrell said, on what he's talking about, I'm all for tax decreases to the property owners and the State granting a decrease to the property owners is a wonderful thing; however, it appears that they're not granting that tax decrease out of their budget. They're granting it out of the County's budget. So is there a funding program from the State coming back to reimburse us as a County so that we don't have a large hole in our budget from the largess of the State Legislature? Ms. Cramer said, I'm not aware of that being in the bill. Commissioner Odell said, the answer is it is not. Ms. Cramer said, I know [inaudible] the County Police Grant, there is that provision but not in this bill.

Commissioner Odell said, in this bill the answer is it's not. They are being magnanimous with our money. They're giving our money magnanimously away, which I think our budget is already tight with no ability on the part of this County to substitute that large hole for funding. I mean it's totally irresponsible.

Commissioner Farrell said, that's very concerning to me as a County Commissioner that this is — that not that we're having the tax decrease, because that's a good thing and everyone likes that and it's very helpful, but to dip into someone else's budget to get — to purchase a nice gift, if you will, doesn't seem to be the correct thing to do.

County Attorney Hart said, going along with the comments of Commissioner Odell and Commissioner Farrell, a bill was dropped in the hopper in the Legislature yesterday which they have magnanimously wished to freeze all tax assessments given January 1, 2009, through 2011, means that, you know, all your test values, even if there is an increase, will not be reflected in the budget.

Chairman Liakakis recognized Commissioner Kicklighter.

Commissioner Kicklighter asked, is that in addition to a bill — is the bill still out there, the Bryant-Day Bill, where they are proposing to do the same thing for commercial freeze — the value of commercial? County Manager Abolt said, correct. Commissioner Kicklighter asked, this is in addition to that? County Attorney Hart said, correct. Commissioner Kicklighter asked, is there a bill by the State of Georgia to reduce my income tax, my Georgia state income tax or anybody else that lives here? Commissioner Odell said, not in the Legislature as of now. Commissioner Kicklighter said, okay, so all their heroic deeds are killing every local government, every local board of education, every local city, but they can't do, or don't seem to desire to do one thing to reduce their own budget. Is that — are you aware of anything that they're doing as far as reducing taxes within their own collections? Ms. Cramer said, I think they're trying to balance their budget. That seems to be their focus, as we are. Commissioner Kicklighter asked, but you're not aware of a bill to reduce my income taxes? Ms. Cramer said, I don't know. Maybe the Tax Commissioner —.

Commissioner Farrell asked, will these tax decreases that they're coming out of the county taxes, do they have any plans to repay us on some sort of loan and interest? Ms. Cramer said, no, not that I'm aware of.

Chairman Liakakis said, I can assure you this, that when they finish up in that State Legislature that we are going to have to everybody on news media, whether it's radio, television or the newspapers, that we're going to let them know that any tax increases caused by the State of Georgia Legislature as opposed to having anything to do with this County, the City, the School Board because I have been lobbying since I head up the 159 counties number one committee and talking to quite a number of State Senators and House Members and trying to work and lobby with other people against one thing that the Senate wants and then the same thing on the same side as on the House in a different way that this thing is way out of order, and what they're going to do right now possibly place us in a bigger problem is that they're going to wait until later on, June or July, before they complete their few days left in the Legislature to come up with their entire program, and that could very well put us in a bind because they're waiting for the stimulus package to come from the Federal Government to see, you know, how they're going to do theirs. And we're not going to let them get away with it as far as it goes. We want our citizens to know who's causing this, and it's not us.

Commissioner Odell said, I'll just make two brief comments. We had a Health Department meeting this week and we are facing cutbacks from the State of Georgia on necessary programs which have been cost effective. The Board of Education, they're facing cutbacks from the State of Georgia, programs like the student — the nursing program, student nurse program, and many other programs. When they said that they are balancing their budget and they owe Chatham County in excess of \$20,000,000 for State prisoners, it is very disingenuous to give that \$2,000 or \$4,000 on a homestead exemption, and I have personally read the bill, and Jon [Hart] can correct me if I'm wrong, there is no substitute of funding or a stream of funding to replace what they are taking away. County Attorney Hart said, correct. Commissioner Odell said, that is very disingenuous. If we can all assume that we represent Americans, we represent people living in Georgia, we will be the last line of defense. The Federal Government is cutting back, the State is cutting back, and our hands are being tied by our State Legislators who say, who dictate things to us, they dictate like we didn't want companies to come in and bid on the jail, which is going to be a major project, or the courthouse who didn't have — who would not have employee health insurance because if their employees got sick, they would go to Memorial Medical Center, to Candler and ultimately we'd end

up paying for it. So they would save money, but we would end up paying for it. They introduced legislation which precluded us from making that part of the contractual consideration. You have to wonder whether or not their cutback on the mental health, which they've drastically cut back, whether or not there's a serious need for mental health care, looking at some of the things that have been done to the citizens of Georgia and in particular citizens of Chatham County. And I agree with you Dean [Kicklighter].

Commissioner Kicklighter said, Mr. Chairman, if I may, I just want to in addition to that, I'm going to just flat out point it out, it's not entirely the State of Georgia either. At this point, our local State delegation are the originators and are responsible for several bills, several bills which will cause Chatham County property owners, their taxes to go through the roof. Others will absolutely destroy educational opportunities for our County's most neediest children. We have plans out there now that we've already hit on about everything here, but we also have out there a voucher system being proposed for children to go to — any child to go to a private school. What happens — I went to a public school and private school — is the child that can't perform quite up to standards, or as is unruly, disobedient, they are kicked out of private school. That's why their scores are so good compared to others because public — we're the public and we have to educate children. Also, our local delegation, it's my understanding, has a proposal that every child be able to go to whatever public school anywhere around free, that they can cross county lines. Our kids can go from wherever to Effingham, all over the place. What will happen is children will be kicked out of what people believe to be the higher performance schools and it will leave children — it will set up the whole entire system for failure. The brightest will be in private schools helping their scores look great and others will be at wherever they perceive to be great schools, and there will be some serious problems because you will have — the reality of it, inter-city schools left where the children can't either perform the highest because the brightest will be gone. They'll be in private schools and all, and you'll have all the schools with the behavioral problems that aren't going to be tolerated out of their home school area, that they're sent back, and everyone will be removed from our schools in Chatham County except for those who are going to post the bad scores up there. That's the reality of what we're facing right now in Chatham County, and unless somebody — and I'm going to catch it for laying it out, I'm sure — somebody has to tell the story that our own delegation is about to ruin our County, and it is our own. And they are a bunch of good people. I like to talk with them and they're good nice folks, but they are going to ruin our County unless the people stand up now and tell them to stop the nonsense. You're not giving a tax break to our County people by passing the buck. That's all they're doing is passing the buck at this point. It's nonsense and it shouldn't be tolerated, and this public needs to stand up and not take it anymore. And thank you. I'd like to see someone from the Board [of Education] possibly come in and explain better than I just did, but if someone would contact the Board [of Education], I would love to hear a presentation of their interpretation of the flaw of bills that are being put forth that will ruin our schools and the possibility of our children ever getting a good education around here.

Chairman Liakakis said, okay, Linda [Cramer]. Thank you very much. We appreciate that information.

ACTION OF THE BOARD:

The Board was presented with the Fiscal Year 2009 Second Quarter Report dated December 31, 2008. The report was presented as information and required no action by the Board.

AGENDA ITEM: IX-3

AGENDA DATE: February 13, 2009

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

ISSUE: To present the Fiscal Year 2009 Second Quarter Report dated December 31, 2008 to the Board for information.

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

FACTS AND FINDINGS:

- 1) The Second Quarter Report covers various county funds and activities, and presents budget-to-actual comparisons. Adopted and amended fund budgets are presented as well as variance data. Prior year numbers are presented for comparison on the General Fund and Special Service District Summary reports.
- 2) The amended budgets shown herein represent budget transfers approved through December 31, 2008. In some cases, subsequent adjustments have

occurred. Year-to-date expenditure and project balances are presented. Open purchase orders and outstanding contractual obligations are not included in the year-to-date expenditure amounts.

- 3) The SPLOST V Fund (2008-2014) is included in this report. Activities reflect one month of sales tax receipts in December 2008.
- 4) Notable items include the following:

General Fund M&O

- The General Fund received revenues of \$80.4 million during the first half of fiscal 2009 and expended \$75.2 million. This represented 53% and 49% of budgeted amounts respectively. The fund's cash balance is positive.
- General property tax collections remain strong - general property tax collections were 56% of budget, slightly lower than the 58% collected a year ago.
- Sales and use taxes were 49% of budget; actual revenues had decreased from 2008 levels by \$331,084. Recent months show declines.
- The County has not received reimbursement from the State of Georgia for the Homeowners Tax Relief Credit. Therefore, the intergovernmental revenues category is substantially below prior year levels.
- Two revenue categories related to real estate transfers/sales were below budget. Revenues related to real estate transfer taxes were approximately 32% of budget. Intangible recording taxes from Superior Court were at 24% of budget. Finance anticipates continued unfavorable revenue variances through the year within these accounts.
- Inmate billing revenues from the City of Savannah were below budget. City and County staff are working to resolve issues related to the billing process.
- Unusual expenditure variances for the following departments are explained below:
 - County commissioners – 25.16% – Approved funding for management consultant services and for the County's legislative liaison has not been fully expended.
 - Voter registration – 65.43% - Higher expenditures are the result of salaries and overtime incurred during the fall election season.
 - Communications – 28.7% - Low repairs and maintenance costs year to date result in a favorable variance..
 - County Attorney – 58.57% - The variances is related to management consulting fees / attorney's fees. It is anticipated that this pattern will continue through the remainder of the fiscal year, possibly requiring additional funding for the department.
 - ADA compliance – 34.78% - Budgeted management consulting services have not been fully expended.
 - DUI court – 26.78% - Budgeted costs for labor have not been expended.
 - Public works – 64.20% - Mowing and drainage maintenance costs for first half of the year were at 85% of the line-item budget.
 - BSRS – Animal Tag Division – 32.82% - Finance is working with the department to review how salaries are impacting the BSRS accounts across all funds.

Special Service District (SSD)

- At mid-year the SSD Fund had received revenues of \$15.2 million, 52% of budgeted amounts. Expenditures of \$15.1 million were recorded, 51% of budgeted amounts.
- During the second quarter the County received insurance premium taxes of \$3.5 million from the State of Georgia. This revenue boosted the Other taxes category.
- Revenue from Licenses and Permits were below budget since most are collected within the third quarter of the year.
- MPC fees were at 18.5% of budget estimates. This revenue category is influenced by declines in real estate activity.
- Investment income in the fund trended low against the budget amount during the first six months of the year due to cash flow trends in the fund and decreasing market investment rates.
- Records Court revenues were slightly below prior year amounts at 41% of budget.
- The expenditure variance in the Other Financing Uses category was caused by interfund transfers. The expenditure variance within Records Court resulted from indirect cost charges to the department.

Multiple Grant Fund

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

Hotel/Motel Tax Fund

- Hotels and motels have until the 20th of each month to remit their tax returns and checks to the County. This report reflects five months of activity.

Land Bank Fund

- Anticipated property sales should offset the fund's year-to-date shortfall.

Building Safety & Regulatory Services Fund

- Fund revenues were \$574,254 through the second quarter with corresponding expenses of \$983,899. Budget adjustments approved in January 2009 should provide for continued operation of the fund. Staff is developing a plan to address the fund's shortfall.

Capital Project Funds

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

Health Insurance Fund

- Medical costs are currently running close to budget. Although retiree health care costs are accounted for in another fund, their impact is noted on page 34.

FUNDING: N/A

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

ALTERNATIVES: N/A

RECOMMENDATION: For information only.

**Chatham County, Georgia
Second Quarter Report - December 31, 2008
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4. REQUEST BOARD AUTHORIZE PROCEEDING WITH THE ISSUANCE OF A \$2.3 MILLION BOND (PLUS ISSUANCE COSTS) TO ACQUIRE 120 FAHM STREET AND ENTER INTO A \$200,000 ONE-TIME PAYMENT SERVICE CONTRACT WITH UNION MISSION.

Chairman Liakakis recognized County Manager Abolt.

County Manager Abolt said, Mr. Chairman, this is a straight forward proposal dealing with the facts of the matter of a business proposal that allows you to confirm your action last May and June when you adopted a budget and in effect float bonds and have fully collateralized debt based on property currently owned by Union Mission, and then beyond that a one-time contract for services that will be rendered with primary emphasis on reducing and minimizing continuing increase, I should say, with the Detention Center population. You certainly can do both. You can do both based on sound business principles. The fully collateralized loan will be something coming back to you. Once the bond issue is ready to be actually stamped on the contract, we'd come back with the contract. Payments would be made on a quarterly basis based on actual services received, and the long and the short of it is, it is a business proposition.

Commissioner Thomas said, Mr. Chairman. Chairman Liakakis recognized Commissioner Thomas. Commissioner Thomas said, thank you. First of all, let me say that I am not against the request. What I am concerned about the many concerns that I have that have been coming from the citizens of Chatham County in reference to some misunderstandings that is afloat out there, a lot of innuendos, a whole whatever you want to call it. I also understand that the State, the Office of the State Audit has been in town and doing an audit and, if so, I'd like to hear from Union Mission on that. The other thing I want to say is that we want to make sure that whatever decision that we come up with today, that it will be the right decision on the part of all the citizens of Chatham County. I do applaud Union Mission for the services that you have rendered to the under-served and under-insured citizens of this County. Had you not been there, the County would have had to assume all of this responsibility. So I would like for someone from Union Mission to come to the podium and address the question of whether you are now being audited and, if so, where we go from there. If not, just elaborate please.

Mr. Herb McKenzie said, Dr. Thomas —. Chairman Liakakis said, identify yourself for the record. Mr. McKenzie said, I'm Herb McKenzie. With me is Tom Coleman and we represent the board of Union Mission. Also here today, because this is as you just pointed out, a most important meeting for us, Union Mission, and a number of our board members have taken the time to join us. I'd just like them to please stand for a moment. Thank you. Dr. Thomas, let me come forth —.

Commissioner Odell asked, can you identify your board members. Mr. McKenzie said, sure. Tom Waters, Phillip Solomon, Eric Meyerhoff, Maryann Tuten [phonetic], John Tatum, Art Dana, Tom Coleman of course you know, Jerry Rainey. And Rene Kennedy [phonetic]. I didn't see you back there.

Mr. McKenzie said, I have some prepared remarks I'd like to make, but first let me address specifically Dr. Thomas, your comments, your concerns. There are a number of audits. When the board of directors through the management of Union Mission became aware of our problem with our CFO, an audit was being conducted that identified that problem. That audit has been presented to the County Manager and the staff, and that is the Union Mission audit. Now the next audit that you may be referring to, in December Union Mission wrote a letter to a Ms. Gwen Skinner, whom I believe is the Director of Mental Health under the Department of Human Resources at the State level. We requested at that time in our letter to Ms. Skinner that the State authorize and conduct an audit of SABHC. SABHC is now undergoing that audit, and since Union Mission was probably on the order of 80 to 85% of

the services provided to SABHC, it is natural that the State auditors are looking at Union Mission for the services that they did and auditing those services. So that audit is underway. I suspect it will take months to be finalized, I'm told, and that is the audit that perhaps and I believe that you're referring to.

Commissioner Thomas said, right. Mr. Chairman, I know that you participated, I think, with Mr. Hodges and the CPA with an independent audit. Are you okay with that?

Chairman Liakakis said, well, the auditor was requested that was doing that for the Union Mission, and when we had the meeting with them, the County Manager and I speaking to them, it was requested to them to bring their auditor to a meeting so we would find out, and that auditor, as Russ [Abolt] can tell you, stated that what the auditing firm found was that the — was that that information about what had occurred with the Chief Financial Officer, that that was true and looking at the specific records and all, and our County Manager knows this auditor who has a great reputation in our community, he can speak to that also about things that he asked also. Russ [Abolt]?

County Manager Abolt said, yes, I can. Mr. Hodges I've known for as long as I've been your manager is not a reputable but understands the gravity of the decision this Board would make and also Union Mission. His prime responsibility is to the client, the Union Mission Board. I am confident in meeting with the Chairman and others and Mr. Hodges that he has revealed to them and to us everything that's known about it. That is different than the program on it. This is a financial audit, and again as you weigh the pros and the cons, please understand the way in which I presented it. This is a business proposition. You would be making a recommitment of purchasing property and you'd be purchasing that property. Yes, it would benefit the Union Mission, but it's a business proposition secured by an asset. Going one step further, and that's because of the concern of this Board and this Board alone for what's happening at the Detention Center, you're also saying, hey, we don't want to lose these services, and so you're willing to contract for specific service paid on a quarterly basis for services delivered. Absent that, no payment.

Commissioner Thomas said, okay, finally I just want to say I have been a strong supporter of Union Mission and I have followed them throughout the many years that they have been servicing this community, and I do have a very strong support in terms of our County Manager and staff. I have all of the confidence in them. I wanted to make sure that the question was answered for the benefit of the citizens who are asking a lot of questions, and so I understand it, and I hope that the citizens understand it, and that's the reason why I was questioning it.

Chairman Liakakis recognized Commissioner Kicklighter.

Commissioner Kicklighter said, thank you. Will you tell us approximately your estimation of how much monies your organization actually saves the Chatham County Government each year?

Mr. McKenzie said, I can, Dean [Kicklighter], and if you'll permit me, it's relatively short and to keep it in the context, may I present —. Commissioner Kicklighter said, sure. Mr. McKenzie said, and very briefly I'll try to keep it as short as I can. Obviously the reason the board members are here and myself, we're asking you to support the approval of the County Manager's recommendation to support Union Mission.

As you well know, Union Mission is important, a very vital part of this community. It's important for shelter to the homeless, for health care of the uninsured, as an alternative to people being incarcerated in the County jail, and for the overall quality of life in our community. The Union Mission is widely acknowledged as a valued community resource that has been recognized regionally and nationally on many occasions. These include the American Hospital Association's Nova Award, the U. S. Department of Housing and Urban Development's Best Practice Award, and the Georgia Department of Community Affairs Magnolia Award for its housing developments.

For over 60 years, Union Mission's reputation for getting the job done was excellent. A quick review of our history illustrates this. Savannah-Chatham Schools — Savannah Christian School, Prep School, was founded by Union Mission. The County's first shelter for homeless women and children was established in 1990 by Union Mission. The State's second largest provider for HIV and AIDS services was established in 1990, expanded in 1995 and again in the year 2000. Union Mission's J. C. Lewis Health Center opened in 1999, as one of the nation's first alternatives to extended hospital treatment for indigent patients. This program has repeatedly been hailed as a significant innovation in the nation's healthcare crisis by the Robert Wood Johnson Foundation. Over the past eight years, Union Mission has opened three facilities: the Daniel-Flagg villas for families impacted with AIDS, Ben and Bettye Barnes Center, and the Don and Kaye Kole Center, both for women with disabilities. In a couple of months Union Mission will open a 48-unit housing project on Middleground Road for families with disabilities. In late 2007 Union Mission significantly expanded its Fahm Street campus when it opened the country's first multi-disciplined health care complex for the homeless and the uninsured.

These accomplishments and many more have over the years earned Union Mission a reputation for outstanding work, outstanding vision. Regrettably, this reputation has recently taken a big hit. It has been said that the two hardest things to handle in life are success and failure. Union Mission has experienced both. The irony of this is Union Mission is in the business of helping people who have failed to once again succeed. They come, ask for help, and many do succeed, like 637 men, women and children who overcame homelessness last year through Union Mission programs. Just as they needed Union Mission's assistance, we now stand before you asking for

your help. Today we need your assistance, assistance so that Union Mission can continue the success it is known through the years, success that has helped others bounce back from their failures.

Simply stated, the problem is that Union Mission has a significant debt, much of which is due to the cost overruns of the construction of the J. C. Lewis Behavioral Health Center that Mr. Abolt just mentioned. Additional debt was discovered in December of last year during an independent audit when this very unfortunate incident was reported to Union Mission's management and its board of directors, swift action was taken, action to correct the situation and to prevent it from happening in the future. This problem was promptly reported to you the Commissioners in detail, covered extensively in the media, and is known generally throughout the community. I will not waste your time today reviewing these details yet again.

There are many outstanding organizations in Chatham County that merit support, organizations that do outstanding work. Few if any however can claim Union Mission's annual contribution of \$30,000,000 in cost avoidance to the citizens of Chatham County. \$30,000,000 is a big number and some will naturally be skeptical as to its credibility. So I'd like to give you just one specific example. Last year Chatham County courts referred 474 people to Union Mission for treatment and care rather than have them go and become incarcerated in jail. 474 people the taxpayers did not have to support had their time in the County jail. The actual one-year savings of the County was over five and a half million dollars. Union Mission could give you many more examples with real savings to taxpayers and real changes to people's lives.

A fact not generally known is that throughout his history, Union Mission has primarily been funded by local philanthropy – city, state and federal funds, federal grants. Aside from Chatham County's much appreciated 2005 contribution to the construction of this behavioral health center, Union Mission has never solicited, has never solicited the County for financial support. We fully appreciate that you, the Commissioners and Mr. Abolt and his staff, have been most generous in hearing our story, hearing our problem, lending us time to explain and understand the problem. And for that, we thank you.

The pure and simple truth is rarely pure and never simple. Our comments on behalf of Union Mission's board of directors have been our best effort to explain the problem to you. We sincerely believe your approval of the County Manager's recommendation is in the best interest of our entire community. Tens of thousands of people, the neediest and most vulnerable citizens of our County, have depended on Union Mission for over 60 years. Today Union Mission depends on you. Please support and vote for the County Manager's recommendation. Thank you very much for your patience. I'll be happy to try to answer any questions you may have.

Chairman Liakakis said, thank you. Come up to the microphone.

Mr. Tom Coleman said, my name is Tom Coleman. I'm the Treasurer —, what am I? — Secretary. With all the good words that we got from Mr. McKenzie, after we got into our loss of funding problems because we had an overflow of patients, some of you have probably looked around the State of Chatham County, and we have more people needing a place to sleep and needing a place to eat, and we have been furnishing that. We haven't been asking for money for it. We finally don't have any money, but I'm tired of somebody standing on the corner saying, you know, they had a robbery at Union Mission. Does anybody up here think we had a robbery at Union Mission? Does anybody? Does anybody think we had somebody sneak off with money? Does anybody think we did not have money that we spent in good order? Thank you.

Chairman Liakakis said, Dean [Kicklighter], Harris [Odell] and then Helen [Stone].

Commissioner Kicklighter said, Mr. Chairman, with all due respect to the Senator, we had, although the intent may have been good, we had someone break the law. There's people out there on the streets that in my opinion would be better off being flat out; killed. But that's not up for me to do because we have laws in place, so the law was working. No matter what the intent was of that, that's the part that we have to acknowledge that we all have to abide by the law, with the understanding of that and understanding that the intent was not bad, and the understanding of your statement of one example saving this County \$5.5 million on just one instance per year. Also, after a conversation with you where you stated that you would have no problems implementing more frequent audits to prevent something like this from ever happening again, is that the case still? Mr. McKenzie said, yes sir, it is. Commissioner Kicklighter said, and understanding what amazing contributions you have made throughout the years for this area, for the areas most neediest people, because you will have more frequent audits and can you give for the people at home who may be worrying, can you give us a minimum of how many audits you will have as a minimum per year? Mr. McKenzie said, a minimum of two. Commissioner Kicklighter said, a minimum of two per —. Mr. McKenzie said, and if needed more. Commissioner Kicklighter said, and if needed more.

Commissioner Kicklighter said, because of your unbelievable track record of good for our community, number one, you're a great organization who helps people, and someone there made a very bad and illegal mistake. But one person does not make an entire organization bad. A police may go off and do something bad, but it's not necessarily a reflection of the entire organization. You're all good people, good-hearted people. You do this to help people. In addition, you are saving the County taxpayers millions of dollars, so to listen to some out there who may tell us that because someone in your organization made this mistake, when you're willing to put policies in place that will prevent this from ever happening again, it makes no sense for any of us who are elected to help people, and it makes no sense for us financially to not help you. Investing when compared to what you save us per year,

this is a drop in the bucket. This is preventive medicine. This is putting in a little hand sanitizer when you go out in the public when the flu is out there. This will save millions upon millions of dollars in the future and help a wonderful organization to continue serving this community.

Commissioner Kicklighter said, having said that, I'll make a motion to approve the County Manager's recommendation. Commissioner Farrell said, and I'll second it.

Chairman Liakakis said, and now we'll continue with the discussion. Chairman Liakakis recognized Commissioner Odell.

Commissioner Odell said, Mr. McKenzie, I enjoyed the visit with you and former Senator Coleman, and personally I don't think anyone has thanked and former Senator Coleman and the other board members for your participation. You're not paid people. You are volunteers, and no one volunteers walks up to the grief that you all have had through. I wonder if they sincerely believe in what has been done. I appreciate the service that you all have given and I will vote in support of the County Manager's recommendation for the following reasons. I spoke to Dr. Skelton, who is a Medical Director, Director of Health with our Chatham County Health Department, and he is an absolutely rock. He's a rock star, and Russ Abolt asked him to look at the services and make recommendations. And I feel confident in quoting Dr. Skelton. He supports the County Manager's proposal. From my standpoint it's purely a business decision, and the business decision is I really think that we made you all an obligation and a promise several months ago about the \$2,000,000. That to me is not an issue because we're already kind of obligated to do that. The other issue is the \$200,000, which compared to the ultimate savings to me is not a realistic issue. I really wish that everything could be absolutely perfect and sterile, but unfortunately that's not the world we live in. I think the overall good that you all provide and the cost comparison to taxpayers is beneficial, and I urge everybody to support this. It will be secured, am I correct in reading the staff report, by real property, Russ [Abolt]? County Manager Abolt said, yes. Commissioner Odell asked, and we will have sufficient opportunities to ensure that any investment that we have made is secured and protected? County Manager Abolt said, not only that, but the bonds — I mean, the people investing and buying the bonds wouldn't buy the bonds if they weren't secure.

Commissioner Odell said, yeah, again I thank you and your board for volunteering. We have urged people in the community to get involved, and you all have gotten involved and this time period has not been very good, but I think the program is worth saving, and I listened to your detractors and other folk, and I don't think we do enough in this area. I'm often concerned that I see that we have so many beautiful churches, but sometimes we forget that it is not Godly to help somebody who's exactly like you. It's that guy who might have got on drugs that has a mental problem that is nothing like you or nothing like your family. Not only is that humane, it makes good business sense because Chatham County Jail is the largest provider of mental health care in this area, and we don't need to be the sole providers in that effort. I thank you for what all you've done and I'm personally gratified that any blemish that the Senator referred to that this was not a loss that was due to a person personally profiting from this. It was not that occasion, and if it should be reported accordingly that there were items that were paid and there were items that were unpaid, but no one got money that they were not entitled to. The problem was that we had an increase because some of the service partners fell off and your volume increased, and if you look at that increase, it's about \$50,000 a month, and I think, Mr. Coleman, you said over the period of time that more than exceeds what you all are asking us to do. My mine is not unsettled. I will support the County Manager's recommendation with the understanding that it is secured by property. I've had the opportunity to talk to Dr. Skelton and Dr. Weems and the other good people at our excellent Health Department, and they are secure with this position that we could not easily replace these folks. So what we have to decide is if we don't do this, what's the option? What's the option? I don't see there being an option, and I thank you personally for your efforts and your board for its efforts, and it's going to get better, but nonprofit is never easy. I mean, that's why they call it nonprofit, and, Mr. Chairman, I yield.

Chairman Liakakis recognized Commissioner Stone.

Commissioner Stone said, thank you, Mr. Chairman. Mr. McKenzie, I appreciate you and your board being here today. What is your title with the board. I heard the Senator Coleman say that he was the Secretary. What is your —? Mr. McKenzie said, I am the outgoing chairman of the board. I have been the chairman of the board for the last two years, and we have a precedent with the Union Mission board that you go through the chairs. There's a vice chairman who now elevates to become the chairman. Commissioner Stone asked, and who is your current chairman? Mr. McKenzie said, Jerry Rainey, who is with us here today. Commissioner Stone said, I was just curious as to why he was not speaking.

Commissioner Stone said, this question is for the County Manager. The services, this contract for services, these are the services that are currently being provided, is that correct? County Manager Abolt said, we'll make sure that the services provided are in tune with and congruent with the needs of the jail and managing and eliminating minimizing jail population. That contract will come back to you for approval. It will be specific as to outcomes and expectations and, as I mentioned, the payments will be made on a quarterly basis so in the event there is failure to provide and deliver services outlined in the contract, payments will not be made. Commissioner Stone said, okay, and when will we expect to see this contract and what all is in it? County Manager Abolt said, as you know, I've got an excellent staff, led by Mr. Monahan, Mr. Hart and Ms. Cramer. This will come forward fairly quickly. We will also, if you approve this recommendation, issue a letter to the board of Union Mission that will explain exactly what this Board, this County Commission, has set in motion, and I'm of the understanding that it was not of our concern, but

that will help them with other problems they face, but it will be a forthright and very specific declaration of what this Board would agree to assuming everything's okay. And right now we think we have a business deal that you can approve and have that business deal secured and the taxpayers protected. Commissioner Stone asked, so what we're doing today is a conceptual approval of this until we get the actual contract? County Manager Abolt said, yes, you are, but I think from the standpoint, not from the County, but the standpoint of Union Mission, that the consequence of your action today is very important to them. Commissioner Stone said, okay. I just wanted to be very clear on what services we were contracting and what the terms of the contract were. Thank you.

Chairman Liakakis recognized Commissioner Shay.

Commissioner Shay said, Mr. Chairman, today we're deliberating over the financial fate of Union Mission and this is an institution which for all the reasons that have been stated we cannot possibly let collapse and fail in our midst. But the reason that Union Mission got into financial trouble is not just that somebody wasn't keeping good records. The reason that Union Mission got into financial trouble was because our Behavioral Health Collaborative failed. Not that the people that worked on it failed or the people that devote their time to it, but that for some reason the flow of resources through the Behavioral Health Collaborative was nowhere near enough to stand the time of the demand for services in the mental health community. We experienced this at the same time that the Georgia Department of Human Resources is rethinking their whole approach to the mental health crisis that we face in our community. We deal with this at the same time that we hear that the State of Georgia is seriously considering closing Georgia Regional, the main mental health hospital that we have in our community. We face this problem at the same time that we have a terrible crisis with our local hospitals with the flood of uninsured patients, many of them in fact mental health consumers at those hospitals. And, of course, we face this problem at the same time that we have a drastic problem with overcrowding of our Chatham County Detention Center, largely — well, no, you can't say which component, but we have by default become the largest provider of shelter for mental health in Chatham County. So today we're going to, I hope, keep Union Mission from financial ruin, but we can't stop and say, okay, that problem's solved, checkmark in that box, let's move on to the next thing. This is a perfect storm of challenges that we're facing, and even Dr. Skelton is going to be hard pressed to help us figure out how we're going to address the challenge. But we're going to have to do it because clearly the State of Georgia doesn't think that they have enough skin in the game down here to be the provider that they have been in the past. And that is why we find ourselves in this situation, and that unfortunately for the people of Chatham County and especially for the people with mental health problems cannot be solved by what we do today.

Chairman Liakakis said, on this, and think I'll call down there, this situation that we looked at, in fact I was at another meeting with a couple of the other Commissioners, and they even mentioned to do something on a temporary basis to help Union Mission. They brought up some concerns and all of that, and one of the things, looking at this, talking to the health officials, looking at a lot of things, and we have security on this, so it's not like we're going to be having a problem with losing taxpayers money because the properties that will be used for security in this will be above what the monies that are being requested at this particular time. So I want everybody to know that and what I'll do next is call on Dean [Kicklighter] and then the next person that wanted to speak is Commissioner Farrell.

Commissioner Kicklighter said, I just want to sum it up. Basically, we've established we have an organization that saves lives. They — you keep people off the streets. The day I visited I believe there was — there had to be at least 200 people in the mental health part of the facility there that without you there would be out on our streets, and without the proper medication and guidance from the doctors would probably not fair too well on our streets, and probably would not be productive citizens for the area and, most likely, would wind up at some point in our County jail, which would cost a lot more to the area. I believe we've established that we through a SPLOST vote approved — the citizens of this County approved the \$2,000,000 of this \$2.2 million. Right? Chairman Liakakis said, yes, that was done last year — I mean, that was through a bond issue last year. Commissioner Kicklighter said, Harris [Odell] was talking to me and I —. Okay, but in addition then that was the bottom — so we already owe, that's already committed the \$2,000,000. The only thing on the table is the \$200,000 basically because we already committed the \$2,000,000 before that. The reality of this, you being an organization that actually saves lives requesting \$200,000 to stay in business where you can keep helping people, and the reality is that we actually looked at a proposal today for \$2.5 million to recycle. You know, recycling is great and good, but do we want to save lives for \$200,000 or do we want people to throw glass in a certain can? I choose what you guys are doing. Thank you for volunteering your time. I'm sorry for whatever flack you and your great organization has caught because of a bad mistake of one. I appreciate it. I choose saving lives at \$200,000. It's a no-brainer. You will save us over \$5,000,000 for this \$200,000 investment, but more importantly you will save lives here in Chatham County. So with that, if no one minds, I will call for the question. Oh, did you want to talk? I take it back then.

Commissioner Gellatly said, yeah, I do have some comments. I have a question for our Attorney, too. First of all, before you get through you have to realize there's another group of people that want to talk too out there, and my — I've listened to the other group, but the worst critics of Union Mission, the worst critics will quickly say that they don't want you to go out of business. They'll quickly say that you provide a critical service to this community. A mistake was made and I voice this to you, some of the members of Union Mission, I don't want any surprises. I want to make sure the whole story has been told and that there's no whoops-type thing come up. I want to ask our Attorney this question, and again I'm asking this in behalf of the taxpayers. We have [inaudible] an iron-clad contract that if, God forbid, something bad happens and we need to get our assets, it can be done in a quick, reasonable period of time and we can liquidate those assets to make sure that there is absolutely no loss to the

taxpayers. I want you to answer that please. County Attorney Hart said, sure. I think the County Manager said it best, from our standpoint, leaving aside all the good works, it's a business transaction.

Commissioner Gellatly said, that's the part I'm looking at. County Attorney Hart said, we're buying a bunch of assets that far exceed \$2.3 million. They will be titled in the name of the County. We will own them and we will take those assets and issue bonds on them. Commissioner Gellatly asked, we could liquidate them quickly? County Attorney Hart said, we would it. We haven't got to do anything. We just — if they non-perform or go out of business, it's our building and then that's something else that needs to be remembered here. Hopefully these folks are going to be here for another 60 years, okay. That's my wish. So these type of services have got to be provided somewhere somehow, whether it's our jail or these folks or somebody else. We've got to have facilities to do that in. So, God forbid, if they should happen to falter and go out of business, you now have an asset where you have the ability to find someone to help you do that, and for your entry cost to that is going to be substantially less by doing this than having to go out and find those kind of assets. I really don't think there's a down side to the transaction.

Commissioner Gellatly said, okay, I needed to hear that. And then from a personal standpoint, I think Union Mission, but I'm quick to say this too that there are a lot of other groups out in the community that do very similar type work, and I fully recognize them. My concern has always been the way this country treats its veterans. We still have people that have fought our wars that sleep underneath bridges and in cardboard boxes right here in Savannah, Georgia, and I'm personally aware of the fact that the Union Mission, as well as others in groups in the community, have provided invaluable service, and I certainly want to see that continue. And I want to see that they get the medical attention that they need, and we as a country, we pay a lot of lip service but in reality we do, when veterans when it's 10 or 15 years after the war that they fought and they still have mental problems, we pretty much forget them as a society. So as strict business deal that's anchored by assets that are worth more than the money that we're talking about, and we can liquidate those assets if we had to, I think Union Mission is not a perfect organization, but after saying that too, they've got a lot of good in this community. I think they can continue to do that and I think that they're worth of our support. But again I want to say for the record, I don't want any more surprises. I don't want a surprise, that's all.

Mr. McKenzie asked, may I come in? Commissioner Gellatly said, please, I'm through. Mr. McKenzie said, we don't want any surprises either. They serve no purpose. They're mutually disadvantageous to all of us and we're all trying to do the same thing. Union Mission has its detractors. You've heard from them. Those folks are entitled to their opinion, but they're not entitled for their own facts. If there's evidence to suggest one second that Union Mission and its board and its top management has misled anybody, I can only tell you to the best of my knowledge, sir, I'm telling you the absolute truth and have been from day one. If there's any evidence to the contrary, please bring it forward. Please bring it forward.

Chairman Liakakis said, okay. Anybody? Now then what we'd like to do now is because of what this Board has said, we'd like to hear if somebody wanted to come up to the microphone and say something in here, but I want y'all to know that anybody comes up here, if it's from those same organizations because I've looked into it, and that same group stated that they did something on a temporary basis, didn't want to see them go out of business, and so that's why we looked at it to make sure that additional monies were not put in there other than that \$200,000 that our County Manager and our Finance people have got into that. So if somebody would like to come up and make a statement now or question, whatever it is, please come up to the microphone.

Mr. David Saussy said, thank you, Mr. Chairman. My name is David Saussy. I am on the board of the Homeless Authority as well as being a former Commissioner for eight years. I have been involved since the second year that I was on the Commission with the Regional Board and with the Homeless Authority after that. I can agree with some of the things that you've said, and I can agree that Mr. McKenzie waxed very eloquently for the Union Mission, which I would have done myself. However, there are other things the people have been saying about the Homeless Authority. It was all their fault. In fact, it's basically come from Union Mission people. Now — not many of them. Probably only one or two, but I would like to get those things cleared up for the one thing, but the other thing is y'all have not gotten the whole picture and I think you need to table this at least for a while to get the whole picture from the other people that have been involved in the community, saving lives, keeping people out of the jails as well as Union Mission has. I can't see, and this may in your opinion, Russ [Abolt] it's a good business deal, but how can it be a good business deal when y'all are not getting paid back anything. You're having to pay money out — \$188,000 I believe it is a year. How do you get that money back?

Chairman Liakakis asked, do you want me to answer that? Commissioner Kicklighter said, that's not even —. Commissioner Stone said, yes. How? Chairman Liakakis said, well, I can say this, that for a number of years the County was paying, as you well know, Memorial Hospital like \$10,000,000 or \$12,000,000. Right now, we're not paying that taxpayers' money, and it's a huge amount of money because of Union Mission, that I'm quite familiar with, and I got the records on that, that will show that because if we hadn't had Union Mission there that the County would have been paying because of the overflow at the emergency rooms that we had, David [Saussy], and what we did was because I listened to what all of y'all said at that particular meeting, and at that meeting it was said that y'all didn't want to see them go out of business, to do something on a temporary basis. So that additional things that we were talking about —. Mr. Saussy said, \$10,000,000 is a lot more than a temporary —.

Chairman Liakakis said, wait a minute. We had already approved that bond issue in June —. Mr. Saussy said, you don't have to issue it. Chairman Liakakis said, no, because what we're looking for the correct rate so that it would cost us less money for that bond issue. But we can look at, if you put all those figures together and see, and paying out a small amount of money and not paying out \$10,000,000, \$12,000,000 a year or even more and the reduction that has gone in there, that's what we looked at because, number one, we want to know about things, and people are making remarks about audits and things like that —. Mr. Saussy said, they're not just remarks, they're facts. Chairman Liakakis said, but what I'm saying is we are getting paid. We're getting paid by not paying out that huge amount of money —. Mr. Saussy said, you can continue getting paid without the \$2.3 million out because there's other organizations out there that can do the same the same services. What we were saying the other day is, yes, Union Mission does a good job in some things, and they have done wonderful jobs in many things. But the one problem there and one thing they're in trouble with was they took on stuff that they didn't really know how to work, and that was the SABHC. So, therefore, there are people out there right now taking over what they did and supposedly they say they lost a lot of money in it. They've got every bit of money that was billed for them. So I don't know where they lost it. They must have put it in some other things that they wanted to do, and that's what I'm talking about. Y'all really have heard just a little story of all this thing. You need to at least take some and listen to others not just the Union Mission people. You haven't done that. Chairman Liakakis said, but David [Saussy]. Mr. Saussy said, some of you have to and have been to a meeting with us. Chairman Liakakis said, if we had heard, number one, about something else and we could verify things, but —. Mr. Saussy said, give it time to be verified. Chairman Liakakis said, listen. What I'm saying is this that we heard about it just a couple of days before you coming up here and three of us attended a meeting, but the thing about it is right now if we don't do this, then they have got a big problem over there about not doing this \$200,000, and I'm saying —. Mr. Saussy said, [inaudible] I can agree with, but not \$2.3 million.

Chairman Liakakis said, number one, we haven't issues the bonds yet. Mr. Saussy said, right. Chairman Liakakis said, it hasn't been issued, but here's the thing about it. I'm going to do at this particular point because we'll listen to the Homeless Group, we'll listen to all the groups within the community and all, but right now we've got to look at stabilizing them; hopefully that this \$200,000 will do that. That's what people are saying, looking at the particular records because I know that we can't afford right now to have a situation where they are being disbanded. Mr. Saussy said, let me ask you to ask them will \$200,000 stabilize them. Chairman Liakakis said, listen, we're not going to have a debate on that, David [Saussy]. I appreciate your service and with the Homeless people because they've got things —. Mr. Saussy said, \$2.3 million —. Chairman Liakakis said, listen. We know what they're going to do with it. It was already explained to us what it was, but David [Saussy], we don't want to be debating in here. We appreciate what your organization has done. You've done some good things in the community and we appreciate it, but right now we've got an emergency situation that we have to address. And so what I'm going to do right now, David [Saussy], is call on Commissioner who was waiting is —. Well, come on up.

Commissioner Kicklighter asked, can I address Mr. Saussy before he speaks please. Chairman Liakakis said, yes. Commissioner Kicklighter said, Mr. Saussy, I believe that your intent of being up here is definitely out of good; however, I find it pretty sad and I find it kind of like what we face in the world where we have two good well-intended organizations and for whatever reason fighting with each other. It's —, let me finish, sir. I didn't interrupt you. Their intent is good as well as I'm sure your intent is good. Attacking too is not productive in this instance at all, and I'll state you, as a former County Commissioners, and correct me if I'm wrong, I believe you're saying this is a bad business proposal with a savings of probably well over \$5,000,000, but I believe you were actually sitting on this Commission when y'all approved projects such as the Henderson Golf Course, the Mighty Eighth Air Force Museum, a unused race track, and I believe when I first got on this Commission we had a deficit of \$12,000,000 or \$13,000,000 right after you left, and I believe we used SPLOST monies to pay off that reoccurring expense well up to \$2,000,000 or so a year where you, and I don't know how you voted, but you served on it, sir. Mr. Saussy said, I did. Commissioner Kicklighter said, supported projects that did not even save lives. So it's pretty insulting for you to talk about bad business when we're talking \$188,000 a year when you were a part of an organization that was spending in excess of \$2,000,000 per year for certain projects that was not even saving lives in this County. So I just want to point that out. I believe that we're doing a very good job. As far as looking to the future, we never forgot what those of us inherited what you left, never forgot that mess, and we are looking in the future with every financial move at this point and especially now with what we're facing in the economy. But again I know your intent was well —, and I apologize for getting excited, but remember where you came from, remember what you left us. Don't criticize us financially. We're doing a pretty darn good job especially on this deal where we save a wonderful organization for a couple of hundred thousands, less than a couple of hundred thousand dollars basically a year, and not to mention future SPLOST votes, we can very possibly do to pay off that debt what we did on the debts that we received from your time up here. So it could be retired off much sooner and, you know, we save a great organization. I would encourage you to think positive. Come up one day with positive stuff and tell us what your organization offers and ask at that time, if we're financially capable and you're saving us \$5,000,000, \$10,000,000 a year, I'm sure we'll jump on it because it would be one good business move. And I thank you for your input.

Mr. Saussy said, thank you. Can I say something else? Chairman Liakakis said, David [Saussy], let me do this. Let Wes [Crenshaw] speak now because we need to get on with the —. Mr. Saussy said, I understand y'all have been here for a long time, I know how it feels, but let me say to Mr. Kicklighter, thank you for bringing all that up. Yes, I think we did a pretty good job. Some things do go bad, don't they? Commissioner Kicklighter said, they do. Mr. Saussy said, yeah, they do. Sometimes it's not your fault, is it? Sometimes it is. Well, in this instance all I'm trying to do is tell you — ask you to listen to other people, what their thoughts are as far as this goes. Just listen to them, that's all I'm saying. And if you would follow through or be able to follow through on what we're saying to find out

the actual facts. With a lot of the facts that have been out here are not really facts, and that's what I'm saying. Just listen before you act. That's just what you were saying before. That's what y'all do. You haven't done it in this case.

Chairman Liakakis said, okay, David [Saussy]. Wes [Crenshaw], come up and because we need to move on with this item because we have heard what our Commissioners want to do at this point.

Mr. Wes Crenshaw said, good evening everyone. My name is Wes Crenshaw. I am a Board appointed member from this Commission on the Homeless Authority. I'm also the Executive Director at Inner City Night Shelter and I'm also a taxpayer. I have a suggestion and Pete [Liakakis] has heard it, I'll say it again. I think that Union Mission does some things very good. I think they are a help center we can't do without. Other things I think we can do without. I think that we need to make sure, and I think the Commission is acting because they are afraid of being considered in the community as being cruel and unsensitive because they have bought the story that if the Union Mission goes bankrupt tomorrow or goes upside down, that they're going to be perceived as having all of these people in the community in the streets. That's not true, and I think that if that's the reason why you are acting, I think that we've given you an opportunity to cover yourself by giving them the emergency money they need to survive for two to three months. But the portion that I want to speak to as a taxpayer is that you've got to [inaudible] to share responsibility. Now it's nice to sit up here today and decide to go ahead and vote, but there are audits and there are other things that's going on that you don't know about, and as I spoke to you all the other day, I was surprised at the level of knowledge that you all exhibited about what's going on in the City, and I've seen it here today. So I'm talking and I hope the taxpayers are listening, because you guys have an opportunity to do two things today. You have an opportunity to be benevolent by taking care and making sure that an organization in our community does not fail by giving them the emergency funds they need. You wills how your fiduciary responsibilities by setting back for two to three months and having a task force, and you don't have to have their detractors which we've heard. You can get independent people from third parties to verify the facts. Now, go ahead today and act and then find out later that you didn't really know, and I think that the taxpayers will pay you back in the Fall.

Now I said that my organization, Inner City, cannot function if the health center's out. That I give it to you, but a lot of other things we can do without. I don't think y'all have the facts and I think the taxpayers need to be aware that you guys are rushing this thing. I made the statement the other day when I was talking to you that I thought maybe you all are in the pocket of some people, and people got offended, but after hearing so much today, I'm beginning to think that somebody is in someone's pocket. I think the taxpayers need to be aware of that. You can take two steps today and assure the taxpayer that you're not there. You can give them the emergency money and you can set it all. That's all I need to say.

Chairman Liakakis said, alright, Wes [Crenshaw]. Here's what I'm going to do. Hold it everybody, just hold it. Number one, I want you to know we've got the best County Commissions that this County has ever had. They've had good Commissions before. We've got one of the best. This Commission, if you look at the history of what they have done, the projects that we put into place, we've worked with the community and the other cities, is the best that's ever been with this City-County coalition, but one thing I want you to know. When you say we don't have our fiduciary responsibility, you're absolutely wrong because what we're going to have is we're going to have an asset that we will take care of the bond issue and there's more money in that. So what I'm going to do right now — hold it — I'm asking Patrick Farrell wanted to speak. Go ahead.

Commissioner Farrell said, first of all, I'd like to say my hats are off to all the ladies and gentlemen that are in the audience today that provide untold number of hours of volunteer service and help to our community. The other thing that I would like to say is that unlike some leaders in this State that promise one thing and show up with something else a little later, I would like to think that this Board would reaffirm the pledge and in the current budget that we already have for this purchase of this portion of this piece of property. And the last thing I'd like to say is that for \$200,000, it's certainly not going to solve all the problems of Union Mission. It may buy them a little bit of time to catch their breath and figure out what they're going to do and how they're going to go forward. So, having said that, I'm at the position where I'm gong to ask to call the question.

Chairman Liakakis said, call for the question.

Commissioner Kicklighter said, I want to get to defend myself because I was the loud one so obviously the accusation went towards me. County Attorney Hart said, the question's been called. Commissioner Kicklighter said, I work three different jobs right now because of the economy. You want to come out my checking account, sir? What's your position — County Attorney Hart said, Mr. Chairman. Commissioner Kicklighter said, — in the organization you're with? County Attorney Hart said, Mr. Chairman.

Chairman Liakakis said, hold it. What our County Attorney has said — listen. Dean [Kicklighter], I said it when I made the statement that nobody is — Commissioner Kicklighter said, I appreciate people allowing me to defend myself when I've been told by somebody who obviously I realize now that nonprofits compete for money undoubtedly when one good, supposedly for good organization is tearing down another when the City of Savannah has told our Police Chief not to get the people out from under the bridges because we don't have enough places to put them, and you're going to stand here wanting to shut them down, there's the problem. There must be some money you're not getting because they're in business, and that's a danged shame, and you're going to accuse

somebody like me. Why don't you follow me around? Why don't you go get a — I'll give you access to my checking account. My three jobs I work in this County —.

Chairman Liakakis said, Dean [Kicklighter]. We have a —.

Commissioner Kicklighter said, I don't have a problem sleeping at night, but you should.

Mr. Crenshaw asked, may I speak?

Chairman Liakakis said, the question has been called for. Dean [Kicklighter]. No, Wes [Crenshaw], I'm sorry. You're out of order. Our County Attorney has said we cannot go on with this. The question has been called for and I'm asking now go on the board. The motion carried unanimously.. [NOTE: Commissioner Shay was not present.] Chairman Liakakis said, the motion passes.

County Attorney Hart said, Mr. Chairman, there was a comment made earlier today about somebody being in somebody's pocket. If that comment is true and if the person that spoke those words has any evidence of that, the County Attorney's office will be glad to accept it and give it to the DA to investigate. But on the other hand, if there is no evidence of that, somebody owes somebody an apology.

Chairman Liakakis said, nobody here — that statement I made, I appreciate that. The County Attorney is separate and will look into that, but there's nobody on this Board that has anybody in their pocket. It's as simple as that.

Commissioner Odell said, and beyond that, Mr. Chairman, if we make appointments and we appoint people, and they accuse us of impropriety, then if they do not come forward with evidence of impropriety as made against this Commission, I'd like the County Attorney to look at procedures to have that individual removed. I don't want to appoint someone who accuses me or my fellow Commissioners because our opinion may differ from theirs. Who died and made this guy God?

ACTION OF THE BOARD:

Commissioner Kicklighter moved to approve the Board's original commitment to Union Mission property for \$2.3 million, plus insurance costs, to acquire 120 Fahm Street (annual budgetary obligation of about \$188,000), and enter into a \$200,000 one-time payment to Union Mission for services, which will be confirmed by written agreement between Union Mission and Chatham County. Commissioner Farrell seconded the motion and it carried unanimously. [NOTE: Commissioner Shay was not present.]

AGENDA ITEM: IX-4

AGENDA DATE: February 13, 2009

TO: Board of Commissioners
THRU: R.E. Abolt, County Manager
FROM: Patrick Monahan, Asst. County Manager

ISSUE:

To authorize proceeding with the issuance of a \$2.3 million bond (plus issuance costs) to acquire 120 Fahm Street and enter into a \$200,000 one-time payment service contract with Union Mission.

BACKGROUND:

During approval of the Fiscal Year 2009 budget, the Board of Commissioners by consensus agreed to assist Union Mission retire short-term debt of \$2.3 million by Chatham County's acquiring an equivalent amount of property. The Board agreed to this aid since Union Mission assumed the debt from co-developing with Chatham County the Behavioral Health Center at 107 Fahm Street (Chatham County funded its share through \$2.1 million in bond proceeds in 2005). As with the 2005 bond, the County would acquire property but lease it to Union Mission (federal law allows this structure for non-profit agencies which provide services that otherwise the government would need to provide). Union Mission would then use the proceeds from the sale of the property to retire its obligations and stabilize its cash flow for operating health services to the community's under-served citizens.

The County planned to issue the \$2.3 million bond in July 2009, which would enable debt service payments to begin with the Fiscal Year 2010 budget. Union Mission's financial outlook has worsened because of well-publicized reports of unpaid federal and state payroll tax obligations of about \$2 million due to its role in the now-defunct Savannah Area Behavioral Health Collaborative. Union Mission's Board must now

retire its payroll tax obligations as its highest priority, which leaves the original problem of short-term debt as a drain on its cash flow. Union Mission's Board has appealed to the County to consider acquiring additional property and issue as much as a \$4.3 million bond (plus issuance costs) to return the agency to positive cash flow and an improved balance sheet. This request comes at a time of uncertainty about the County's financial outlook for FY 2010.

FACTS & FINDINGS:

1. The Board of Commissioners committed in June 2008 to assist Union Mission by acquiring \$2.3 million in property and leasing it back to the non-profit agency.
 - 1.1 A bond for \$2.3 million, plus issuance costs, to acquire 120 Fahm Street would require Chatham County to fund \$188,000 annually in bond payments (semi-annual payment based on a 5% rate for 20 years). The County pays about \$135,000 annually on the 2005 bond for the Behavioral Health Center.
 - 1.2 The \$2.3 bond could be issued now and the first payment deferred until after the start of FY 2010 in July. The County's bond advisor notes the municipal bond market remains viable but only for smaller-packaged issues, and selling them would likely require another 30-45 days than typical.
2. As an interim form of assistance, the Board in January approved designating \$150,000 in interest earnings from the 2005 DSA Series bond to Union Mission to help offset some of its capital expense for co-developing the Behavioral Health Center. In addition, County Manager Russ Abolt committed to Union Mission to recommend to that the Board of Commissioners fund \$200,000 as a one-time payment for services.
3. Union Mission's Board believes that to maintain its service levels, the County should fund the \$4.3 million plan (see Attachment 1, pages 4-6). A bond for \$4.3 million, plus issuance costs, would require Chatham County to fund \$351,000 annually in bond payments (semi-annual payment based on a 5% rate for 20 years).
4. Union Mission's Board believes that its current level of services (see Attachment 2, page 7) would suffer, and/or some program would need to be reduced or eliminated with a negative cash flow. Staff has reviewed Union Mission's expense projections, which indicates a slightly positive cash flow only with elimination of its short-term debt payments.
5. As a side issue, some in the community are questioning the sincerity of Union Mission's admission of financial problems and the Union Mission Board's response to them. Union Mission's Board terminated the Chief Financial Officer, who failed to make the payroll tax payments because of inadequate reimbursement levels due to SABHC's programs and billing.
 - 5.1 Attachment 3 (pages 8-10) relates correspondence from Mr. Wayne Bland, CEO of Recovery Place, one of SABHC's original partners.
 - 5.2 Attachment 4 (pages 11-19) provides a response from Union Mission. The response also provides in-depth detail about how the financial problems began and Union Mission's response.
 - 5.3 Chairman Pete Liakakis and staff also met with Mr. Carlton Hodges, the CPA who provides an independent audit of Union Mission. Mr. Hodges provides assurance as the accuracy of reports about Union Mission's financial condition and notes no indication of any misappropriation of funds.

FUNDING:

Any annual debt service payment, whether as a result of a \$2.3 million bond (\$188,000 annually) or a \$4.3 million bond (\$351,000 annually) would be funded from the General M&O Budget for FY 2010, which starts July 1, 2009.

ALTERNATIVES:

1. That the Board approve its original commitment (by consensus) to Union Mission property for \$2.3 million by authorizing staff to proceed with issuance of a bonds for acquisition of property in an equivalent amount (presumed 120 Fahm Street). Annual budgetary obligation of about \$188,000.
2. That the Board approve Alternative 1 but with the added funding of \$200,000 as a one-time payment for services, which would be confirmed by written agreement

between Union Mission and Chatham County. Annual budgetary obligation of about \$351,000 plus one-time contract payment of \$200,000.

3. That the Board approve the plan presented by the Union Mission Board of Directors. This would require Chatham County to issue \$4.3 million in bonds, acquire an equivalent amount of property from Union Mission and then lease it back to Union Mission. Annual budgetary obligation of about \$351,000.

POLICY ANALYSIS:

Federal tax law allows Chatham County to acquire property and lease it to a non-profit agency which provides services that the local government would be otherwise providing. In this instance, Union Mission clearly provides services for under-served and under-insured citizens which at some level would become a taxpayer responsibility otherwise.

RECOMMENDATION:

That the Board adopt Alternative 2.

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5. RECOMMEND BOARD DENY REQUEST FOR REFUND FOR TAXES PAID BY LUBECK AND A NUMBER OF HEIRS OWING APPROXIMATELY 50% UNDIVIDED INTEREST IN PIN 5-0985-04-001. SAVANNAH ECONOMIC DEVELOPMENT AUTHORITY (SEDA) OWNS THE REMAINING 50% UNDIVIDED INTEREST.

Chairman Liakakis said, we need a motion on the floor for that. Commissioner Thomas said, move for approval, Mr. Chairman. Chairman Liakakis asked, do we have a second. Commissioner Holmes said, second. Chairman Liakakis said, we have a second. Let's go on the board.

Mr. Matt McCoy said, let me speak before we —. Chairman Liakakis said, go ahead.

County Attorney Hart said, Mr. Chairman, this item is — if I may speak — is a tax refund request from a group of individuals that own an undeveloped half interest in the property. The other half interest is owned by SEDA, which is tax exempt. They have requested the money back from the standpoint that since SEDA is exempt, they shouldn't have to pay the money. We've spoken with the Department of Revenue. The Department of Revenue says they do not grant half exemptions. Mr. McCoy and I have had a number of discussions. Quite frankly, there's no law on the subject. We've looked statewide, we've looked nationwide to try to find a case to resolve this issue. I'm recommending that you deny the tax refund. I fully expect Mr. McCoy and his clients to challenge us on that issue, probably in court, but it's one of those legal issues that needs to be resolved. If it's resolved in our favor, great. If it's resolved against us, we owe them a refund.

Chairman Liakakis said, okay. Commissioner Stone asked, the motion was for the staff's recommendation? Commissioner Thomas said, right. Chairman Liakakis said, yes, go ahead.

Mr. Matt McCoy said, I'm Matt McCoy and I represent the heirs of Francis May Lubeck, Frances Lubeck Davidson. As the County Attorney pointed out, my clients own a 25% interest in this piece of property that is located right in the middle of the JCB Tract. Right now that property has no access to it. There's a gate that blocks any access that they can obtain to that property, and they're being taxed right now at a rate of \$3,989,000 for Board of Assessors appraisal value. Now a piece of that property was recently taken by the County in condemnation purposes and the appraisal amount paid was for \$8,500 an acre. So the County is taking my clients' property, a portion of it, at a valuation of \$8,500 an acre, yet assessing them and they're paying taxes to avoid tax levy at \$3,989,000 in value. That discrepancy I can't reconcile. I have no idea, I fail to understand why we're paying taxes on property at a far greater rate than the County has chosen to condemn and take it from us. It's an unfair situation. There is no case law on the point of joint ownership. I'll agree with the County Attorney on that in Georgia to be able to locate to date. However there is a constitutional provision that says that SEDA is tax exempt, and that is the County's position on all of the SEDA-owned property. It's tax exempt property. SEDA owns 50% of this parcel of property, yet we are paying 100% value at this rate, and we are asking for a rebate of the full amount given SEDA's ownership, or in the alternative 50% rebate. That rebate is for a three-year period and that's provided for by Georgia statute. And so I just want y'all to have the facts before you rush to vote or a decision about this on our request. What we're asking for is a rebate of 50% of the amount — well, the full amount, but if we can't get that, 50% of the value, and that would represent SEDA's interest in that property. And that's the way that every other property that SEDA owns in this County is treated, and for whatever reason this one is being singled out and we're being asked to pay the — we've been paying. The amount we're asking for a rebate is \$93,650. My clients have paid \$156,000 in taxes on a piece of property that's in the middle of the JCB Tract that they cannot access and that has been subject to recent condemnation proceedings and we're asking for some relief on this.

Chairman Liakakis said, well, Mr. McCoy, what we have with the staff and our County Attorney looking at this and from the tax people, they have requested that we deny it. So, clear the board please. So it's up to the Board to make their decision.

Commissioner Odell asked, may I ask a question, Mr. Chairman? Chairman Liakakis said, yes. Commissioner Odell said, what he says is that SEDA on every other piece of property is tax exempt, but they're being charged on the whole although SEDA owns 50%. County Attorney Hart said, he's totally correct. I mean, he has not stated anything that is not accurate in his statement. The difference between the other SEDA properties though is that SEDA usually owns 100% of the property, so the exemption is clear there. Okay? Here you have an exempt entity and a non-exempt entity owning the same piece of property. Okay? And there just isn't any law as to whether you can grant a partial exemption. Aside from that issue, he is also correct is that we have two extremely different valuations on that property: one for purposes of acquiring it, one for purposes of assessing it for tax purposes. Commissioner Odell said, that's the difference between a lighting bug and a bolt of lightning. We take their property and it's \$8,500. We tax their property, it's \$3,000,000. To me it just appears — and I admit that being an attorney I'm a fan of attorneys. I'm one of those people who actually like attorneys — it seems like it doesn't make any sense to me, and even if there's no case law, at least I believe that we owe them 50% of the tax.

County Attorney Hart said, we initially looked at that very seriously. We also discussed it with the Department of Revenue, who makes the tax rules, who has expressly told us there are no partial exemptions.

Commissioner Odell said, yeah, but that's a wrong without a remedy. If SEDA has 50% of the property and they are paying 100% of the tax, to me that's just seems unfair to them, and it's not in my district. What district is it? Mr. McCoy said, it's in Commissioner Kicklighter's district. Commissioner Odell said, yeah, but it's a matter of right for any reason and it just appears to be unfair.

Commissioner Farrell asked, you're recommending that we deny the petition, but do you feel like that through the court you're kind of channeling this toward the court to get some finality to this particular situation? County Attorney Hart said, yes sir. I completely hear and understand the comments of Commissioner Odell. At the same time I'm constrained by what I was advised by the Department of Revenue to be the position of law that they take. At the same time, if I were in Mr. McCoy's position, I would challenge that.

Ms. Debra Conner [phonetic] said, Debra Conner. I'm the daughter of Lubeck and my parents are retired. They don't have this kind of money. They're the slat of the earth. They've worked hard for everything they have. This land used to be our farm. That's all they have. And when it went up to \$665 — \$665,000 in value and we paid the taxes, and then in 2006 it was deemed it was worth \$3,998,000 and I think it's \$44,000 an acre or something, and [inaudible] see this County condemn it to take over the land. They're paying it. It's almost dry, the well is almost dry. They need relief. So if we can't resolve these past years, and that's why the ticket's so high right now because it went from about \$12,000 a year to like \$5,200, \$5,300 dollars a year. But the County paid \$8,500 an acre and has beat us down in value on the condemnation for the Pipemakers Canal Project.

Ms. Conner said, I have two pieces of paper here prepared for our attorney for Chatham County, Georgia. The first one is prepared May 24, 2005 — tax information exempt; certificate of title on your property. This one was prepared, Attorney for Chatham County, dated July 17, 2006. It was [inaudible] SEDA and all the minutia of the various inheritors and owners of this property — tax information exempt. What are we? Are we worth \$8,500 in valuation at 50%? Are we worth \$8,500 at 100%? Are we tax exempt? Are we a \$44,000 an acre property? What are we? It's bankrupting the family. This has been in our family 200 years. I am generation seven. There are two down below me through nine. All we've ever done is worked hard. There's tax records in the archives of the State of Georgia from 1791 showing our ownership where we've paid our taxes. We own the land from Cherokee Hill down across to Pooler. The Federal Government condemned it and took property in the '40s for the airport. My great, great, great grandfather and grandmother are buried in the middle of the airport and two of my cousins. All the rest of my family, because the cemetery was on the ground the airport wanted to take, was moved to Bonaventure Cemetery. Our people are still there. We're landlocked out of our land and up until SEDA bought it, our mailbox was still on that property at the end of the road where we could drive to and go into our land. But JCB has come in, they've barricaded it, there's security guards there. We had three ways we used to get on the property. We can't even get in at all, period, now and they don't care. The County has come in, and the [inaudible] come out, cleaned it up on one side, made a real high berm. We used to have dry land. Water flows into it now. Pipemaker Canal is on the other side. We'd like to harvest timber. We raised hogs and harvest timber through the years on that land. We can't harvest timber. I'm sorry —.

Commissioner Odell said, okay. You're preaching to the choir. I agree with you. Ms. Conner said, okay. Commissioner Odell said, I agree with your lawyer, who our lawyer agrees with. There has to be a remedy because what we're doing to these people to me appears to be grossly unfair, and I know that you're not in my district, and for the record I'd like to note that I'm not in their pocket. I just wanted to be clear. I'm not in — never met these people before. But I think we need to do one of two things: We need to either cut the weight and refund you for the 50% if SEDA in fact owns 50% and, Jon [Hart], I know you've looked at it. Would postponing it two weeks help?

County Attorney Hart said, no. We really need to move forward and I don't think Mr. McCoy wants it postponed one way or the other, but I'll let him speak to that.

Mr. McCoy said, we have a hearing before the City of Pooler on Monday, and if there is room to resolve it, we can always perfect our — we can challenge this in Superior Court as early as next week, if we wanted to, try to resolve it through some sort of a consent order entered in that Superior Court action, but that is another option.

Commissioner Odell said, okay then, what we have to do is, although we're obligated to follow the law, even laws we don't agree with, in that there is no case law on this, if we ruled to accept the County Attorney Hart, you can appeal that to Superior Court. Mr. McCoy said, I'm not even sure it's an appeal as much as it's just — this is an administrative remedy we have to exhaust prior to suing the County for whatever [inaudible]. Commissioner Odell said, and get into a final judicial resolution would be for us to act on it and not postpone it. If we can't settle it, if our Attorney said we can't settle it, this is the law, you've got to follow the law even if you disagree with the law. I disagree with the law. I think what's happened to you all is unfair and not logical, and the law should be fair and logical. Mr. McCoy said, I think under the SEDA — I really — someone don't understand our position because we have them — there's not case law, that's true, but the Georgia Constitution says SEDA is tax exempt. County Attorney Hart said, property vested — to property that is vested in their name and titled in their name.

Commissioner Odell said, I'm going to fight his battle, but this is Dean's [Kicklighter] district and just quick, Dean, what happened is they own a piece of joint property with SEDA. We took some of their property in a condemnation and we paid them \$8,500; however, we're taxing the property at three million some odd dollars. In addition to that, they are land-locked. They share 50% of a property with SEDA and they're being charged 100% of the taxes. Is that a quick summary? I was listening. Is that it?

County Attorney Hart said, Commissioner Odell, there's three issues that sort of intertwine there. The first one is the legal issue, the second issue is the value of the property. There's an appeal pending on the value of the property for two years, I believe. That needs to be brought to resolution. Okay? And then there's a third issue of access to the property. That needs to be brought to [inaudible], so that that can be determined. I think all of those issues need to be dealt with, and I have discussed with their attorney a couple of options to try to get everybody at the table, but in the interim I think the fastest thing to do is to have people in court because the other 25% is another set of heirs and we need to get them to the table, too.

Commissioner Odell said, tell me what we need to do now to speed this along so that we can provide these folks a little bit of justice. County Attorney Hart said, I totally understand the reasoning here. I recommend that we deny this so that they can move forward in Superior Court, join everybody that needs to be in the party, deal with the access issue and deal with the value issue and somewhere along the way, hopefully we can put something together to resolve this thing.

Commissioner Odell said, I make a motion to do what he said. Commissioner Kicklighter asked, before we do that, can we make a motion to somehow postpone the attempt of collection until this is resolved? County Attorney Hart said, the concern Mr. McCoy has is that if we postpone and don't decide and he goes to Superior Court, then the Superior Court won't hear it because he's failed to exhaust his administrative remedies, and I understand that position and totally agree with it.

Commissioner Kicklighter asked, so we're doing a favor by denying it? Mr. McCoy said, no. I mean, if you want to grant us the full refund, we'll be happy to accept that. That's money we will get back unless there's some appeal of that, there's some remedy, but I don't think there is, and [inaudible] to test that. That's money we would have back in our pocket. That's what — my client is expressing is that as to the — and we're going to have a second installment of taxes that are due. If this thing languishes in Superior Court and languishes in the Court of Appeals, and the County decides to fight us tooth and nail on the Superior Court action, we have some real financial problems going forward because we're obligated to pay the taxes in order to get [inaudible] in the meantime. So we've got tax bills coming in at \$4,000,000 that in order for us to exercise our rights and challenge this in Superior Court, the wheels of justice don't always move so fast. Commissioner Kicklighter asked, how many acres is this?

County Attorney Hart said, there is nothing to prevent the County to stay the collection of the current taxes to come due in order to resolve the appeal on the preceding tax year because they are the same issues, and if we decide one we satisfied the other. Commissioner Kicklighter said, that's what I wanted —. County Attorney Hart said, in the end of it, if they lose they owe us the money. If they win, they didn't owe us the money in the first place. Commissioner Farrell said, so we should just stay it, and —.

Commissioner Kicklighter asked, could I put that in the form of a motion as stated? County Attorney Hart said, you just need to deny and then —. Commissioner Thomas said, I'll second that. Commissioner Kicklighter asked, what, now to deny? County Attorney Hart said, deny it. Commissioner Kicklighter said, okay. Alright, as stated. Commissioner Farrell said, second.

Chairman Liakakis said, we have a motion on the floor to deny and to go the other way and to help them. Let's go on the board. The motion carried unanimously. [NOTE: Commissioner Shay was not present.]

Commissioner Stone asked, does she need to withdraw her —. Dr. Thomas, do you need to withdraw your first motion that some of us acted on? Commissioner Thomas asked, me? I didn't make a motion. Commissioner Odell said, it was my motion. Commissioner Stone said, okay, somebody made a motion and then some of us acted on it. Commissioner Kicklighter said, I interrupted and ran my mouth before he said a motion. Commissioner Stone said, no, I'm talking about before you were even in the room, Dean [Kicklighter]. Before the attorney even got up and spoke there was a motion on the floor. Commissioner Thomas said, well, just —. Commissioner Stone said, and it was made by you, Dr. Thomas, for the staff's recommendation. Commissioner Thomas said, me? I wasn't in

here. Commissioner Odell said, it's the same motion. Commissioner Stone said, it's the same motion but you made it earlier and I didn't know —.

Chairman Liakakis said, made the motion and it was —. Commissioner Kicklighter said, [inaudible] to stay as far as on the pursuit of the — right, in the first motion. So we need to remove —.

County Attorney Hart said, that's going to be handled in another way. If y'all just deny this thing, we can work it out.

Chairman Liakakis asked, so just leave it go as is? Okay, good.

ACTION OF THE BOARD:

Commissioner Kicklighter moved to deny the request for a refund for taxes paid by Lubeck and a number of heirs owing approximately 50% undivided interest in PIN 5-0985-04-001, with Savannah Economic Development Authority (SEDA), a tax-exempt organization, owning the remaining 50% undivided interest. Commissioners Farrell and Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Shay was not present.]

AGENDA ITEM: IX- 5

AGENDA DATE: February 13, 2009

TO: Board of Commissioners
THRU: R. E. Abolt, County Manager
FROM: R. Jonathan Hart, County Attorney
ISSUE: Refund for Taxed Paid by Lubeck and Heirs - PIN 5-0985-04-001

ISSUE:

Whether there should be a refund for taxes paid by Lubeck and a number of heirs owning approximately 50% undivided interest in the above-referenced parcel. Savannah Economic Development authority (SEDA) owns the remaining fifty percent (50%) undivided interest.

BACKGROUND:

SEDA's Enabling Statue of 1951 (Ga. Laws, p. 854-856) states all lands titled to which is vested in the Authority and improvements thereon shall be exempt from State and Local taxation. The Lubeck's believe that parcel title (i.e. undivided 50% interest) is vested in SEDA and that the property should be exempt from taxation and the County owes them a refund. In the alternative, they are of the opinion that should they be taxed, it should be only to the extent of the value of their undivided interest.

The Georgia Department of Revenue does not allow partial exemption. The staff has polled other county's and has found no similarly situated property. A review of the statutory and case law indicate that this is a matter of first impression.

FACTS AND FINDINGS:

1. Lubeck seeks tax refund claiming that due to SEDA's interest in the property, it is tax exempt. SEDA owns 50% undivided interest, with the remainder being owned by Lubeck and heirs. SEDA is tax exempt from all land title to which is vested in the Authority, and any improvements thereon.

2. The Georgia Department of Revenue does not allow partial tax exemptions. The Georgia Department of Revenue does not allow percentage-based abatement of taxes.

3. A review by staff of other counties indicates that there is no similar situated property. This is a matter of first impression under the statutory and case. Based on the facts and lack of statutory guidance, the County Attorney's Office recommends the denial of refund.

4. The issue will probably be decided in the Superior Court subsequently on appeal to the Court of Appeals.

FUNDING:

N/A

ALTERNATIVES:

1. Do not approve a refund for taxes paid by Lubeck for PIN 5-0985-04-001.
2. Approve a refund for taxes paid by Lubeck for PIN 5-0985-04-001.

RECOMMENDATION:

Alternative No. 1.

LGC/dc

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6. BOARD CONSIDERATION OF STAFF'S RECOMMENDATION TO DENY A WATER AND SEWER BILL ADJUSTMENT FOR MS. E. SCHWARTZ, 13 ABRAHAM ROAD, FOR \$234.

County Manager Abolt said, Mr. Chairman, I prefer that the Finance Director will present the case and then any testimony from the customer can be received. I'll introduce Ms. Cramer first.

Ms. Linda Cramer said, this is a — we're recommending denial of the water and sewer bill adjustment for base charges that were incurred by Ms. Schwartz during the time when her water was cut off, and we do when water is cut off, unless the customer closes the account, we do assess the base on water accounts. Ms. Schwartz had a delinquent bill at the time the water was cut off. Obviously, she did not use any water during the period in question, and then I think she moved back into the property since and her bill is more current now. So I'll let her speak to you.

Ms. Schwartz said, the water was cut off. There was no water usage or sewer usage. I was actually working for the Board of Education at the beginning of last year doing research and my checks were late. They were incorrect [inaudible], you know, \$10, \$15 an hour, they paid minimum wage. So I dealt with that for three months and finally resolved everything. I just cut everything off, paid off all of my debts and then came back to reestablish the bill, reestablish my service there. So for six months there was no water usage, no sewage usage. I don't feel I should be paying.

Chairman Liakakis asked, well, what is the \$234 for? Is that for water supposedly used while it wasn't being used, or this is money that was owed before? Ms. Cramer said, no, while it wasn't being used, it's a base charge for any water customer. Any water customer has a base charge and then we have consumption charges on top of that for water and sewer. So this represents the base charges during that period. County Manager Abolt said, and staff has no discretion as to what —.

Commissioner Farrell said, I make the motion that we refund the \$234. Chairman Liakakis said, we have a motion on the floor. Commissioner Thomas said, second. Chairman Liakakis said, and a second. Let's go on the board. The motion carried unanimously. [NOTE: Commissioners Shay and Odell were not present.] Chairman Liakakis said, okay, thank you.

ACTION OF THE BOARD:

Commissioner Farrell moved to approve the request of Ms. Elizabeth Schwartz, 13 Abraham Road, to refund a charge for a water and sewer bill adjustment of \$234. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioners Shay and Odell were not present.]

AGENDA ITEM: IX-6**AGENDA DATE: February 13, 2009**

TO: Board of Commissioners

THRU: R. E. Abolt, County Manager

FROM: Linda B. Cramer, Finance Director
Robert W. Drewry, Director of Public Works & Park Services

ISSUE:

Board consideration of staff's recommendation to deny a water & sewer bill adjustment for 13 Abraham Road for \$234.00.

BACKGROUND:

Only the Board of Commissioners has the authority to write-off all or a portion of a water & sewer customer's balance due.

FACTS AND FINDINGS:

- (1) Customer Name and address: Elizabeth Schwartz, 13 Abraham Rd., Savannah, GA. 31406
- (2) Ms. Schwartz is asking for charges incurred while the water was shut off to be removed. The water was shut off between February 06, 2008 and October 24, 2008. During this period, base charges of \$234.00 were assessed.
- (3) Ms. Schwartz was selected to be cut off for non-payment when delinquent accounts were reviewed on February 4, 2008. This customer had not made any payments since June 19, 2007. At this time her delinquent balance was \$308.30.
- (4) Ms. Schwartz indicates she was unable to make payments during this time due to paycheck errors at the Board of Education while she was substitute teaching.
- (5) The meter readings taken at this residence during this timeframe indicate that water was not being used.
- (6) The length of this period was 260 days. Converting the bi-monthly service charge of \$54.73 to a daily rate of \$0.90 cents, the adjustment would be \$234.00.
- (7) If the adjustment is granted, Ms. Schwartz' balance due will be \$104.73.
- (8) A letter was sent to Ms. Schwartz on January 12, 2009 notifying her of the February 13, 2009 meeting.

FUNDING:

Not applicable.

POLICY ANALYSIS:

Again, only the Board of Commissioners has the authority to write-off all or a portion of a water & sewer customer's balance due.

ALTERNATIVES:

1. That the Board of Commissioners deny the customer's request to write-off \$234.00.
2. That the Board of Commissioners approve the write-off of \$234.00.

RECOMMENDATION:

Approve Alternative #1.

Prepared By: Roger Deschenes

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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. You have Items 1 through 20 and under 20 you have Items A through W. Are there any items out of those that the Commissioners would like to look at? If not, I'd like a motion on the floor to approve them all.

Commissioner Kicklighter said, Mr. Chairman, I'd like to pull Items H and I and T. Chairman Liakakis asked, H, I, C. Commissioner Kicklighter said, T as in Tom. Chairman Liakakis said, H, I and T. Commissioner Farrell asked, 20 or 19? Commissioner Thomas said, under 20. Commissioner Kicklighter said, under 20. Commissioner Farrell asked, H, I, T? Commissioner Kicklighter said, yes.

Chairman Liakakis asked, do we have a motion on the floor to approve all items except H, I and T? Commissioner Stone said, so moved. Commissioner Holmes said, second. Chairman Liakakis said, we have a motion on the floor and a second. Let's go on the board. The motion carried unanimously. [NOTE: Commissioners Shay and Odell were not present.] Chairman Liakakis said, the motion passes.

ACTION OF THE BOARD:

Commissioner Stone moved to approve Items 1 through 20-W, except Items 20-H, 20-I and 20-T. Commissioner Holmes seconded the motion and it carried unanimously. [NOTE: Commissioners Shay and Odell were not present.]

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

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1. APPROVAL OF THE MINUTES FOR THE REGULAR MEETING OF JANUARY 16, 2009, AS MAILED.

ACTION OF THE BOARD:

Commission Stone moved to approve the minutes of the regular meeting of January 16, 2009. Commissioner Holmes seconded the motion and it carried unanimously. [NOTE: Commissioners Shay and Odell were not present.]

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2. CLAIMS VS. CHATHAM COUNTY FOR THE PERIOD JANUARY 8 THROUGH FEBRUARY 4, 2009.

ACTION OF THE BOARD:

Commissioner Stone moved to authorize the Finance Director to pay the claims against the County for the period January 8, 2009, through February 4, 2009, in the amount of \$12,749,452. Commissioner Holmes seconded the motion and it carried unanimously. [NOTE: Commissioners Shay and Odell were not present.]

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3. REQUEST BOARD APPROVE CEMA SUBMISSION OF A GRANT APPLICATION FOR THE DESIGN, ENGINEERING AND DEVELOPMENT OF A NEW CHATHAM COUNTY EMERGENCY OPERATIONS CENTER.

ACTION OF THE BOARD:

Commissioner Stone moved to approve the request for CEMA to submit an grant application for the design, engineering and development of a new Chatham County Emergency Operations Center. Commissioner Holmes seconded the motion and it carried unanimously. [NOTE: Commissioners Shay and Odell were not present.]

AGENDA ITEM: X-3

AGENDA DATE: February 13, 2009

TO: Board of Commissioners

THRU: Russ Abolt, County Manager

FROM: Clayton Scott, CEMA Director

ISSUE: To request the Board approve CEMA submission of a Grant Application for the design, engineering and development of a new Chatham County emergency operations center.

BACKGROUND:

The Department of Homeland Security recently made available a funding opportunity to local communities by supporting flexible construction of sustainable, secure, and

interoperable Emergency Operations Centers (EOC) with a focus on addressing identified needs and deficiencies. This competitive funding has been appropriated for designated local EOC projects throughout the Nation.

FACTS AND FINDINGS:

- 1. In spite of an extensive hardening program, neither Chatham County's primary or alternate EOC is capable of withstanding the effects of a category 4 hurricane.
- 2. The construction of a new EOC will include mitigation measures to withstand storm surge and wind effects up to and including a category 5 hurricane as well as measures to mitigate the facility from other natural and man-made threats and hazards.
- 3. This grant opportunity is only available to for a local or state government's principal EOC.
- 4. Due to an immediate suspense deadline, this grant application is to be mailed to the Georgia Emergency Management Agency on Wednesday, February 4, 2009.

ALTERNATIVES:

- 1. Authorize CEMA to submit a grant request to design and engineer a new, hardened EOC. If the grant is approved, authorize CEMA in coordination with the County Finance Officer, to allocate funds sufficient to meet the conditions of the grant.
- 2. Do not authorize CEMA to submit a grant request and allocate funds. If this Alternative selected, CEMA will withdrawal the grant application.

FUNDING:

This grant award is subject to a local government match of 25% of the \$1,000,000 requested. The match requirement will come from in-kind tracking, local funds from an emergency management fund balance and funds reserved for capital improvement projects.

POLICY ANALYSIS:

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

RECOMMENDATION:

Adopt Alternative #1.

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4. REQUEST BOARD APPROVE A QUITCLAIM DEED CONVEYING TO THE OAK BLUFF OWNERS ASSOCIATION, INC., REMNANT PARCELS 34R, 35R, 36R, 37R AND 38R ACQUIRED FOR THE HARRY S TRUMAN PARKWAY, PHASE IV, PROJECT. [DISTRICT 1.]

ACTION OF THE BOARD:

Commissioner Stone moved to approve a Quitclaim Deed conveying to the Oak Bluff Owners Association, Inc., remnant parcels 34R, 35R, 36R, 37R, and 38R acquired for the Harry S. Truman Parkway, Phase IV, Project. Commissioner Holmes seconded the motion and it carried unanimously. [NOTE: Commissioners Shay and Odell were not present.]

AGENDA ITEM: X-4
AGENDA DATE: February 13, 2009

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

ISSUE: To approve a Quitclaim Deed conveying to the Oak Bluff Owners Association, Inc. remnant parcels 34R, 35R, 36R, 37R and 38R acquired for the Harry S Truman Parkway, Phase IV project.

BACKGROUND: For the construction of Truman Parkway, Phase IV the County acquired five parcels within the Oak Bluff Subdivision. The residences on these parcels

were subsequently demolished. The right of way acquisition was also sufficient for the project under design at that time to widen Whitefield Avenue (State Route 204 Spur). In 2002 the County filed a condemnation to acquire what was needed from the Oak Bluff Owners Association. Under the terms of the Superior Court Consent Order settling the condemnation, the remnant parcels would be conveyed to the Association.

FACTS & FINDINGS:

- 1. As specified in the Consent Order the trigger for conveying the remnant parcels to the Oak Bluff Owners Association, Inc. was the approval of the right of way plans by the Georgia Department of Transportation (GDOT) for the project to widen Whitefield Avenue. The right of way plans were approved by the GDOT in December 2008.
- 2. At this time, based on the plans approved by the GDOT, the remnant parcels will not be needed to construct the Whitefield Avenue widening or the Truman Parkway, Phase V projects.
- 3. The County is not required to declare these parcels surplus property since the Consent Order dictates the conveyance back to Oak Bluff Owners Association, Inc.

FUNDING: None required.

ALTERNATIVES:

- 1. To execute the Quitclaim Deed conveying to the Oak Bluff Owners Association, Inc. remnant parcels 34R, 35R, 36R, 37R and 38R acquired for the Harry S Truman Parkway, Phase IV project.
- 2. To not execute the Quitclaim Deed.

POLICY ANALYSIS: The Board must approve quitclaims of property.

RECOMMENDATION: That the Board approve Alternative No. 1

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5. REQUEST BOARD APPROVAL TO REFUND TO REDMOND CONSTRUCTION THE COSTS RELATED TO AN ELEVATION CERTIFICATION ERROR. [DISTRICT 4.]

ACTION OF THE BOARD:

Commissioner Stone moved to approve the request for a refund of \$16,714 to Redmond Construction for the costs related to an elevation certification error. Commissioner Holmes seconded the motion and it carried unanimously. [NOTE: Commissioners Shay and Odell were not present.]

AGENDA ITEM: X-5
AGENDA DATE: February 13, 2009

TO: Board of Commissioners
THRU: R.E. Abolt, County Manager
FROM: Patrick Monahan, Asst. County Manager
Gregori Anderson, Director, Building Safety & Regulatory Services

ISSUE:
To refund Redmond Construction costs related to an elevation certification error.

BACKGROUND:
Redmond Construction applied for and received a building permit for new residential construction at The Landings. As part of the approval process, the County provided base elevation information on a County-provided form. Due to recently-imposed changes in federal law designating the elevation standard, the Department of Building Safety & Regulatory Services certified information which proved six inches too low.

FACTS & FINDINGS:

1. Redmond Construction applied for and received a residential building permit at The Landings.
2. Based on recent changes in federal law, the Department of Building Safety & Regulatory Services developed a form which certified elevation based on NGVD. The standard should be NAVD. The standard determines base floor elevation of construction.
3. The mistake resulted in an error of six inches by Redmond Construction in the foundation. To correct it, Redmond construction spent \$16,714.
4. Staff believes Redmond Construction should be entitled to the \$16,714.
5. Building Safety & Regulatory Services has corrected the form. About 20 building permits would be in a similar position, but catching the problem early has eliminated any subsequent problems.

FUNDING:

Building Safety & Regulatory Services Fund (refund from revenues).

ALTERNATIVES:

1. That the Board authorize payment of \$16,714 to Redmond Construction due to a form error (now corrected) in certifying base floor elevation under recently-imposed federal standards. The payment would be based on actual costs.
2. That the Board opt not to refund the amount needed to correct the error.

POLICY ANALYSIS:

The County Attorney has reviewed the circumstances of the error and concurs that the County should pay Redmond Construction the amount required to correct the problem due to the form error.

RECOMMENDATION:

That the Board adopt Alternative 1.

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**6. REQUEST BOARD ACCEPT THE DONATION OF LAND ON BRIARWOOD DRIVE FOR DRAINAGE.
[DISTRICT 7.]**

ACTION OF THE BOARD:

Commissioner Stone moved to accept the donation of land (PIN 6-0003-01-022) described as "Parts of Lot 122 & 123, Industrial City Gardens," on Briarwood Drive for drainage in exchange for the outstanding tax value of approximately \$4,300. Commissioner Holmes seconded the motion and it carried unanimously. [NOTE: Commissioners Shay and Odell were not present.]

**AGENDA ITEM: X-6
AGENDA DATE: February 13, 2009**

TO: Board of Commissioners
THRU: R.E. Abolt, County Manager
FROM: Patrick Monahan, Asst. County Manager

ISSUE:

To accept the donation of land on Briarwood Drive for drainage.

BACKGROUND:

A property owner desires to convey land to Chatham County in lieu of continuing to pay taxes. The County as a practice does not accept donated land unless it can be used for public purposes. In this instance, the lot adjoins Pipemakers Canal.

FACTS & FINDINGS:

1. The property belongs to the estate of M.C. Anderson. Mrs. Anderson would be willing to quit claim the property, known as PIN 6-0003 -01-022, with a legal description as, "Parts of Lot 122 & 123, Industrial City Gardens." It is approximately 1.2 acres but landlocked.

- 2. The County Engineer’s Office believes the property would be useful as part of the Pipemakers Canal drainage system.
- 3. In exchange for quit claiming the property, the County would pay the current tax liability of approximately \$4,300 to the Tax Commissioner’s Office. The Assessor’s Office has valued the 1.2 acres at \$42,500.

FUNDING:

Land Bank/Surplus Property Account

ALTERNATIVES:

- 1. That the Board authorize the acceptance of PIN 6-0003 -01-022 by quit claim in exchange for the outstanding tax value (approximately \$4,300).
- 2. That the Board not accept the property.

POLICY ANALYSIS:

State law authorizes counties to acquire properties for purposes which serve public needs such as drainage. In this case, the County can acquire at minimal value.

RECOMMENDATION:

That the Board adopt Alternative 1.

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**7. REQUEST FROM THOMAS & HUTTON, ENGINEER FOR THE DEVELOPER, BOUY BROTHERS BUILDERS, FOR THE COUNTY TO END THE WARRANTY PERIOD FOR VILLAGE AT AUTUMN LAKE, PHASE 2, RELEASE THE FINANCIAL GUARANTEE AND ACCEPT MAINTENANCE OF THE STREETLIGHTS.
[DISTRICT 7.]**

ACTION OF THE BOARD:

Commissioner Stone moved to approve the request from Thomas & Hutton, engineer for the developer, Bouy Brothers Builders, for the County to end the warranty period for Village at Autumn Lake, Phase 2, release the financial guarantee and accept maintenance of the streetlights. Commissioner Holmes seconded the motion and it carried unanimously. [NOTE: Commissioners Shay and Odell were not present.]

**AGENDA ITEM: X-7
AGENDA DATE: February 13, 2009**

TO: Board of Commissioners

THRU: R. E. Abolt, County Manager

FROM: Leon Davenport, P.E., Assistant County Engineer

ISSUE: To end the warranty period for Village at Autumn Lake, Phase 2, release the financial guarantee and accept maintenance of the streetlights.

BACKGROUND: The engineer, Thomas & Hutton, for the developer, Bouy Brothers Builders, requests that the County end the warranty period, release the financial guarantee, and accept maintenance of the streetlights.

FACTS AND FINDINGS:

- 1. Village at Autumn Lake is a single-family residential subdivision located within the Berwick Plantation development on Highway 17. This phase of Village of Autumn Lake consists of 51 lots on 33 acres. The water and sewer is maintained by Consolidated Utilities, Inc. The paving and drainage will be privately maintained by the Village of Autumn Lake Homeowner’s Association.
- 2. Construction of the required improvements is complete. The improvements have been inspected and found to be satisfactory.
- 3. The warranty period was initiated on February 8, 2008.
- 4. The developer submitted a letter of credit issued by SunTrust Bank in the amount of \$535,490 and now requests that the letter of credit be released.

- 5. There are eleven 150w HPS streetlights. Upon acceptance, Chatham County will maintain the energy and maintenance costs of the streetlights.

ALTERNATIVES:

- 1. To end the warranty period, release the financial guarantee and accept maintenance of the streetlights.
- 2. Do not approve the request.

POLICY ANALYSIS: This action is consistent with the subdivision regulation regarding the bonding of required improvements.

RECOMMENDATION: That the Commissioners adopt Alternative No. 1.

District 7

PREPARED BY: Suzanne Cooler

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8. REQUEST FROM HERB RIVER BEND, LLC, FOR THE COUNTY TO END THE WARRANTY PERIOD FOR HERB RIVER BEND, PHASES 1 AND 2, AND RELEASE THE FINANCIAL GUARANTEE. [DISTRICT 3.]

ACTION OF THE BOARD:

Commissioner Stone moved to approve the request from Herb River Bend, LLC, for the County to end the warranty period for Herb River Bend, Phases 1 and 2, and release the financial guarantee. Commissioner Holmes seconded the motion and it carried unanimously. [NOTE: Commissioners Shay and Odell were not present.]

AGENDA ITEM: X-8
AGENDA DATE: February 13, 2009

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

ISSUE: To end the warranty period for Herb River Bend, Phases 1 and 2, and release the financial guarantee.

BACKGROUND: Herb River Bend, LLC requests that the County end the warranty period and release the financial guarantee for Herb River Bend, Phases 1 and 2.

FACTS AND FINDINGS:

- 1. Herb River Bend is a single-family, residential subdivision located on LaRoche Ave. These Phases consist of 84 lots on 31.32 acres. Paving and drainage improvements and streetlights are maintained by the Herb River Bend Homeowners' Association. Water and sewer are maintained by the City of Savannah.
- 2. Construction of the required improvements is complete. The improvements have been inspected and found to be satisfactory.
- 3. The warranty period was initiated on November 16, 2007.
- 4. The developer submitted a letter of credit issued by Banksouth in \$297,500 and now requests that the letter of credit be released.

ALTERNATIVES:

- 1. To end the warranty period and release the financial guarantee.
- 2. Do not approve the request.

POLICY ANALYSIS: This action is consistent with the subdivision regulation regarding the bonding of required improvements.

RECOMMENDATION: That the Commissioners adopt Alternative No. 1.

District 3

PREPARED BY: Suzanne Cooler

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9. REQUEST BOARD AUTHORIZE THE CHAIRMAN AND CLERK OF COMMISSION TO EXECUTE A REQUEST FOR TRAFFIC SIGNAL FOR THE INTERSECTION OF WHITEFIELD AVENUE AT MISTWOODE LANE/RIVER BLUFF DRIVE. [DISTRICT 1.]

ACTION OF THE BOARD:

Commissioner Stone moved to authorize the Chairman and Clerk of Commission to execute a request for traffic signal for the intersection of Whitefield Avenue at Mistwoode Lane/River Bluff Drive. Commissioner Holmes seconded the motion and it carried unanimously. [NOTE: Commissioners Shay and Odell were not present.]

AGENDA ITEM: X-9
AGENDA DATE: February 13, 2009

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

ISSUE: To authorize the Chairman and Clerk of Commission to execute a Request for Traffic Signal for the intersection of Whitefield Avenue at Mistwoode Lane/River Bluff Drive.

BACKGROUND: The intersection of Whitefield Avenue at Mistwoode Lane and River Bluff Drive is on State Route 204 Spur within Unincorporated Chatham County. County staff requested the Georgia Department of Transportation (GDOT) conduct a traffic signal warrant analysis. The GDOT will not do the study without the Request for a Traffic Signal.

FACTS AND FINDINGS:

1. The "Conditions of Application and Standards of Operation" stipulates that if the GDOT authorizes the use of a traffic signal, the County agrees to participate in the costs to purchase and install the signal. The level of participation will be determined after a study is completed.
2. The costs of electric energy and telephone service used to operate the signal will be at the expense of the County.

ALTERNATIVES:

1. To authorize the Chairman and Clerk of Commission to execute a Request for Traffic Signal for the intersection of Whitefield Avenue at Mistwoode Lane/River Bluff Drive.
2. To not authorize executing the request.

FUNDING: No funding is required to execute the Request for a Traffic Signal.

POLICY ANALYSIS: The Board must approve intergovernmental agreements.

RECOMMENDATION: That the Board approve Alternative 1.

Districts 1

Prepared By: Nathaniel Panther

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10. REQUEST BOARD AUTHORIZE PARTICIPATION WITH THE CITY OF SAVANNAH AND COASTAL HERITAGE SOCIETY FOR THE HERITAGE TRAIL AS A LINK TO THE S&O CANAL PROJECT AND EAST COAST GREENWAY.

[DISTRICT 8.]**ACTION OF THE BOARD:**

Commissioner Stone moved to authorize funding of \$40,000 to participate with the City of Savannah and Coastal Heritage Society for the Heritage Trail as a link to the S&O Canal Project and East Coast Greenway. Commissioner Holmes seconded the motion and it carried unanimously. [NOTE: Commissioners Shay and Odell were not present.]

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11. REQUEST BOARD APPROVE THE CREATION OF THREE (3) GRANT FUNDED POSITIONS AS PART OF A NON-MATCHING CHILD SEXUAL PREDATOR PROGRAM GRANT.

ACTION OF THE BOARD:

Commissioner Stone moved to approve the creation of three (3) new positions assigned to the COPS grants designation as one (1) Assistant District Attorney, assigned to the DA's office and one (1) Deputy Sheriff and one (1) Administrative Assistant position assigned to the Sheriff's Department. Commissioner Holmes seconded the motion and it carried unanimously. [NOTE: Commissioners Shay and Odell were not present.]

AGENDA ITEM: X-11

AGENDA DATE: February 13, 2009

TO: Board of Commissioners

THRU: R. E. Abolt, County Manager

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

Issue:

Request Board approve the creation of three (3) grant funded positions as part of a non-matching Child Sexual Predator Program (CSPP) Grant.

Background:

Chatham County Sheriff's Department already has a Sexual Offenders Registry and Tracking (SORT) unit. The COPS grant will significantly enhance the County's communication with citizens regarding identifying sex offenders who are registered as such, as well as providing opportunities for citizens to report those persons who are involved in illegal sexual predator activities. This grant has been provided to the County's Sheriff's Department by the U. S. Department of Justice's Community Oriented Policing Services (COPS).

Facts and Findings:

1. The Sheriff's Department applied for and was granted a COPS Child Sexual Predator Program grant totaling \$418,131 in non-matching funds.
2. On December 19, 2008, the Board of Commissioners approved the COPS Grant.
3. The grant will cover the funding of three (3) new positions; (1) Assistant District Attorney (assigned to the D. A.'s Office), (1) Deputy Sheriff and (1) Administrative Assistant, both assigned to the Sheriff's Office.
4. The grant will continue funding until August 31, 2010 at which time the referenced new positions will cease to exist.

Funding:

Funding for the three (3) new positions will be covered by the COPS Grant.

Policy Analysis:

It is consistent with Board policy to approve non-matching grants and related positions that will enhance the services to Chatham County's citizens. This COPS Grant provides

the Sheriff the opportunity to operate an interjurisdictional criminal intelligence system aimed at detecting and tracking sexual predators.

Alternatives:

1. The Board approve the creation of three (3) new positions assigned to the COPS grant designated as (1) Assistant District Attorney (assigned to the D. A.'s Office, and (1) Deputy Sheriff, and (1) Administrative Assistant position, both assigned to the Sheriff's Department.
2. The Board not approve the creation of the referenced new positions.
3. The Board provide staff other direction..

Recommendations:

The Board approve Alternative #1.

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**12. REQUEST FOR TRANSFER OF BEER AND WINE RETAIL LICENSE FOR 2009.
PETITIONER: MUKESH Y. PATEL, D/B/A SHELL FOOD MART, LOCATED AT 7361
SKIDAWAY ROAD.
[DISTRICT 3.]**

ACTION OF THE BOARD:

Commissioner Stone moved to approve the petition of Mukesh Y. Patel, d/b/a Shell food Mart, located at 7361 Skidaway Road, for transfer of beer and wine retail license for 2009. Commissioner Holmes seconded the motion and it carried unanimously. [NOTE: Commissioners Shay and Odell were not present.]

AGENDA ITEM: X-12

AGENDA DATE: February 13, 2009

TO: BOARD OF COMMISSIONERS

THROUGH: R.E. ABOLT, COUNTY MANAGER

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

ISSUE

Request for transfer beer & wine retail license for 2009, Mukesh Y. Patel, d/b/a Shell Food Mart, located at 7361 Skidaway Road.

BACKGROUND

Mr. Patel requests approval for a transfer of beer & wine package license, in connection with an existing convenience store. The business at this location meets the requirements of the Chatham County Alcoholic Beverage Ordinance. License is being transferred from Ankurkumar B. Patel to Mukesh Y. Patel who has had fingerprinting and a background check completed.

FACTS AND FINDINGS

1. The application was reviewed by the Police Department for compliance of the applicant and site distance requirements and approved.
2. The returned application was reviewed by Regulatory Services. The County Fire Inspector inspected the site for compliance with the safety codes and approved the facility.
3. This application is in compliance with all requirements.
4. The applicant has been notified in writing of the time and date of the hearing.

RECOMMENDATION

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

District 3

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

Gregori S. Anderson

Assistant Chief Willie Lovett

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13. REQUEST FOR TRANSFER OF BEER AND WINE POURING AND SUNDAY SALES OF BEER AND WINE POURING LICENSE FOR 2009. PETITIONER: YAN MEI XU, D/B/A 17 SAKURA RESTAURANT, LOCATED AT 5710 OGEECHEE ROAD, SUITE 470. [DISTRICT 7.]

ACTION OF THE BOARD:

Commissioner Stone moved to approve the petition of Yan Mei Xu, d/b/a 17 Sakura Restaurant, located at 5710 Ogeechee Road, Suite 470, for transfer of beer and wine pouring and Sunday sales of beer and wine pouring license for 2009. Commissioner Holmes seconded the motion and it carried unanimously. [NOTE: Commissioners Shay and Odell were not present.]

AGENDA ITEM: X-13

AGENDA DATE: February 13, 2009

TO: BOARD OF COMMISSIONERS

THROUGH: R.E. ABOLT, COUNTY MANAGER

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

ISSUE

Request for transfer beer and wine pouring and Sunday sales of beer and wine pouring license for 2009, Yan Mei Xu, d/b/a Sakura Restaurant, located at 5710 Ogeechee Road, Suite 470.

BACKGROUND

Ms. Huang requests approval for renewal of Sunday sales of beer and wine pouring license in connection with an existing restaurant. The business at this location meets the requirements of the Chatham County Alcoholic Beverage Ordinance. License is being transferred from Wen Jie Huang to Yan Mei Xu who has had fingerprinting and a background check completed.

FACTS AND FINDINGS

1. The application was reviewed by the Police Department for compliance of the applicant and site distance requirements and approved.
2. The returned application was reviewed by Regulatory Services. The County Fire Inspector inspected the site for compliance with the commercial kitchen requirements and approved the facility.
3. This application is in compliance with all requirements.
4. The applicant has been notified of the hearing date and time.

RECOMMENDATION

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

District 7

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

Gregori S. Anderson

Assistant Chief Willie Lovett

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14. REQUEST FOR TRANSFER OF SUNDAY SALES OF BEER POURING LICENSE FOR 2009. PETITIONER: PHAN HOANG TRAN, D/B/A BI DA LONG, LOCATED AT 4700 U.S. HIGHWAY 80 E. [DISTRICT 4.]

ACTION OF THE BOARD:

Commissioner Stone moved to approve the petition of Phan Hoang Tran, d/b/a Bi Da Long, located at 4700 U.S. Highway 80 E, for transfer of Sunday sales of beer pouring license for 2009. Commissioner Holmes seconded the motion and it carried unanimously. [NOTE: Commissioners Shay and Odell were not present.]

AGENDA ITEM: X-14
AGENDA DATE: February 13, 2009

TO: BOARD OF COMMISSIONERS

THROUGH: R.E. ABOLT, COUNTY MANAGER

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

ISSUE

Request approval for a transfer of Sunday sales of beer pouring license for 2009, Phan Hoang Tran d/b/a Bi Da Long, located at 4700 U S Highway 80 E.

BACKGROUND

Ms. Tran requests approval for a transfer of Sunday sales of beer pouring license in connection with an existing Restaurant. License is being transferred from Hai Nguyen to Phan Hoang Tran.

FACTS AND FINDINGS

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

RECOMMENDATION

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

District 4

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

Gregori S. Anderson

Assistant Chief Willie Lovett

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15. REQUEST FOR TRANSFER OF SUNDAY SALES OF BEER AND WINE POURING LICENSE FOR 2009. PETITIONER: RITA JO MORGAN, D/B/A DENNY'S RESTAURANT, LOCATED WITHIN THE BEST WESTERN AT ONE GATEWAY BOULEVARD. [DISTRICT 7.]

ACTION OF THE BOARD:

Commissioner Stone moved to approve the petition of Rita Jo Morgan, d/b/a Denny's Restaurant, located within the Best Western at One Gateway Boulevard, for transfer of Sunday sales of beer and wine pouring license for 2009. Commissioner Holmes seconded the motion and it carried unanimously. [NOTE: Commissioners Shay and Odell were not present.]

AGENDA ITEM: X-15
AGENDA DATE: February 13, 2009

TO: BOARD OF COMMISSIONERS

THROUGH: R.E. ABOLT, COUNTY MANAGER

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

ISSUE

Request for transfer of beer and wine pouring license for 2009, Rita Jo Morgan, d/b/a Denny's Restaurant, located within the Best Western at One Gateway Boulevard.

BACKGROUND

Ms. Morgan requests approval for transfer beer and wine pouring license in connection with an existing motel/restaurant. The business at this location meets the requirements of the Chatham County Alcoholic Beverage and Sunday sales Ordinance. License is being transferred from Surenda Patel to Rita Jo Morgan.

FACTS AND FINDINGS

1. The application was reviewed by the Police Department for compliance of the applicant and site distance requirements and approved.
2. The returned application was reviewed by Regulatory Services. The County Fire Marshal inspected the site for compliance with the commercial kitchen requirements and approved the facility.
3. This application is in compliance with all requirements.
4. The applicant has been notified in writing of the date and time of the hearing.

RECOMMENDATION

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

District 7

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

Gregori S. Anderson

Assistant Chief Willie Lovett

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16. REQUEST FOR RENEWAL OF SUNDAY SALES LICENSE FOR 2009. PETITIONER: JAMES R. THOMAS, D/B/A JT'S PUB AND GRILL LOCATED AT 7 FORT ARGYLE ROAD, 31322. [DISTRICT 6.]

ACTION OF THE BOARD:

Commissioner Stone moved to approve the petition of James R. Thomas, d/b/a JT'S Pub and Grill, located at 7 Fort Argyle Road, Savannah, Georgia 31322, for renewal of Sunday sales license for 2009. Commissioner Holmes seconded the motion and it carried unanimously. [NOTE: Commissioners Shay and Odell were not present.]

AGENDA ITEM: X-16
AGENDA DATE: February 13, 2009

TO: BOARD OF COMMISSIONERS

THROUGH: R.E. ABOLT, COUNTY MANAGER

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

ISSUE

Request approval for renewal of Sunday Sales license for 2009, James R. Thomas d/b/a JT's Pub and Grill located at 7 Fort Argyle Road, Savannah, GA 31322

BACKGROUND:

Mr. Thomas requests approval for renewal of Sunday sales license in connection with a existing restaurant.

FACTS AND FINDINGS:

1. The application was reviewed by the Police Department for compliance of the applicant and separation requirements and approved.
2. The returned application was reviewed by Regulatory Services. The County Fire Marshal inspected the site for compliance with the commercial kitchen requirements and approved the facility.
3. This applicant and business meets the requirements of the Chatham County Alcoholic Beverage and Sunday Sales Ordinance.
4. The applicant has been notified in writing of the date and time of the hearing.

RECOMMENDATION

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

District 6

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

Gregori S. Anderson

Assistant Chief Willie Lovett

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17. REQUEST FOR RENEWAL OF BEER, WINE, LIQUOR POURING AND SUNDAY SALES POURING LICENSE FOR 2009. PETITIONER: DENNIS ORMAN LOFTON, D/B/A THE DAWG HOUSE GRILL, LLC, LOCATED AT 4685 U.S. HIGHWAY 80 E. [DISTRICT 4.]

ACTION OF THE BOARD:

Commissioner Stone moved to approve the petition of Dennis Orman Lofton, d/b/a The Dawg House Grill, LLC, located at 4685 U.S. Highway 80 E, for renewal of beer, wine, liquor pouring and Sunday sales pouring license for 2009. Commissioner Holmes seconded the motion and it carried unanimously. [NOTE: Commissioners Shay and Odell were not present.]

AGENDA ITEM: X-17
AGENDA DATE: February 13, 2009

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

ISSUE

Request approval for renewal of beer, wine, liquor pouring and Sunday Sales pouring license for 2009, Dennis Orman Lofton d/b/a The Dawg House Grill LLC., located at 4685 U S Highway 80 E.

BACKGROUND:

Mr. Lofton requests approval for renewal of beer, wine, liquor pouring and Sunday sales license in connection with an existing restaurant.

FACTS AND FINDINGS:

1. The application was reviewed by the Police Department for compliance of the applicant and separation requirements and approved.
2. The returned application was reviewed by Regulatory Services. The County Fire Marshal inspected the site for compliance with the commercial kitchen requirements and approved the facility.
3. This applicant and business meets the requirements of the Chatham County Alcoholic Beverage and Sunday Sales Ordinance.
4. The applicant has been notified in writing of the date and time of the hearing.

RECOMMENDATION

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

District 6

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

Gregori S. Anderson

Assistant Chief Willie Lovett

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18. REQUEST FOR RENEWAL OF SUNDAY SALES OF BEER AND WINE POURING LICENSE FOR 2009.
A. PETITIONER: MERRITT W. DIXON, IV, D/B/A SPRING HILL SUITES, LOCATED AT 4 GATEWAY BOULEVARD EAST. [DISTRICT 7.]
B. PETITIONER: JACOBO RAMIREZ, D/B/A EL GALLO MEXICAN RESTAURANT, LOCATED AT 821 KING GEORGE BOULEVARD. [DISTRICT 7.]

- C. PETITIONER: ALAN G. GAMBLE, D/B/A FRANKLIN CREEK ACTIVITY CENTER, LOCATED AT 900 FRANKLIN CREEK ROAD. [DISTRICT 4.]
- D. PETITIONER: NAM MA, D/B/A KANPAI JAPANESE RESTAURANT, LOCATED AT 140 JOHNNY MERCER BOULEVARD, SUITE A. [DISTRICT 4.]
- E. PETITIONER: CHERYL D. HULL, D/B/A BEEF O'BRADY'S FAMILY SPORTS PUB, LOCATED AT 461 JOHNNY MERCER BOULEVARD, UNITS 11 & 12. [DISTRICT 4.]
- F. PETITIONER: JAMES WILLIAM SOLEO, D/B/A FUDDRUCKERS RESTAURANT, LOCATED AT 5710 OGEECHEE ROAD. [DISTRICT 7.]

ACTION OF THE BOARD:

Commissioner Stone moved to approve the petitions of the following for renewal of Sunday sales of beer and wine pouring license for 2009: (A) Merritt W. Dixon, IV, d/b/a Spring Hill Suites, located at 4 Gateway Boulevard East; (B) Jacobo Ramirez, d/b/a El Gallo Mexican Restaurant, located at 821 King George Boulevard; (C) Alan G. Gamble, d/b/a Franklin Creek Activity Center, located at 900 Franklin Creek Road; (D) Nam Ma, d/b/a. Kanpai Japanese Restaurant, located at 140 Johnny Mercer Boulevard, Suite A; (E) Cheryl D. Hull, d/b/a Beef O'Brady's Family Sports Pub, located at 461 Johnny Mercer Boulevard, Units 11 and 12; and (F) James William Soleo, d/b/a Fuddruckers Restaurant, located at 5710 Ogeechee Road. Commissioner Holmes seconded the motion and it carried unanimously. [NOTE: Commissioners Shay and Odell were not present.]

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19. REQUEST FOR RENEWAL OF SUNDAY SALES OF BEER, WINE AND LIQUOR POURING LICENSE FOR 2009.

- A. PETITIONER: ROBERT DOSTOR MIMS, III, D/B/A STEAMERS RESTAURANT, LOCATED AT 1190 KING GEORGE BOULEVARD. [DISTRICT 6.]
- B. MARK ALLEN MOKREN, D/B/A ISLAND DAIQUIRI CAFÉ, 313 JOHNNY MERCER BLVD, SAVANNAH, GA 31410. [DISTRICT 4.]
- C. MARIA ARRIETA, D/B/A CANCUN MEXICAN RESTAURANT II, LOCATED AT 216 JOHNNY MERCER BOULEVARD. [DISTRICT 4.]
- D. ROY C. SAMUELSON, D/B/A GRAPEVINE, LOCATED AT 346B JOHNNY MERCER BOULEVARD. [DISTRICT 4.]
- E. KEITH ALLEN RANKIN, D/B/A REDLEG SALOON, LOCATED AT 2883 FORT ARGYLE ROAD. [DISTRICT 7.]
- F. ALAN G. GAMBLE, D/B/A MARSHWOOD CLUBHOUSE, LOCATED AT 1 PALMERS DRAW, THE LANDINGS. [DISTRICT 4.]
- G. ALAN G. GAMBLE, D/B/A CABANA BAR – MARSHWOOD COUNTRY CLUB, LOCATED AT 1 PALMERS DRAW. [DISTRICT 4.]
- H. ALAN G. GAMBLE, D/B/A DEER CREEK CLUB, LOCATED AT #1 DEER CREEK ROAD, THE LANDINGS. [DISTRICT 4.]
- I. ALAN G. GAMBLE, D/B/A OAKRIDGE CLUB, LOCATED AT 11 WESTCROSS ROAD. [DISTRICT 4.]
- J. ALAN G. GAMBLE, D/B/A PLANTATION CLUB, LOCATED AT 1 COTTONWOOD DRIVE. [DISTRICT 4.]
- K. ELEANOR M. COURSEY, D/B/A GRANT'S CROW BAR LOUNGE, LOCATED AT 205 JOHNNY MERCER BOULEVARD. [DISTRICT 4.]
- L. JOHN R. TURNER, D/B/A ISLAND OYSTER BAR, LOCATED AT 444 JOHNNY MERCER BOULEVARD. [DISTRICT 4.]
- M. RAYMUNDO L. JAIME, D/B/A EL POTRO MEXICAN RESTAURANT #14, LOCATED AT 1 FORT ARGYLE ROAD. [DISTRICT 7.]
- N. JOHN R. TURNER, D/B/A SALTWATER GRILLE, LOCATED AT 7000 LAROCHE AVENUE. [DISTRICT 3.]
- O. DONNA M. LOVE, D/B/A LOVE'S SEAFOOD RESTAURANT, LOCATED AT 6817 CHIEF O. F. LOVE ROAD, 31419. [DISTRICT 6.]
- P. MARY ELIZABETH GARRETT, D/B/A THE SHELL HOUSE RESTAURANT, LOCATED AT 8 GATEWAY BOULEVARD, WEST. [DISTRICT 7.]
- Q. JULIE DONALDSON LOWENTHAL, D/B/A HOULIHAN'S RESTAURANT, LOCATED AT 17029 ABERCORN STREET. [DISTRICT 7.]
- R. COBY GARRETT BROOKS, D/B/A HOOTERS OF SAVANNAH, INC., LOCATED AT 4 GATEWAY BOULEVARD. [DISTRICT 7.]

- S. FRANK AND JUDY OUZTS, D/B/A PAPA'S BAR-B-QUE AND SEAFOOD, LOCATED AT 119-A CHARLOTTE ROAD. [DISTRICT 4.]
- T. JILL ANNE DOUBERLY, D/B/A UNCLE HARRY'S, LOCATED AT 12 N. LATHROP AVENUE. [DISTRICT 7.]
- U. GARRETT NEIL VALENTINE, D/B/A SOUTHBRIDGE GOLF CLUB, LOCATED AT 415 SOUTHBRIDGE BOULEVARD. [DISTRICT 7.]
- V. EARL W. HIERS, D/B/A UNCLE BUBBA'S SEAFOOD & OYSTER HOUSE, LOCATED AT 104 BRYAN WOODS ROAD. [DISTRICT 4.]
- W. DANIEL ERIC SHIELDS, D/B/A THE MARSHES OF SKIDAWAY ISLAND, LOCATED AT 95 SKIDAWAY ISLAND PARK ROAD. [DISTRICT 4.]
- X. LAUREEN COYLE, D/B/A RUBY TUESDAY RESTAURANT, LOCATED AT 590 AL HENDERSON BOULEVARD. [DISTRICT 7.]
- Y. ARTHUR C. GARZA, D/B/A EL MARIACHI RESTAURANT, LOCATED AT 5730 OGEECHEE ROAD, SUITE 180. [DISTRICT 7.]
- Z. HERMAN R. SHIRAH, JR., D/B/A THE ISLANDER, LOCATED AT 221 JOHNNY MERCER BOULEVARD. [DISTRICT 4.]

ACTION OF THE BOARD:

Commissioner Stone moved to approve the following petitions for renewal of Sunday sales of beer, wine and liquor pouring license for 2009: (A) Robert Dostor Mims, III, d/b/a Steamers Restaurant, located at 1190 King George Boulevard; (B) Mark Allen Mokren, d/b/a Island Daiquiri Café, 313 Johnny Mercer Boulevard; (C) Maria Arrieta, d/b/a Cancun Mexican Restaurant II, located at 216 Johnny Mercer Boulevard; (D) Roy C. Samuelson, d/b/a Grapevine, located at 346B Johnny Mercer Boulevard; (E) Keith Allen Rankin, d/b/a Redleg Saloon, located at 2883 Fort Argyle Road; (F) Alan G. Gamble, d/b/a Marshwood Clubhouse, located at 1 Palmers Draw, The Landings; (G) Alan G. Gamble, d/b/a Cabana Bar – Marshwood Country Club, located at 1 Palmers Draw; (H) Alan G. Gamble, d/b/a Deer Creek Club, located at #1 Deer Creek Road, The Landings, (I) Alan G. Gamble, d/b/a Oakridge Club, located at 11 Westcross Road; (J) Alan G. Gamble, d/b/a Plantation Club, located at 1 Cottonwood Drive; (K) Eleanor M. Coursey, d/b/a Grant's Crow Bar, located at 205 Johnny Mercer Boulevard; (L) John R. Turner, d/b/a Island Oyster Bar, located at 444 Johnny Mercer Boulevard; (M) Raymundo L. Jaime, d/b/a El Potro Mexican Restaurant #14, located at 1 Fort Argyle Road; (N) John R. Turner, d/b/a Saltwater Grille, located at 7000 LaRoche Avenue; (O) Donna M. Love, d/b/a Love's Seafood Restaurant, located at 6817 Chief O. F. Love Road; (P) Mary Elizabeth Garrett, d/b/a The Shell House Restaurant, located at 8 Gateway Boulevard West; (Q) Julie Donaldson Lowenthal, d/b/a Houlihan's Restaurant, located at 17029 Abercorn Street; (R) Coby Garrett Brooks, d/b/a Hooter's of Savannah, Inc., located at 4 Gateway Boulevard; (S) Frank and Judy Ouzts, d/b/a Papa's Bar-B-Que and Seafood, located at 119-A Charlotte Road, (T) Jill Anne Douberly, d/b/a Uncle Harry's, located at 12 N. Lathrop Avenue; (U) Garrett Neil Valentine, d/b/a Southbridge Golf Club, located at 415 Southbridge Boulevard; (V) Earl W. Hiers, d/b/a Uncle Bubba's Seafood & Oyster House, located at 104 Bryan Woods Road; (W) Daniel Eric Shields, d/b/a The Marshes of Skidaway Island, located at 95 Skidaway Island Park Road; (X) Laureen Coyle, d/b/a Ruby Tuesday Restaurant, located at 590 Al Henderson Boulevard; (Y) Arthur C. Garza, d/b/a El Mariachi Restaurant, located at 5730 Ogeechee Road, Suite 180; and (Z) Herman R. Shirah, Jr., d/b/a The Islander, located at 221 Johnny Mercer Boulevard. Commissioner Holmes seconded the motion and it carried unanimously. [NOTE: Commissioners Shay and Odell were not present.]

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20. 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. Change Order No. 3 to the annual lawn care and litter collection services contract to add the Juvenile Court facility	Juvenile Court	Chase Landscaping, Inc.	\$3,800	General Fund/M&O - Juvenile Court
B. Engineering services contract to conduct a Water Reuse Feasibility Study	Public Works	Thomas and Hutton Engineering Company	\$13,280	Water and Sewer
C. One (1) inspection equipment vehicle and replacement inspection equipment	Public Works	•City of Savannah (Intra- Governmental transfer) •Adams Equipment Company, Inc.	•\$15,000 •\$57,497	SPLOST (2003-2008) - Storm Drainage

<u>ITEM</u>	<u>DEPT.</u>	<u>SOURCE</u>	<u>AMOUNT</u>	<u>FUNDING</u>
D. Four (4) recycling containers	Public Works	Consolidated Disposal Systems, Inc.	\$25,350	Solid Waste - Restricted
E. Removal of existing entrance doors (interior and exterior) facing Bull Street and install automatic slider doors	Facilities Maintenance and Operations	Ricks Glass Company, Inc.	\$13,420	General Fund/M&O - ADA Compliance
F. Change Order No. 1 to the contract for the Kings Way Canal Drainage Improvements project for additional work	Engineering	Sandhill ALS Construction, Inc. (MBE)	\$64,925	SPLOST (1998-2003) - Kings Way drainage project
G. Contract for the Chevis Canal at Hodges Airpark drainage project	Engineering	L-J, Inc.	\$93,080	SPLOST (2003-2008) - Chevis Canal/ Airport project
H. Extend for one (1) additional year the annual contract to provide Employee Assistance Program services	Human Resources and Services	Lifestyle Management Resources, Inc.	\$9.41 per employee	General Fund/M&O - Human Resources and Services
I. 25 office workstations	CEMA	VIP Office Furniture and Supply (WBE)	\$15,104	CEMA Special Revenue Fund
J. Six (6) month rental of a portable generator	Special Projects	Cummins Power South, LLC	\$16,836	SPLOST (2003-2008) - Courthouse Construction
K. Two (2) used vehicles and authorize disposal of one (1) vehicle	CNT	Dan Vaden Chevrolet	\$33,700	CIP - Vehicle Replacement Fund
L. One (1) new Chevrolet truck	CNT	Dan Vaden Chevrolet	\$22,895	CIP - Vehicle Replacement Fund
M. One (1) used Ford Expedition and authorize disposal of one (1) vehicle	CNT	Fairway Lincoln Mercury	\$18,100	CIP - Vehicle Replacement Fund
N. One (1) 2008 Chevrolet van and authorize disposal of three (3) vehicles	CNT	Fairway Lincoln Mercury	\$11,500	CNT - Confiscated Funds (pending Board approval of transfer)
O. One (1) 2008 Chevrolet truck	CNT	Dan Vaden Chevrolet	\$22,995	CNT - Confiscated Funds (pending Board approval of transfer)
P. Annual contract with automatic renewal options for four (4) additional one (1) year term for slip lining storm drain pipes	Public Works and Park Services	Southeast Pipe Survey, Inc.	Not to Exceed \$338,300	CIP - Storm Drainage Project
Q. Task order contract to provide construction equipment for County projects	Engineering	T Clearing	Not to Exceed \$250,000	•SPLOST (1985-1993), (1998-2003), (2003-2008), (2008-2014) •Land Bank
R. McQueen's Island Rails-to-Trails stabilization project	Public Works and Park Services	E & D Contracting (WBE)	\$183,310	SPLOST (2003-2008) - Open Space, Green Space and Bikeways
S. Extend contract for project management for Mother Mathilda Beasley Park	Special Projects	Ann Roise (WBE)	\$50 per hour - Not to Exceed \$35,000	SPLOST (2003-2008)
T. Lease space for Public Works and Park Services	Public Works and Park Services	Hostetler and Company	\$14,000	Public Works and Park Services (pending approval of transfer from SSD Contingency)
U. Caulking and painting Court Services office and part of Inmate Holding area	Special Projects	Dan Sheehan Company	\$41,674	SPLOST (2003-2008) - Courthouse Construction

<u>ITEM</u>	<u>DEPT.</u>	<u>SOURCE</u>	<u>AMOUNT</u>	<u>FUNDING</u>
V. Caulking and painting sallyport and part of Inmate Holding area	Special Projects	Satori Development (WBE)	\$14,900	SPLOST (2003-2008) - Courthouse Construction
W. Task Order contracts to provide professional services for mechanical engineering	<ul style="list-style-type: none"> •Special Projects •Public Works and Park Services •Human Resources and Services 	<ul style="list-style-type: none"> •Rosser •RWP •Dulohery Weeks and Gagliano •Smith and Vandembulck 	Not to Exceed \$25,000 per project; maximum of \$75,000 per contract	<ul style="list-style-type: none"> •SPLOST (2003-2008) - Courthouse Construction •General Fund/M&O •Public Works and Park Services •Solid Waste Fund

As to Items 20-A through 20-W, except 20-H, 20-I and 20-T:

Commissioner Stone moved to approve Items 20-A through 20-W, except Items 20-H, 20-I, and 20-T. Commissioner Holmes seconded the motion and it carried unanimously. [NOTE: Commissioners Shay and Odell were not present.]

As to Item 20-H:

Chairman Liakakis recognized Commissioner Kicklighter.

Commissioner Kicklighter said, yes, Mr. Chairman. Basically, what is this? A workforce —. County Manager Abolt said, this is support and counseling to our work force. At a time when there's pressure on them, we've provided the service for a decade plus. It provides support, minimizes additional costs to the County and certainly helps our employees in times of need. It's an intervention program.

Commissioner Kicklighter said, okay. It's a savings in the long run? County Manager Abolt said, no question about it. Commissioner Kicklighter said, motion to approve. Commissioner Thomas said, second.

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

As to Item 20-I:

Chairman Liakakis recognized Commissioner Kicklighter.

Commissioner Kicklighter said, Item I, CEMA, 25 office work stations, \$15,104 as a result of the water damage. Will — did we have insurance that wouldn't pay for this?

County Manager Abolt said, I cannot answer that question. I'm looking around. I don't see —. Ms. Cramer is standing up so she's volunteering to answer.

Ms. Cramer said, we have a reserve for deductible in our insurance fund, which departments will access when they have needs, but it's not insurance. It's just a budget line item, and we've pretty much depleted it for this year so we asked them to pay for it out of their budget.

Commissioner Kicklighter said, okay, thank you. Motion to approve. Commissioner Thomas said, second.

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

As to Item 20-T:

Chairman Liakakis recognized Commissioner Kicklighter.

Commissioner Kicklighter said, if someone will make a motion to approve. That's the one I voted against earlier about leasing space. If somebody else would just —.

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

Chairman Liakakis said, okay. Let's go on the board. The motion carried unanimously. [NOTE: Commissioners Shay and Odell were not present.] Chairman Liakakis said, the motion passes.

ACTION OF THE BOARD:

- a. Commissioner Stone moved to approve Items 20-A through 20-W, except Items 20-H, 20-I, and 20-T. Commissioner Holmes seconded the motion and it carried unanimously. [NOTE: Commissioners Shay and Odell were not present.]
- b. Commissioner Kicklighter moved to approve Item 20-H. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioners Shay and Odell were not present.]
- c. Commissioner Kicklighter moved to approve Item 20-I. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioners Shay and Odell were not present.]
- d. Commissioner Farrell moved to approve Item 20-T. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioners Shay and Odell were not present.]

AGENDA ITEM: X-20 A THRU W**AGENDA DATE: February 13, 2009**

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 Change Order No. 3, in the amount of \$3,800 per year, to the annual contract with Chase Landscaping, Inc. to provide specialized landscaping, lawn care and liter collection services for the Juvenile Court building located at 197 Carl Griffin Drive.

BACKGROUND: On 26 August 2005, the Board approved an annual lawn care and litter collection services contract with Chase Landscaping.

FACTS AND FINDINGS:

1. Chase Landscaping, Inc., quoted staff an additional fee of \$3,800 per year to add service to the above location. Service will become effective in January 2009.
2. Service will be provided as follows:
 - April to October 31 - every 14 days at a cost of \$400 per month
 - November to March 31 every 21 days at a cost of \$200 per month
3. Staff believes the total cost of \$3,800 per year to provide lawn care and litter collection services for the Juvenile Court building to be fair and reasonable.
4. Contract history is as follows:

Original Contract Amount (08-26-05)	\$27,220/Year
Change Order No. 1 (04-21-06)	\$ 2,850/Year
Change Order No. 2 (04-11-08)	\$ 3,450/Year
Change Order No. 3 (Pending)	<u>\$ 3,800/Year</u>
Revised Contract Amount	\$37,320/Year

FUNDING: General Fund/M & O - Juvenile Court
(1002600 - 52.22001)

ALTERNATIVES:

1. Request Board approval of Change Order No. 3, in the amount of \$3,800 per year, to the annual contract with Chase Landscaping, Inc. to provide specialized landscaping, lawn care and liter collection services for the Juvenile Court building located at 197 Carl Griffin Drive.
2. Provide staff other direction.

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

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
GLORIA SAUGH

ITEM B

ISSUE: Request Board approval of the \$13,280 engineering services contract to conduct a Water Reuse Feasibility Study with Thomas & Hutton Engineering Company for Public Works and Park Services - Water and Sewer.

BACKGROUND: Water reuse is reusing waste water that has not been cleaned to drinking water standards. A more common term is grey water. Possible areas of reuse are irrigation of landscape and golf courses. Chatham County Public Works & Park Services is responsible for various aspects of water and sewer service delivery to its customers. GA EPD has mandated certain requirements to ground water withdrawal permits; this study is a requirement to keep the County's withdrawal permits in place. In order to continue with the County's ground water permit a Water Reuse Feasibility Study has to be conducted and recommendations have to be developed.

FACTS AND FINDINGS:

1. The purchase of engineering services is required by the State to maintain the County's water withdrawal permits.
2. A Request for Quotation was sent to five (5) prospective firms and quotes were received on 20 January 2009 as follows:

Thomas and Hutton Engineering Company Savannah, GA	\$13,280
EMC Engineering Services, Inc. Savannah, GA	\$19,000
Applied Technology and Management Pooler, GA	\$23,000
Woolpert, Inc. Charlotte, NC	\$32,180
BP Barber Savannah, GA	\$45,635

3. Staff believes the quote from Thomas and Hutton Engineering Company to be fair and reasonable.

FUNDING: Water and Sewer
(5054400 – 52.39001)

ALTERNATIVES:

1. Board approval of the \$13,280 engineering services contract to conduct a Water Reuse Feasibility Study with Thomas & Hutton Engineering Company for Public Works and Park Services - Water and Sewer.
2. Provide staff other direction

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

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
READ DEHAVEN

ITEM C

ISSUE: Request Board approval of the \$15,000 purchase of an Aries CCTV inspection equipment vehicle through an Intra-Governmental transfer with the City of Savannah and a \$57,497 sole source purchase of replacement CCTV inspection equipment from Adams Equipment Company Inc. of White Plains, GA. for Public Works and Park Services.

BACKGROUND: Public Works must inspect its entire inventory of storm water structures and facilities by the end of 2010. A vehicle equipped with CCTV inspection equipment is essential in executing proper inspections. The City of Savannah has a used vehicle with low mileage and equipped with inspection equipment. The City has made this vehicle available to the County through an Intra-Governmental transfer. Some of the inspection equipment requires upgrading to bring the unit to industry standards.

FACTS AND FINDINGS:

1. Chatham County is covered under Phase I National Pollutant Discharge and Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4) Permits. The regulations require the County to develop a Storm Water Management Program (SWMP) designed to prevent storm water pollutants from entering the MS4. The County has 2,546 structures and facilities within the MS4. The County has committed to inspecting at least 20% of its structures and facilities annually. The CCTV inspection vehicle will allow Public Works to properly inspect the storm sewer systems.
2. The City of Savannah has made a vehicle available and Chatham County has agreed to purchase the vehicle for \$15,000 through an Intra-Government transfer. The City has replaced this vehicle and it is currently out-of-service. The vehicle has low mileage and is in good operating condition. Some of the vehicle's inspection equipment requires an upgrade to bring it to standards.
3. Aries Industries is the manufacturer of the CCTV inspection equipment currently in the vehicle and Adams Equipment Company is the regional distributor. The inspection equipment components are non-interchangeable with other manufacturers in the market. Adams Equipment Company is the sole source vendor and has quoted staff a price of \$57,497 for upgraded equipment.
4. Failure to comply to the NPDES requirements could result in the County losing State funding and subject to an administrative fine of \$50,000/day/violation.
5. The cost of the upgrade is reasonable, a similar new vehicle and equipment is estimated at \$188,000.

FUNDING: SPLOST (2003-2008) - Storm Drainage
(3234250 - 54.21003 - 3238051Z)

ALTERNATIVES:

1. Board approval of the \$15,000 purchase of an Aries CCTV inspection equipment vehicle through an Intra-Governmental transfer with the City of Savannah and a \$57,497 sole source purchase of replacement CCTV inspection equipment from Adams Equipment Company Inc. of White Plains, GA. for Public Works and Park Services.
2. Provide staff other direction

POLICY ANALYSIS: It is consistent with Board policy to approve Intra-Governmental transfers when it is in the best interest of the County.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
CHRIS MORRIS

ITEM D

ISSUE: Request Board approval of the \$25,350 purchase of four (4) recycling containers from Consolidated Disposal Systems, Inc. of Smyrna, Georgia for Public Works and Park Services - Solid Waste.

BACKGROUND: Chatham County Public Works & Park Services is responsible for the various aspects of collection, and the ultimate disposition of bulky items and recyclable materials by the County. This service includes a fleet of vehicles for yardwaste collection, and three (3) residential drop-off centers that service citizens of the County. Public Works & Park Services is expanding services at all three (3) drop-off centers to provide additional recycling opportunities for our customers.

FACTS AND FINDINGS:

1. Due to the increase in volume demands and customer requests the addition of electronic collection and recycling will be added to the Wilmington Island Drop-off center. In addition, Chevis Road and Sharon Park Drop-off Centers will be expanding service to include the collection and recycling of cardboard, plastic, aluminum, scrap metal, and paper.
2. The purchase of these additional recycling containers will assist in the County’s efforts to deliver quality of life services to its residents. The purchase will include two (2) containers for cardboard, one (1) container for glass and one (1) container for electronics.
3. Staff obtained pricing from five (5) vendors and responses are as follows:

Consolidated Disposal Systems, Inc. Smyrna, GA	\$25,350
Rudco South, LLC Greer, SC	\$26,165
Amick Equipment Statesville, NC	\$26,998
Griffin Truck and Equipment Pooler, GA	\$27,144
Atlanta Refuse Sales & Service Conley, GA	\$27,594

4. Staff believes the pricing provided by Consolidated Disposal Systems, Inc. to be fair and reasonable.

FUNDING: Solid Waste Restricted
(5404510 – 54.25001)

ALTERNATIVES:

1. Board approval of the \$25,350 purchase of four (4) recycling containers from Consolidated Disposal Systems, Inc. of Smyrna, Georgia for Public Works and Park Services - Solid Waste.
2. Provide staff other direction.

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

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
CHRIS MORRIS

ITEM E

ISSUE: Request Board approval of the \$13,420 removal of the existing entrance doors (interior and exterior) facing Bull Street and install Americans with Disabilities Act (ADA) compliant automatic slider doors from Ricks Glass Company, Inc.

BACKGROUND: The current manual entrance (interior and exterior) doors do not meet ADA requirements.

FACTS AND FINDINGS:

1. The interior and exterior glass doors facing Bull Street are not ADA compliant. The heavy glass doors make accessibility very dangerous to the disabled.
2. Replacement doors will be bi-parting automatic sliders with full break away glass for emergency use and fixed side panels. Electrical and carpentry work will be done by in-house staff.
3. Staff obtained pricing from three (3) vendors and responses are as follows:

Ricks Glass Company, Inc. Savannah, GA	\$13,420
Advanced Door Systems Savannah, GA	\$14,500
All American Glass Pooler, GA	\$16,295

4. Staff believes the price quoted by Ricks Glass Company, Inc. to be fair and reasonable.

FUNDING: General Fund/M & O - ADA Compliance
(1001556 - 54.13001)

ALTERNATIVES:

1. Board approval of the \$13,420 removal of the existing entrance doors (interior and exterior) facing Bull Street and install Americans with Disabilities Act (ADA) compliant automatic slider doors from Ricks Glass Company, Inc.
2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to provide safe access to county employees and visiting disabled persons.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
RUSHEDA ADESHINA

ITEM F

ISSUE: Request Board approval of Change Order No. 1, in the amount of \$64,925, to provide additional silt fence for sediment and erosion control, to modify the access road as a grassed surface, and inclusion of a waterline replacement in the project cost with Sandhill ALS Construction, Inc.

BACKGROUND: The Kings Way Canal Drainage Improvements project is a part of the 1998 - 2003, SPLOST, County Drainage Program. The County completed the downstream portion of the drainage improvements as a part of the Truman Parkway project.

FACTS AND FINDINGS:

1. Construction of the project is underway. Scheduled completion is May 2009.
2. The Contract included estimated quantities of materials to be incorporated into the work. The change order adjusts the line item quantity for silt fence materials ordered by the County to improve erosion control.
3. The change order adds a pay item to modify the access road to be a grassed surface with less visual impact on the residential neighborhood. The rock surface is typically used along canals.
4. The change order adjusts the contract to include the cost of replacing a waterline at Kings Way. Construction of new headwalls requires replacement of the waterline.

5. The change order includes a \$100 correction of a mathematical error on the original bid schedule. This correction does not change the fact that the selected contractor would have been the apparent low bidder.
6. The change order increases the contract time of completion by 45 days required for the additional work associated with the access road and waterline described above.
7. A contract history is as follows:

Original Contract	(5/25/08)	\$518,409
Change Order No. 1	Additional Silt Fence, Waterline, bid correction)	<u>\$64,925</u>
	(Pending)	
Revised Contract Amount		\$583,334

FUNDING: SPLOST (1998 - 2003) - Kings Way drainage project
(3224250 - 54.14021 - 32280237)

ALTERNATIVES:

1. Board approval of Change Order No. 1, in the amount of \$64,925, to provide additional silt fence for sediment and erosion control, to modify the access road as a grassed surface, and inclusion of a waterline replacement in the project cost with Sandhill ALS Construction, Inc.
2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to approve Change Orders that are necessary for the completion of projects.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
ESTELLE BROWN

ITEM G

ISSUE: Request Board approval to award a \$93,080 contract for the Chevis Canal at Hodges Airpark Drainage project with L-J, Inc.

BACKGROUND: The Chevis Canal at Hodges Airpark Drainage project is a part of the Ogeechee Farms Drainage Improvement project approved for funding under the 2003-2008 SPLOST.

FACTS AND FINDINGS:

1. The major drainage problems are inadequately sized ditches and the inability to maintain them due to lack of access. Phase I of the project (completed in 2005) included drainage improvements extending from Chevis Road through south of Waynesboro Road. This project is located between Chevis Road and Grove Point Road.
2. The project is located near the private airfield known as Hodges Airpark, located on the east side of the Ogeechee Farms Subdivision. The Chevis Canal, which serves as the major drainage outfall for the subdivision flows through an existing culvert pipe under the airport's turf runway. This project improves the drainage capacity at this culvert.
3. The project was properly advertised and 11 bids were received and opened 22 January 2009. The responses are as follows:

L-J, Inc.		\$ 93,080
Columbia, SC		
**	Extreme Hauling, Inc.	\$ 99,585
	Vidalia, GA	
	Sitework Construction, LLC	\$ 99,715
	Savannah, GA	

	OCS, Inc. Vidalia, GA	\$115,180
**	E & D Contracting Services, Inc. Savannah, GA	\$126,948
	Griffin Contracting, Inc. Pooler, GA	\$129,110
	I AM Construction, Inc. Pooler, GA	\$131,313
*	Sandhill ALS Construction, Inc. Hardeeville, SC	\$134,300
	Savannah River Utilities Co. Springfield, GA	\$136,525
	TIC The Industrial Co. Savannah, GA	\$192,646
	R. B. Baker Construction, Inc. Garden City, GA	\$238,350
*	MBE firm	
**	WBE firm	

4. Staff believes the bid from L-J, Inc., is a reasonable cost for the work involved and is responsive to the requirements of the County.

FUNDING: SPLOST (2003 - 2008) - Chevis Canal/Airport project
(3234250 - 54.14021 - 32380537)

ALTERNATIVES:

- Board approval to award a \$93,080 contract for the Chevis Canal at Hodges Airpark Drainage project with L-J, Inc.
- Provide staff other direction.

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

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
CHRIS MORRIS

ITEM H

ISSUE: Request Board approval of an Amendment to extend for an additional one (1) year, the annual contract with Lifestyle Management Resources, Inc. to provide Employee Assistance Program Services (EAP) for County employees and their dependent family members.

BACKGROUND: On 13 February 2004, the Board approved the award of an annual contract with automatic renewal options for four (4) additional one (1) year terms to Lifestyle Management Resources, Inc. to provide Employee Assistance Program Services to County employees and their dependent family members at an annual rate of \$9.41 per employee.

FACTS AND FINDINGS:

- The EAP offers, on a continual basis, counseling and referral services for employees who are experiencing personal problems of such significance that satisfactory work performance is or may be impaired. In addition, an employee's performance may also be affected when a family member has a personal problem, therefore, the program offers these same services to the employees spouse and dependents.

2. Staff will be issuing a Request for Proposal to provide Employee Assistance Program Services. During the interim Lifestyle Management Resources, Inc. has agreed to continue this service with all terms and conditions remaining the same. This will allow the County to solicit for proposals and provide employees and their dependents with service.
3. Staff has been pleased with the service provided by Lifestyle Management Resources, Inc. and believes their current price of \$9.41 per employee to be fair and reasonable.

FUNDING: General Fund/M&O - Human Resources
(1001540 - 52.12006)

ALTERNATIVES:

1. Request Board approval of an Amendment to extend for an additional one (1) year, the annual contract with Lifestyle Management Resources, Inc. to provide Employee Assistance Program Services (EAP) for County employees and their dependent family members.
2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to extend essential service contracts when it is in the best interest of the County.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
RUSHEDA ADESHINA

ITEM I

ISSUE: Request Board approval of the \$15,104 sole source purchase of replacement office workstations for the Emergency Operations Center (EOC) from VIP Office Furniture and Supply, Savannah, GA., for Chatham Emergency Management Agency (CEMA).

BACKGROUND: The Chatham Emergency Management Agency (CEMA) is responsible for maintaining a 24-hour capability for the response to county-wide emergencies. During 2008, CEMA activated the EOC in response to six (6) major events that occurred.

FACTS AND FINDINGS:

1. Due to recent water damage, the existing EOC particle-board consoles are unserviceable and require replacement.
2. CEMA recently purchased 13 workstations from VIP Office Furniture and Supply (WBE firm) and for continuity would like to purchase the remaining 25 replacement workstations from them.
3. Staff believes that the total cost of \$15,104 for 25 workstations to be fair and reasonable.

FUNDING: CEMA Special Revenue Fund
(2123920 - 54.23001)

ALTERNATIVES:

1. Board approval of the \$15,104 sole source purchase of replacement office workstations for the Emergency Operations Center (EOC) from VIP Office Furniture and Supply, Savannah, GA., for Chatham Emergency Management Agency (CEMA).
2. Provide staff other direction.

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

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
GLORIA SAUGH

ITEM J

ISSUE: Request Board approval to extend the \$2,806 per month rental of a portable 300kw generator for six (6) months from Cummins Power South, LLC for Facilities Maintenance and Operations.

BACKGROUND: On 22 February 2008, the Board approved confirmation of an emergency rental of a portable 300kW generator for the Judicial Courthouse from Cummins Power South, LLC., for Facilities Maintenance and Operations.

FACTS AND FINDINGS:

1. The portable unit replaced a 30 year old 450kW generator that was beyond repair. The portable generator is required to provide power in case of a power outage. The Judicial Courthouse stairways are lit by emergency generator power when there is a power outage. Lack of back up power would result in a dangerous situation for employees and the public.
2. The rental period for this unit will be from 01 December 2008 through 31 May 2009. A new unit will be purchased once the Courthouse renovation has progressed to the point of proper placement of a permanent generator.
3. Staff believes the monthly rental cost of \$2,806 per month from Cummins Power South, LLC to be fair and reasonable.

FUNDING: SPLOST (2003-2008) - Courthouse Construction
(3234980 - 54.13011 - 32360427)

ALTERNATIVES:

1. Board approval to extend the \$2,806 per month rental of a portable 300kw generator for six (6) months from Cummins Power South, LLC for Facilities Maintenance and Operations.
2. Provide staff other direction

POLICY ANALYSIS: It is consistent with Board policy to provide the rental of necessary equipment to ensure the safety of employees and the public.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
CHRIS MORRIS

ITEM K

ISSUE: Request Board approval of the \$33,700 purchase of two (2) used non-typical replacement vehicles for C.N.T. from Dan Vaden Chevrolet of Savannah 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 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 and at their 5 December 2008 meeting approved the purchase of one (1) vehicle.

FACTS AND FINDINGS:

1. To meet C.N.T.'s needs, staff requested quotes from only 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 vehicles based on utility and value.

3. The vehicle selected was:

Dan Vaden Chevrolet	\$39,200
Less trade-in	<u>(\$ 5,500)</u>
Total Purchase	\$33,700

FUNDING: CIP - Vehicle Replacement Fund
(3503222 - 54.22001 - 3503065Z)

ALTERNATIVES:

1. Request Board approval of the \$33,700 purchase of two (2) used non-typical replacement vehicles for C.N.T. from Dan Vaden Chevrolet of Savannah 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

ITEM L

ISSUE: Request Board approval of the \$22,895 purchase of one (1) new 2008 Chevrolet truck from Dan Vaden Chevrolet of Savannah, as a replacement vehicle for C.N.T.

BACKGROUND: This vehicle will replace a vehicle that is worn beyond economic repair and is no longer suitable for operation.

FACTS AND FINDINGS:

1. To meet C.N.T.'s needs, staff requested quotes from only 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. The only quote was received from Dan Vaden Chevrolet.

2. Staff believes the total cost of \$22,895 for the new 2008 Chevrolet truck to be fair and reasonable.

FUNDING: CIP - Vehicle Replacement Fund
(3503222 - 54.22001 - 3503065Z)

ALTERNATIVES:

1. Request Board approval of the \$22,895 purchase of one (1) new 2008 Chevrolet truck from Dan Vaden Chevrolet of Savannah, as a replacement vehicle for C.N.T.

2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to approve the purchase of vehicles necessary for the using department.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
CHRIS MORRIS

ITEM M

ISSUE: Request Board approval of the \$18,100 purchase of one (1) used 2007 Ford Expedition from Fairway Lincoln Mercury and authorize the trade-in of a 2003 Nissan Altima for C.N.T.

BACKGROUND: This vehicle will replace a vehicle that is worn beyond economic repair and is no longer suitable for operation.

FACTS AND FINDINGS:

1. To meet C.N.T.'s needs, staff requested quotes from only 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. Fairway Lincoln Mercury informed staff they had a used 2007 Ford Expedition. The Fleet Manager and a representative from C.N.T. believe the total cost of \$18,100 to be fair and reasonable.
3. The vehicle selected was:

Fairway Lincoln Mercury	\$22,500
Less trade-in	<u>(\$ 4,400)</u>
Total Purchase	\$18,100

FUNDING: CIP - Vehicle Replacement Fund
(3503222 - 54.22001 - 3503065Z)

ALTERNATIVES:

1. Board approval of the \$18,100 purchase of one (1) used 2007 Ford Expedition from Fairway Lincoln Mercury and authorize the trade-in of a 2003 Nissan Altima for C.N.T.
2. Provide staff other direction.

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

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
CHRIS MORRIS

ITEM N

ISSUE: Request Board approval of the \$11,500 purchase of one (1) 2008 Chevrolet 15 passenger van from Fairway Lincoln-Mercury as a replacement vehicle for C.N.T. and authorize the trade-in of three (3) vehicles: 1998 Honda Accord, 2000 Chevy 1500-Z71, and a 1994 Ford Crown Victoria.

BACKGROUND: This vehicle is a replacement and the vehicles used for trade-ins are beyond repair and are no longer suitable for operation.

FACTS AND FINDINGS:

1. To meet C.N.T.'s needs, staff requested quotes from only 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. The Fleet Manager and representatives from C.N.T. selected the following vehicle based on utility and value.
2. The vehicle selected was:

Fairway Lincoln-Mercury	\$22,000
Less trade-in	<u>(\$10,500)</u>
Total purchase	\$11,500

3. Staff believes the cost of \$11,500 for the 2008 Chevrolet 15 passenger van to be fair and reasonable.

FUNDING: C.N.T. - Confiscated Funds (pending Board approval of transfer)
(2103222 - 54.22001)

ALTERNATIVES:

1. Board approval of the \$11,500 purchase of one (1) 2008 Chevrolet 15 passenger van from Fairway Lincoln-Mercury as a replacement vehicle for C.N.T. and authorize the trade-in of three (3) vehicles: 1998 Honda Accord, 2000 Chevy 1500-Z71, and a 1994 Ford Crown Victoria.
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 _____
GLORIA SAUGH

ITEM O

ISSUE: Request Board approval of the \$22,995 purchase of one (1) 2008 Chevrolet truck from Dan Vaden Chevrolet of Savannah for C.N.T.

BACKGROUND: This vehicle will be an addition to C.N.T.'s fleet.

FACTS AND FINDINGS:

1. To meet C.N.T.'s needs, staff requested quotes from only 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. The Fleet Manager and representatives from C.N.T. selected the vehicle based on utility and value.
2. Staff believes the total cost of \$22,995 for the 2008 Chevrolet truck to be fair and reasonable.

FUNDING: C.N.T. - Confiscated Funds (pending Board approval of transfer)
(2103222 - 54.22001)

ALTERNATIVES:

1. Request Board approval of the \$22,995 purchase of one (1) 2008 Chevrolet truck from Dan Vaden Chevrolet of Savannah for C.N.T.
2. Provide staff other direction.

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

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
GLORIA SAUGH

ITEM P

ISSUE: Request Board approval to award an annual contract not to exceed \$338,300, with automatic renewal options for four (4) additional one (1) year terms, to Southeast Pipe Survey, Inc., for Slip Lining Storm Drain Pipe.

BACKGROUND: On occasion, Chatham County Public Works and Park Services must make repairs to the Municipal storm drains. Some of the repairs to the system must be made beyond conventional excavation, therefore, it is cost effective to contract with a firm that specializes in Cured in Place Pipe/Slip Lining work at various locations throughout Chatham County.

FACTS AND FINDINGS:

1. Staff solicited Request for Quotes from several contractors that specialize in this type of work. Southeast Pipe Survey, Inc. was the only firm that submitted a quote. Their quote consists of a per linear foot cost for cured in place pipe and slip lining various pipe size and type (ADS or concrete). Their quote also includes a per linear foot cost for pipe cleaning, camera cost and mobilization. Staff finds the quote from Southeast Pipe Survey, Inc. to be fair and reasonable. The City of Savannah has used Southeast Pipe Survey, Inc. for similar type pipe work and has received excellent results.
2. Chatham County Public Works and Park Services has identified several areas where this type of work would benefit the County. There would be minimal ground disturbance which would mean no removal of roadways, sidewalks or sod. Pipes would not have to be dug up and roadways blocked off for prolonged periods of time. It is staff's intent to identify as many locations as possible to repair at one time in an attempt to alleviate multiple mobilization cost and also ensure the contractor has adequate time to locate needed material and schedule.
3. The first project site has been determined to be off of Elmsford Court, a 255' section of drainage pipe running from manhole to manhole.

FUNDING: CIP - Storm Drainage Project
(3504250 - 54.14031 - 35038220)

ALTERNATIVES:

1. Board approval to award an annual contract not to exceed \$338,300, with automatic renewal options for four (4) additional one (1) year terms, to Southeast Pipe Survey, Inc., for Slip Lining Storm Drain Pipe.
2. Provide staff other direction.

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

RECOMMENDATIONS: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
CHRIS MORRIS

ITEM Q

ISSUE: Request Board approval of a Task Order Contract in an amount not to exceed \$250,000 with T Clearing to provide construction equipment for County projects.

BACKGROUND: The Task Order Contract provides construction equipment "as needed" with operators. 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, Turners Creek Boat Ramp, the Hardin Canal, Truman Parkway (Phase 5) and within the Demere Tract to prepare for bike trails.

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 are 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), (2008 - 2014)
Land Bank Account

ALTERNATIVES:

1. Board approval of a Task Order Contract in an amount not to exceed \$250,000 with T Clearing to provide construction equipment for County projects.
2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to award 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 R

ISSUE: Request Board approval to award a \$183,310 contract for the McQueen’s Island Rails-to-Trails Stabilization Project.

BACKGROUND: In September 2008, the Board rejected bids on the McQueen’s Island Rails-to-Trails Stabilization project because of some irregularities in pricing related to a single-source subcontractor for oyster shell bags. Staff proceeded on two (2) fronts. First, staff contacted local restaurateurs about supplying oysters and contacted local and minority groups about creating enterprises for supplying oyster shell bags. The project engineering firm of Thomas & Hutton edited the specifications for a specific count of oyster shell bags to ensure consistency in bid quantities.

FACTS AND FINDINGS:

1. The project would restore the western section of the historic trail. Severe erosion caused by high tides has washed out ten (10) areas, which threaten continued use. This project would restore those sections through use of oyster shell cases to stabilize the shoreline and encourage growth of marsh grass. DNR has issued a permit for the project.
2. The Purchasing Office released bid documents for the restoration project based on Thomas & Hutton’s estimates of quantities (approximately 15,500 bags). Eleven firms submitted bids (previously seven firms), as follows:

E& D Contracting**	\$183,310	Harbor Construction*	\$211,153
A.D. Williams	\$232,100	Ansley Sheppard Burgess	\$234,000
Griffin Contracting	\$239,900	I Am Construction**	\$243,900
Collins Construction	\$248,481	L-J	\$249,960
McLendon Enterprises	\$303,386	Pinco	\$332,700
Sandhill ALS Construction*	\$356,340		

* MBE Firm

** WBE Firm

3. The delay in the project resulted in identification of two (2) other suppliers of the oyster shell bags, which are the key component of the stabilization project. DNR will not permit the project by any other means.
4. In consultation with Thomas & Hutton Engineering and verification of pricing by the apparent low bidder, staff believes that E&D provides the lowest responsible bid.

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

ALTERNATIVES:

1. Board approval to award a \$183,310 contract for the McQueen's Island Rails-to-Trails Stabilization Project.
2. Provide staff other direction.

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

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
CHRIS MORRIS

ITEM S

ISSUE: Request Board approval to amend the professional services contract to Anne Roise to provide a time extension.

BACKGROUND: The Board approved a professional services agreement with Ann Roise as part of a plan of action for managing more than 180 capital projects with a value in excess of \$325 million. The Board agreed to expedite projects by contracting with former government and specialist employees to assist with project management responsibility.

FACTS AND FINDINGS:

1. Anne Roise previously served as the Economic Development Director for the City of Savannah.. She came highly recommended based on her previous work at redevelopment, community coalition building and project management experience.
2. Ms. Roise's specific scope of work are those phases of Mother Mathilda Beasley Park which relate to relocation of Mother Mathilda Beasley's house, renovation, historical interpretation, and commemorative statue in keeping with the master plan. She will also oversee the construction of a picnic pavilion and restrooms.
3. While the contract amount will remain the same at \$50 per hour with a not to exceed amount of \$40,000, the time period of the contract should be extended an additional 12 months.

FUNDING: SPLOST (2003-2008) - Mother Mathilda Beasley Park
SPLOST (2003-2008) - Open Space/Greenspace

ALTERNATIVES:

1. Board approval to amend the professional services contract to Anne Roise to provide a time extension.
2. Provide staff other direction.

POLICY ANALYSIS: Georgia law and *The Chatham County Purchasing Ordinance and Procedures Manual* provide authority for the Board to enter into agreements for professional services.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
CHRIS MORRIS

ITEM T

ISSUE: Request Board approval to enter into an 18-month lease agreement for warehouse space for the Public Works sign and carpenter's shop with Hostetler & Company for \$3,500 month.

BACKGROUND: An environmental inspection of the Public Works sign and carpenter's shop on Sallie Mood Drive indicates unhealthy levels of mold which create an unsafe working environment. The buildings will be demolished under a plan under way to relocate Public Works and Parks Services. Until then, the sign and carpenter's shop need to be temporarily relocated.

FACTS AND FINDINGS:

1. Staff has reviewed multiple locations for temporary relocation (about 18 months). While the location would be ideally located near the Public Works & Parks Services complex on Sallie Mood Drive, Public Works believes available property at 1722 President Street would be acceptable.
2. The rental property is comprised of a 6,000 square foot warehouse, which includes a small office area with restrooms and a storage yard for equipment and materials. The yard helps in storing materials for a major work area in the East Islands area and would help in staging equipment for the future move.
3. Chatham County has negotiated a rate of \$3,500 per month, effective March 1, 2009, for a period of 18 months. The balance of FY 2009 (March 1 through June 30) would be paid up front. Fiscal year 2010, beginning July 1, would be paid monthly.
4. Per terms, Chatham County will be responsible for utilities (electric and water and sewer) and janitorial. The building's owner will be responsible for mechanical systems, roof and taxes/insurance. The property is owned by Southern States but managed by Hostetler and Company.
5. Staff intends that this lease would provide a short-term solution for space until completion of the Public Works and Parks Services new complex adjoining Memorial Stadium.

FUNDING: Public Works and Park Services (pending approval of transfer from SSD contingency) in the amount of \$14,000 for FY 2009. Thereafter, the annual lease rate will be \$42,000

ALTERNATIVES:

1. Board approval to enter into an 18-month lease agreement for warehouse space for the Public Works sign and carpenter's shop with Hostetler & Company for \$3,500 month.
2. Provide staff other direction.

POLICY ANALYSIS: The negotiated rate remains comparable to fair market value cost of rental properties of this size but provides reasonable space in accordance with the requirements of Public Works & Parks Services.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
RUSHEDA ADESHINA

ITEM U

ISSUE: Request Board approval of a \$41,674 purchase order with Dan Sheehan and Company for caulking and painting the court services offices and part of the inmate holding area in the basement of the Courthouse.

BACKGROUND: Works continues to creating the Sheriff's Department Court Services Offices and inmate holding areas within the Courthouse basement. The work will create an inmate transfer and holding area on the north side of the Courthouse, which eliminates these functions from the south side and thereby enables the adaptive re-use or demolition of the old jail.

FACTS AND FINDINGS:

1. This subcontract will provide for painting the Court Services Offices and part of the inmate holding area. Staff received the following competitive quotes:

Dan Sheehan & Company Savannah, GA	\$41,674
Miller Painting Savannah, GA	\$45,500

Sartori Development** \$57,500
Savannah, GA

** WBE firm

2. All painting companies provided quotes based on low VOC paints.
3. Dan Sheehan & Company provided the lowest responsible bid.

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

ALTERNATIVES:

1. Board approval of a \$41,674 purchase order with Dan Sheehan and Company for caulking and painting the court services offices and part of the inmate holding area in the basement of the Courthouse.
2. Board reject all bids and require staff to competitively advertise and re-bid.
3. Board take no action.

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

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
CHRIS MORRIS

ITEM V

ISSUE: Request Board approval of a \$14,900 purchase order with Sartori Development for caulking and painting the sallyport and part of the inmate holding areas in the Courthouse basement.

BACKGROUND: Works continues to creating the Sheriff's Department Court Services Offices and inmate holding areas within the Courthouse basement. The work will create an inmate transfer and holding area on the north side of the Courthouse, which eliminates these functions from the south side and thereby enables the adaptive re-use or demolition of the old jail.

FACTS AND FINDINGS:

1. This subcontract will provide for painting the sallyport and part of the inmate holding area. Staff received the following competitive quotes:

Sartori Development** \$14,900
Savannah, GA

Atlantic Building \$17,000
Savannah, GA

Chapman Painting \$18,000
Savannah, GA

** WBE Firm

2. All painting companies provided quotes based on low VOC paints.
3. Sartori Development provided the lowest responsible bid.

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

ALTERNATIVES:

1. Request Board approval of a \$14,900 purchase order with Sartori Development for caulking and painting the sallyport and part of the inmate holding areas in the Courthouse basement.
2. Board reject all bids and require staff to competitively advertise and re-bid.
3. Board take no action.

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

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
CHRIS MORRIS

ITEM W

ISSUE: Request Board approval of task order contracts for mechanical engineer services to Rosser; RWP; Duloherly, Weeks & Gagliano; Smith & Vandenburg. Each task order would be limited to no more than \$25,000 and the maximum a single firm could be awarded would be \$75,000.

BACKGROUND: As work continues on various capital projects, the use of task order contracts has proved an efficient way of contracting for professional services. The approval of this task order list for mechanical engineering would help to expedite the needed services for various smaller capital projects. Staff would be wary of ensuring fairness in assigning projects and would cap each contract.

FACTS AND FINDINGS:

1. Task order contracts have proved successful in providing efficiency in obtaining needed professional services for various smaller capital projects. This task order list would extend professional service contracts to mechanical engineering services.
2. The following list provides authorization for mechanical engineer services under task order contracts: Rosser; RWP; Duloherly, Weeks & Gagliano; Smith & Vandenburg. Each of the local firms has worked on various county project and buildings and would be assigned first preference based on prior experience.
3. Each task order would be limited to no more than \$25,000 and the maximum a single firm could be awarded would be \$75,000.

FUNDING: SPLOST (2003-2008) - Courthouse Construction
(3234980 - 52.12003 - 32360427)
General Fund M&O (varies by Department)
Public Works & Parks Services
Solid Waste Fund

ALTERNATIVES:

1. Board approval of task order contracts for mechanical engineer services to Rosser; RWP; Duloherly, Weeks & Gagliano; Smith & Vandenburg. Each task order would be limited to no more than \$25,000 and the maximum a single firm could be awarded would be \$75,000.
2. Board require staff to solicit for professional services for mechanical engineering based on individual projects.
3. Board take no action.

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

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.

- 1. **AMENDMENT TO THE CHATHAM COUNTY REVENUE ORDINANCE FOR CHANGES TO THE HOTEL/MOTEL TAX PER GEORGIA LAW AND TO MAKE VARIOUS CORRECTIONS TO INSPECTION FEES AND ANIMAL REGISTRATION FEES.**

ACTION OF THE BOARD:

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

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- 2. **AMENDMENT TO THE CODE OF CHATHAM COUNTY TO ADD A NEW SECTION, 21-110, "ENFORCEMENT OF CHATHAM COUNTY ENVIRONMENTAL HEALTH REGULATIONS," TO ADOPT THE CHATHAM COUNTY HEALTH ORDINANCE FOR ENFORCEMENT IN CHATHAM COUNTY RECORDER'S COURT.**

ACTION OF THE BOARD:

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

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- 3. **RECOMMENDATION TO REVISE THE CHATHAM COUNTY HISTORIC PRESERVATION ORDINANCE. THE CHATHAM COUNTY HISTORIC PRESERVATION COMMISSION RECOMMENDS APPROVAL TO THE CHATHAM COUNTY BOARD OF COMMISSIONERS TO REVISE THE CHATHAM COUNTY HISTORIC PRESERVATION ORDINANCE.**
MPC FILE NUMBER: DD 20080813-06-1
[ALL DISTRICTS - TEXT AMENDMENT.]

ACTION OF THE BOARD:

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

=====

- 4. **THE PETITIONER, THE PIN POINT BETTERMENT ASSOCIATION, INC., REPRESENTED BY HERMAN HAYNES, PRESIDENT, IS REQUESTING DESIGNATION OF PIN POINT AS A HISTORIC DISTRICT ON THE CHATHAM COUNTY REGISTER OF HISTORIC PLACES. THE CHATHAM COUNTY HISTORIC PRESERVATION COMMISSION (CCHPC) RECOMMENDS APPROVAL OF THE ADOPTION OF AN ORDINANCE TO DESIGNATE PIN POINT AS A HISTORIC DISTRICT ON THE CHATHAM COUNTY REGISTER OF HISTORIC PLACES.**

**MPC FILE NO. 0020071002-03-1
[DISTRICT 1.]**

ACTION OF THE BOARD:

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

=====

**5. AMEND THE CODE OF CHATHAM COUNTY TO UPDATE THE STATE REFERENCE ON
"UNIFORM RULES OF THE ROAD."**

ACTION OF THE BOARD:

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

=====

XII. SECOND READINGS

- 1. THE PETITIONER, ROBERT B. BRANNEN, JR., AGENT (FOR GASTON PROPERTIES, LLC) IS REQUESTING THE REZONING OF PROPERTY LOCATED AT 5406 LAROCHE AVENUE FROM AN I-P/EO (INSTITUTIONAL PROFESSIONAL, ENVIRONMENTAL OVERLAY) CLASSIFICATION TO A B-N/EO (NEIGHBORHOOD BUSINESS/ENVIRONMENTAL OVERLAY) ZONING CLASSIFICATION. THE MPC RECOMMENDS APPROVAL. Note: Item was tabled at meeting of January 16, 2009. MPC File No. Z-081029-00121-1 [District 3.]**

Chairman Liakakis said, we did that one earlier so there's no action on that one now.

ACTION OF THE BOARD:

This item was previously tabled and was handled under the Tabled/Reconsidered Items. See VII-1.

AGENDA ITEM: ~~XI-1~~
AGENDA DATE: ~~December 19, 2008~~
AGENDA ITEM: ~~XII-1~~
AGENDA DATE: ~~January 16, 2009~~
AGENDA ITEM: XII-1
AGENDA DATE: February 13, 2009

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

LEGAL NOTICE/AGENDA HEADING:

The petitioner Robert B. Brannen, Jr. Agent (for Gaston Properties, LLC) is requesting the rezoning of property located at 5406 LaRoche Avenue from an I-P/EO (Institutional Professional, Environmental Overlay) classification to a B-N/EO (Neighborhood Business / Environmental Overlay) zoning classification. The MPC recommends approval.

MPC File No. Z-081029-00121-1

ISSUE: At issue is a request to rezone, for the purposes of redevelopment, a parcel of land located at 5406 LaRoche Avenue

BACKGROUND: The petitioner is requesting to have the current I-P / EO (institutional professional) zoning classification amended and changed to a B-N (neighborhood

business) zoning classification for a 1.25 acre parcel. The property is currently occupied by a one story concrete block structure that serves as a private club. Concept drawings submitted by the petitioner indicate that the redevelopment will continue to house the private club and it will add square footage to the existing footprint in order to develop a small neighborhood retail center.

FACTS AND FINDINGS:

1. **Public Notice:** As required by the Chatham County Zoning Ordinance, all property owners within 200 feet of the subject properties were sent notices of the proposed rezoning and postings were placed on the site. Notice was also sent to the Bacon Park Neighborhood Association.
2. **Existing Development Pattern:** The surrounding development pattern is characterized by single family residential development, multi family apartment homes and neighborhood business.

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

<u>Location</u>	<u>Land Use</u>	<u>Zoning</u>
North	Commercial–Convenience Store	P-B-N-1 {1}
East	Single Family Residential	R-1/EO {2}
South	Commercial–Auto Repair	R-B-1/EO {3}
West	Single Family Residential	R-6 {4}

{1} Planned Neighborhood Business {2} One Family Residential/Environmental Overlay
 {3} Residential Business Limited {4} One Family Residential Environmental Overlay

3. **Transportation Network:** The property is accessed from both Jasmine and LaRoche Avenues. LaRoche Avenue is classified as a minor arterial road with a current Level of Service ‘A’. Jasmine Avenue is classified as a local street. The average daily traffic volume of LaRoche Avenue in 2006 was 6100 vehicles.
Transit: The site is located along the Chatham Area Transit #11 Candler route
4. **Public Services and Facilities:** The property is served by the Metropolitan Police Department and by City of Savannah water and private sewer services.
5. **Existing (R-M-H) Zoning District:**
 - a. **Intent of the I-P E/O District:** The purpose of this district shall be to create an area in which residential, institutional, and professional uses can be intermixed and at the same time achieve a healthful living environment with functional open space.
 - b. **Allowed Uses:** The uses allowed within the I-P E/O district appear in the attached chart.
 - c. **Development Standards:** The development standards for the I-P E/O district appear in the attached table.
6. **Proposed (R-1) Zoning District:**
 - a. **Intent of the R-1 District:**
 The purpose of this district shall be to provide convenient shopping facilities consisting of convenience goods and personal services in neighborhood market areas
 - b. **Allowed Uses:** The development standards for the I-P E/O district appear in the attached chart.
 - c. **Development Standards:** The development standards for the I-P E/O district appear in the attached table (Table 1).

7. **Land Use Element:** The Tricentennial Comprehensive Plan Future Land Use Map designates the subject property as neighborhood commercial. The proposed rezoning is consistent with the plan.
8. **Site Plan:** Site plan review is not required with rezoning. Site plan review will be required as the property is redeveloped.

SUMMARY OF FINDINGS

1. Will the proposed zoning district permit uses that would create traffic volumes, noise level, odor, airborne particulate matter, visual blight, reduce light or increased density of development that would adversely impact the livability or quality of life in the surrounding neighborhood?
Yes ___ No X
2. Will the proposed zoning district permit uses that would adversely impact adjacent and nearby properties by rendering such properties less desirable and therefore less marketable for the type of development permitted under the current zoning?
Yes ___ No X
3. Will the proposed zoning district permit uses that would generate a type or mix of vehicular traffic on a street or highway that is incompatible with the type of land use development along such street or highway?
Yes ___ No X
4. Will the proposed zoning district permit uses that would generate greater traffic volumes at vehicular access points and cross streets than is generated by uses permitted under the current zoning district to the detriment of maintaining acceptable or current volume capacity (V/C) ratio for the streets that provide vehicular access to the proposed zoning district and adjacent and nearby properties?
Yes ___ No X
5. Will the proposed zoning district permit uses or scale of development that would require a greater level of public services such as drainage facilities, utilities, or safety services above that required for uses permitted under the current zoning district such that the provision of these services will create financial burden to the public?
Yes ___ No X
6. Will the proposed zoning district permit uses or scale of development that would adversely impact the improvement or development of adjacent and nearby properties in accordance with existing zoning regulations and development controls deemed necessary to maintain the stability and livability of the surrounding neighborhood?
Yes ___ No X
7. Will the proposed zoning district permit development that is inconsistent with the comprehensive land use plan?
Yes ___ No X

ALTERNATIVES:

1. Approve the request to rezone the property from an I-P E/O zoning classification to a B-N/EO classification.
2. Deny the request.

POLICY ANALYSIS:

The proposed rezoning is consistent with the Tricentennial Comprehensive Plan Future Land Use Map. The requested zoning will blend in with surrounding neighborhood and existing land uses.

RECOMMENDATION: The MPC and Director of Building Safety and Regulatory Services recommend Approval of the request to rezone the subject properties from an I-P / EO zoning classification to an B-N/EO classification.

PREPARED BY: Jim Hansen, AICP, Director
Development Services

NOVEMBER 18, 2008

Gregori Anderson, Director
BUILDING SAFETY AND REGULATORY SERVICES

DATE: NOVEMBER 18, 2008
TO: CHATHAM COUNTY COMMISSION
FROM METROPOLITAN PLANNING COMMISSION
SUBJECT: MPC ZONING RECOMMENDATION

PETITION REFERENCED:
Gaston Properties, LLC, Petitioner
Robert B. Brannen, Agent
5406 LaRoche Avenue
MPC File No. Z-081029-0012`-1

MPC ACTION: Approval of the request to rezone the subject property from an I-P/EO zoning classification to an B-N/EO classification.

MPC STAFF RECOMMENDATION: Approval of the request to rezone the subject property from an I-P/EO zoning classification to an B-N/EO classification.

MEMBERS PRESENT: 7+ Chairman

Jon Todd, Chairman
Michael Brown
Ben Farmer
Timothy Mackey

Adam Ragsdale, Secretary
Douglas Bean
Stephen R. Lufburrow
Robert Ray

VOTING FOR MOTION

Jon Todd
Adam Ragsdale
Michael Brown
Doug Bean
Ben Farmer
Stephen Lufburrow
Timothy Mackey
Robert Ray

VOTING AGAINST MOTION***ABSENT OR **FAILING TO VOTE**

*Russ Abolt
*David Hoover
*Susan Myers
*Lacy Manigault

FOR APPROVAL: 8 FOR DENIAL: 0 ABSTAINING: 0

Respectfully submitted,

Thomas L. Thomson
Executive Director

/cbm

Enclosure

MPC recommends that the following described property be rezoned from its present I-P/EO (Institutional Professional, Environmental Overlay) classification to a B-N/EO (Neighborhood Business / Environmental Overlay) zoning classification

LEGAL DESCRIPTION

Beginning on a point located at the intersection of the westernmost right of way of LaRoche Avenue and the westernmost right of way of Jasmine Avenue, thence proceeding in a southerly direction along a line South 18 degrees 26 minutes East for a distance of approximately 108 feet to a point, thence northerly along a line North 31 degrees 52 minutes East a distance of approximately 503 feet to a point, thence northwesterly along a line North 74 degrees 28 minutes West a distance of approximately 235 feet to a point, thence along a line South 65 degrees 13 minutes West to its intersection with the westernmost right of way of LaRoche Avenue, thence southerly along said right of way back to the point of beginning.

The property is further identified by the property identification numbers as follow:

P.I.N: 1-0367 -03-002

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- 2. **AMENDMENT TO THE CHATHAM COUNTY DAMAGE PREVENTION ORDINANCE (FDPO) TO REVISE THE DEFINITION OF “NEW CONSTRUCTION,” “CRITICAL FACILITY,” “NATIONAL GEODETIC VERTICAL DATUM (NGVD);” TO REVISE ELEVATED BUILDING STANDARDS TO ALLOW THE USE OF SOLID FOUNDATION PERIMETER WALLS; AND TO REMOVE BREAKAWAY WALLS AS AN ANCHORING STRUCTURE FOR IMPROVEMENTS IN THE COASTAL HIGH HAZARD AREAS (V-ZONES).**

County Manager Abolt said, it’s required by CEMA. We recommend adoption.

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

Chairman Liakakis said, motion passes.

ACTION OF THE BOARD:

Commissioner Stone moved to amend the Chatham County Damage Prevention Ordinance (FDPO) to revise the definition of “New Construction,” “Critical Facility,” “National Geodetic Vertical Datum (NGVD);” to revise elevated building standards to allow the use of solid foundation perimeter walls; and to remove breakaway walls as an anchoring structure for improvements in the Coastal high hazard areas (V-zones). Commissioners Farrell and Thomas seconded the motion and it carried unanimously. [NOTE: Commissioners Shay and Odell were not present.]

AGENDA ITEM: XII-2

AGENDA DATE: February 13, 2009

TO: Board of Commissioners
THRU: R. E. Abolt, County Manager
FROM: S. V. Cooler, P.E., Senior Engineer

ISSUE: To amend the Chatham County Flood Damage Prevention Ordinance (FDPO) to revise the definitions of "New Construction", "Critical Facility", "National Geodetic Vertical Datum (NGVD)"; to revise elevated building standards to allow the use of solid foundation perimeter walls; and to remove breakaway walls as an anchoring structure for improvements in the Coastal High Hazard Areas (V-Zones).

BACKGROUND: On September 19, 2008, the Board adopted the FDPO for Unincorporated Chatham County in order to meet the requirements of FEMA and to maintain the County's Community Rating System (CRS) rating for discounted flood insurance rate premiums in the National Flood Insurance Program (NFIP).

As required by FEMA, the adopted ordinance was sent to the FEMA Regional Office for review and approval prior to September 26, 2008. FEMA had one comment regarding the revised FDPO.

Also, staff discussed concerns from the Home Builders Association of Savannah regarding changes to the FDPO. Discussions with the attorney for the Home Builders Association generated four recommended revisions.

FACTS AND FINDINGS:

1. The FEMA Regional Office by letter dated October 28, 2008, advised the County that the definition of "New Construction" in the FDPO must be revised to reference the date of the initial floodplain management regulations adopted by the community.
 - a. The definition of "New Construction" in the adopted ordinance currently reads: "**New construction**" means structures for which the "start of construction" commenced after the effective date of this ordinance and includes any subsequent improvements to such structures."
 - b. The ordinance should be amended to read: "**New Construction**" means structures for which the "start of construction" commenced on or after August 1, 1980 and includes any subsequent improvements to such structures."
2. The definition of "Critical Facility" should be amended as described below.
 - a. The definition of "Critical Facility" currently reads: "**Critical Facility**" means any public or private facility, which, if flooded, would create an added dimension to the disaster or would increase the hazard to life and health. Critical facilities are:
 - a. Structures or facilities that produce, use, or store highly volatile, flammable, explosive, toxic, or water-reactive materials;
 - b. Hospitals and nursing homes, and housing for the elderly, which are likely to contain occupants who may not be sufficiently mobile to avoid the loss of life or injury during flood and storm events;
 - c. Emergency operation centers or data storage centers which contain records or services that may become lost or inoperative during flood and storm events; and generating plants, and other principal points of utility lines.
 - d. Generating plants, and other principal points of utility lines."
 - b. The ordinance should be amended to read: "**Critical Facility**" means the facilities identified below:
 - a. Structures or facilities that produce, process, or distribute highly volatile, flammable, explosive, toxic, or water-reactive materials;
 - b. Hospitals and nursing homes, and housing for the elderly, which are likely to contain occupants who may not be sufficiently mobile to avoid the loss of life or injury during flood and storm events;

- c. Emergency operation centers or data storage centers which contain records or services that may become lost or inoperative during flood and storm events; and
 - d. Generating plants, and other principal points of utility lines.”
3. The definition of “National Geodetic Vertical Datum (NGVD)” should be amended as described below.
- a. The definition of “National Geodetic Vertical Datum (NGVD)” currently reads: ““**National Geodetic Vertical Datum (NGVD)**” as corrected in 1929 is a vertical control used as a reference for establishing varying elevations within the floodplain.”
 - b. The ordinance should be amended to read: ““**National Geodetic Vertical Datum (NGVD)**” as corrected in 1929 is a vertical control used as a reference for establishing varying elevations within the floodplain. NGVD was replaced by the North American Vertical Datum of 1988.”
4. The definition of “Substantial Improvement” should be amended as described below.
- c. The definition of “Substantial Improvement” currently reads: ““**Substantial improvement**” means any combination of repairs, reconstruction, alteration, or improvements to a structure, taking place during a 5-year period, in which the cumulative cost equals or exceeds fifty (50) percent of the market value of the structure before the “start of construction” of the improvement. NOTE: *The market value of the structure should be (1) the appraised value of the structure prior to the start of the initial repair or improvement, or (2) in the case of damage, the value of the structure prior to the damage occurring.* This term includes structures, which have incurred “substantial damage”, regardless of the actual amount of repair work performed. The term does not, however, include either:
 - a. Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions, or
 - b. Any alteration of a “historic structure” provided that the alteration will not preclude the structure’s continued designation as an “historic structure”.

For the purposes of this definition, “substantial improvement” is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the structure commences, whether or not that alteration affects the external dimensions of the structure.”

- d. The ordinance should be amended to read: ““**Substantial improvement**” means any combination of repairs, reconstruction, alteration, or improvements to a structure that require a permit, taking place during a 5-year period, in which the cumulative cost equals or exceeds fifty (50) percent of the market value of the structure before the “start of construction” of the improvement. NOTE: *The market value of the structure should be (1) the appraised value of the structure prior to the start of the initial repair or improvement, or (2) in the case of damage, the value of the structure prior to the damage occurring.* This term includes structures, which have incurred “substantial damage”, regardless of the actual amount of repair work performed. The term does not, however, include either:
 - a. Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions, or
 - b. Any alteration of a “historic structure” provided that the alteration will not preclude the structure’s continued designation as a “historic structure”.

For the purposes of this definition, “substantial improvement” is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the structure commences, whether or not that alteration affects the external dimensions of the structure.”

4. Section 24-117 General Standards should be amended as described below.
- a. Paragraph 4 of Section 24-117 currently reads: "Elevated Buildings - All new construction or substantial improvements of existing structures that include ANY fully enclosed area located below the lowest floor formed by foundation and other exterior walls shall be designed so as to be an unfinished or flood resistant enclosure. The enclosure shall be designed to equalize hydrostatic flood forces on exterior walls by allowing for the automatic entry and exit of floodwater. (NOT APPLICABLE IN COASTAL HIGH HAZARD AREAS)."
 - b. Paragraph 4 of Section 24-117 should be amended to read: "Elevated Buildings - All new construction or substantial improvements of existing structures that contain enclosed areas below the lowest floor that are usable solely for parking of vehicle, building access or storage in an area other than a basement shall be designed to equalize hydrostatic flood forces on exterior walls by allowing for the automatic entry and exit of flood water. (NOT APPLICABLE IN COASTAL HIGH HAZARD AREAS)."
5. Section 24-118 Specific Standards should be amended as described below.
- a. Paragraph 1 of Section 24-118 currently reads: "**New construction and/or substantial improvements** - Where base flood elevation data are available, new construction and/or substantial improvement of any structure or manufactured home shall have the lowest floor, including basement, elevated no lower than **one foot** above the base flood elevation. Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate the unimpeded movements of flood waters shall be provided in accordance with standards of Article 4, Section A (4), "Elevated Buildings".

All heating and air conditioning equipment and components (including ductwork), all electrical fixtures and devices, ventilation, plumbing fixtures and other service facilities shall be elevated at or above **one foot** above the base flood elevation."

 - b. Paragraph 1 of Section 24-118 should be amended to read: "**New construction and/or substantial improvements** - Where base flood elevation data are available, new construction and/or substantial improvement of any structure or manufactured home shall have the lowest floor, including basement, elevated no lower than **one foot** above the base flood elevation.

All heating and air conditioning equipment and components (including ductwork), all electrical fixtures and devices, ventilation, plumbing fixtures and other service facilities shall be elevated at or above **one foot** above the base flood elevation."
6. Section 24-121 Coastal High Hazard Areas (V-Zones) should be amended as described below.
- a. Paragraph 3 currently reads: "New construction and substantial improvements of existing structures shall be securely anchored on pilings, columns, breakaway walls, or shear walls;"
 - b. The ordinance should be amended to read: "New construction and substantial improvements of existing structures shall be securely anchored on pilings, columns, or shear walls;"

ALTERNATIVES:

1. To amend the Chatham County Flood Damage Prevention Ordinance (FDPO).
2. To not adopt the amendment and accept suspension from the NFIP.

FUNDING: None required.**POLICY ANALYSIS:** The Board must approve amendments to County Ordinances.**RECOMMENDATION:** Adopt Alternative #1.

All Districts

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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 as information.

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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 as information.

AGENDA ITEM: XIII-2

AGENDA DATE: February 13, 2009

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

ITEM	DEPT.	SOURCE	AMOUNT	FUNDING
Officials for youth football games and playoffs	Parks and Recreation	Coastal Football Association	\$3,006	General Fund/M&O - Parks and Recreation
Install tower pier footing	Mosquito Control	E & D Contracting, Inc. (WBE)	\$6,290	General Fund/M&O - Mosquito Control
One (1) laptop computer	Mosquito Control	Dell Marketing (State Contract)	\$2,630	General Fund/M&O - Mosquito Control
Remove existing damaged pump and install new pump	Aquatic Center	Boaen Mechanical	\$6,640	General Fund/M&O - Aquatic Center
Overhaul Chieftan right and left propeller	Mosquito Control	Sensenich Propeller	\$5,348	General Fund/M&O - Mosquito Control
230gl herbicides and chemicals	Public Works	Helena Chemical	\$7,814	SSD - Public Works
Relocating existing underground electrical for Fawcett Canal	Engineering	Georgia Power	\$8,488	SPLOST (1998-2003) - Fawcett Canal
Repair and overlay 4" thick concrete for the Turner-Hodge-Young Community Center	Parks and Recreation	Coastline Concrete	\$9,950	CIP - Parks and Recreation
Accident repairs to Detention Center vehicle	Detention Center	A & L Autobody, Inc.	\$3,538	General Fund/M&O - Fleet Operations
Accident repairs to K-9 unit	Sheriff's K-9	Savannah Auto Painting	\$4,449	General Fund/M&O - Fleet Operations
Mailings of February 2009 tag renewals	Tax Commissioner	World Marketing	\$4,900	General Fund/M&O - Tax Commissioner
Emergency repairs to lift station grinding pump	Facilities Maintenance and Operations	Boaen Mechanical	\$4,000	General Fund/M&O - Facilities Maintenance and Operations
Tree removal from Air National Guard property	Special Projects	Evergreen Tree & Turf Care	\$3,900	Bond Funds - Government Building

<u>ITEM</u>	<u>DEPT.</u>	<u>SOURCE</u>	<u>AMOUNT</u>	<u>FUNDING</u>
Repaint recently purchased truck	Police	Robert's Truck Center	\$6,867	Confiscated Funds - Police
Records storage boxes	Administrative Services	Creative Packaging, Inc.	\$2,670	General Fund/M&O - Administrative Services
100 cases letter copy paper	Detention Center	VIP Printing and Office Supply (WBE)	\$3,099	General Fund/M&O - Detention Center
100 tons asphalt hot mix	Public Works and Park Services	Carroll & Carroll, Inc.	\$6,000	SSD - Public Works
Replace four (4) condenser valves on two (2) chillers	Facilities Maintenance and Operations	Erickson Associates, Inc.	\$2,700	General Fund/M&O - Administrative Services
Engineering fees for survey for salt marsh purchase	Special Projects	Thomas & Hutton Engineering	\$7,343	SPLOST (2003-2008) - Greenway
Purchase and install dump body	Fleet Operations	Robert's Truck Center	\$7,474	General Fund/M&O - Fleet Operations
Additional engineering services to update plans to conform to current state environmental regulations for Bond and Betran Avenues	Engineering	EMC Engineering Services, Inc.	\$8,500	SPLOST (1993-1998) - Bond and Betran Avenues
177 cases of anti-bacteria soap	Detention Center	Coastal Sail	\$4,585	General Fund/M&O - Detention Center
Roof repairs at the Port City branch library	Library	The House Doctor	\$6,870	General Fund/M&O - Reimbursable expenses
Portrait and ad in Delta Sky magazine	Commissioners	Pace Communications	\$9,487	Land Bank Authority
Annual maintenance of the HVAC in the ICS computer room	ICS	Boaen Mechanical	\$4,647	General Fund/M&O - ICS
300 tons of stone	Public Works	Carroll & Carroll, Inc.	\$5,955	SSD - Public Works
Property Tax Return binders, Judges Docket binders, and Minutes Inferior Court binders	Superior Court Clerk	Brown's River Bindery (Sole Source)	\$7,912	General Fund/M&O - Superior Court Clerk
Labor and materials for the installation and welding for frame and support for counter tops in control room	Special Projects	Brian Keith Taylor	\$2,800	SPLOST (2003-2008) - Courthouse Renovation
Landscape services for the Julie Backus Smith statue at Lake Mayer	Parks and Recreation	Savannah Hardscapes	\$2,500	Land Bank Authority
Various grinder parts	Public Works	Consolidated Disposal Systems (Sole Source)	\$3,612	Solid Waste Management
Haul and dump debris in landfill from Demere tract	Engineering	T Clearing	\$2,641	SPLOST (2003-2008) - Openspace/ Greenway

<u>ITEM</u>	<u>DEPT.</u>	<u>SOURCE</u>	<u>AMOUNT</u>	<u>FUNDING</u>
Purchase and installation of fiber cable from Building Safety to "Old" Mosquito Control facility	ICS	Comcast	\$4,331	Land Bank Authority
Provide engineering services for construction management and prepare scope of work for bid package for L. Scott Stell Park's two (2) baseball field renovations	Parks and Recreation	Kern-Colemen & Company	\$2,950	CIP - Parks and Recreation
Air tractor painting	Mosquito Control	Southeastern Aircraft Painting	\$6,900	General Fund/M&O - Mosquito Control

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EXECUTIVE SESSION

Upon motion being made by Commissioner Gellatly and seconded by Commissioner Thomas, the Board recessed at 1:55 p.m. to go into Executive Session for the purpose of discussing litigation, land acquisition and personnel. [NOTE: Commissioners Shay and Odell were not present.]

Following adjournment of the Executive Session, the meeting of the Board of Commissioners was reconvened at 3:15 p.m.

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ITEMS FROM EXECUTIVE SESSION

1. REQUEST BOARD APPROVE FINAL SETTLEMENT REGARDING THE CLAIM OF ANDRE JACKSON (JONATHAN HART).

ACTION OF THE BOARD:

Commissioner Kicklighter moved to approve final settlement of the claim of Andre Jackson in the amount of \$15,298.00, resulting from an accident on December 2, 2008, with Deputy Charlton Willoughby. Commissioner Holmes seconded the motion and it carried unanimously. [NOTE: Commissioners Shay and Odell were not present.]

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

ACTION OF THE BOARD:

Commissioner Kicklighter 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 Farrell seconded the motion and it carried unanimously. [NOTE: Commissioners Shay and Odell were not present.]

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APPOINTMENTS

1. CHATHAM URBAN TRANSPORTATION STUDY CITIZENS ADVISORY COMMITTEE (CUTS)

ACTION OF THE BOARD:

Commissioner Stone moved to approve Ms. Dale Thorpe to represent District 1 on the Chatham Urban Transportation Study Citizens Advisory Committee (CUTS). Commissioner Holmes seconded the motion and it carried unanimously. [NOTE: Commissioners Shay and Odell were not present.]

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ADJOURNMENT

There being no further business to be brought before the Commissioners, the Chairman declared the meeting adjourned at 3:20 p.m.

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APPROVED: THIS _____ DAY OF _____, 2009

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

SYBIL E. TILLMAN, CLERK OF COMMISSION